

TRANSMITTAL OF RULES ADOPTED

FROM: WASHINGTON STATE APPLE ADVERTISING COMMISSION (Name of Agency)

TO: CODE REVISER LEGISLATIVE BLDG. (Southwest Corner, Ground Floor) Olympia 98504

The enclosed rules Permanent rules [ ] / Emergency rules [x], being Order No. 4 relating to (Name of rules or description of subject matter)

- Amendment to WAC 24-12-010 AMOUNT OF ASSESSMENTS
Adopt new WAC 24-12-090 COLLECTION OF ASSESSMENTS
Repeal WAC 24-12-020 APPLE ADVERTISING STAMPS
WAC 24-12-030 STAMP BOOKS
WAC 24-12-040 BILLS OF LADING AND RELEASES
WAC 24-12-050 REPORTS

(ALTERNATIVE A. Use only for adoption of permanent rules)

pursuant to Notice No. filed with the code reviser on (date) were regularly adopted as permanent rules of this agency at (place) on (date) and are herewith filed in the office of the code reviser pursuant to chapter 34.04 RCW. The effective date of such rules shall be (date)

(ALTERNATIVE B. Use only for adoption of emergency rules)

pursuant to its finding in the attached administrative order, that the immediate adoption of these rules is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to the public interest, were regularly adopted as emergency rules of this agency at Wenatchee, Washington on August 16, 1977 (date) and are herewith filed in the office of the code reviser pursuant to chapter 34.04 RCW.

The undersigned hereby certifies that the requirements of chapter 34.04 RCW and of the Open Public Meetings Act of 1971, chapter 42.30 RCW have been fulfilled.

Dated this August 16 19 77.

STATE OF WASHINGTON FILED AUG 18 1977

WASHINGTON STATE APPLE ADVERTISING COMMISSION (AGENCY)

By [Signature] Secretary-Manager Title

CODE REVISER'S OFFICE DOCKET # 8390 FILE # II

NOTES: 1Notice number as appears on the copy of notice returned to you by reviser's office (if proceedings were continued, use no. of last notice) 2Stamped date as appears on the copy of notice returned to you by reviser's office (if proceedings were continued, use date of last notice) 3Unless a later date is specified in this order or is prescribed in another statute, rules are effective 30 days after filing: RCW 34.04.040. Leave this space blank except in such special cases.

FORM OF ORDER BY BOARD, COMMISSION OR COUNCIL

State of Washington

WASHINGTON STATE APPLE ADVERTISING COMMISSION

(name of governing body)

WASHINGTON STATE APPLE ADVERTISING COMMISSION

(agency name, if applicable)

Resolution No. \_\_\_\_\_

Administrative Order No. 4

(1) Be it resolved by the WASHINGTON STATE APPLE ADVERTISING COMMISSION  
State of Washington, that it does

ALTERNATIVE A. Use only for Adoption of Permanent Rules.

after due notice and in a meeting open to the public, held at \_\_\_\_\_  
\_\_\_\_\_ on \_\_\_\_\_  
as required by chapters 34.04 and 42.30 RCW, do promulgate and adopt as permanent rules of this governing body,  
the annexed rules:

ALTERNATIVE B. Use only for Adoption of Emergency Rules.

promulgate and adopt as emergency rules of this governing body, the annexed rules:

As attached

We, the WASHINGTON STATE APPLE ADVERTISING COMMISSION, find that  
an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or  
general welfare and that observance of the requirements of notice and opportunity to present views on the proposed  
action would be contrary to public interest. A statement of the facts constituting such emergency is:

The manner of collection of assessments is being changed to take advantage  
of a computerized system. Insufficient time remains prior to commencement  
of shipment of the 1977 crop of apples to follow the normal procedure for  
making rule changes.

Such rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

(2) Pursuant to the requirements of RCW 34.04.2 (1977 c 19 § 2)<sup>1</sup> that "every agency shall incorporate the  
most specific, but in no case omit all, of the following language alternatives when adopting or amending rules" (fill in  
statement (a), (b), or (c) as appropriate):

(a) This rule is promulgated pursuant to RCW \_\_\_\_\_  
and is intended to administratively implement that statute.

(b) This rule is promulgated pursuant to RCW 15.24.070(1)  
which directs that the

WASHINGTON STATE APPLE ADVERTISING COMMISSION

(agency)

has authority to implement the provisions of

CHAPTER 15.24

(name of act or RCW citation)

(c) This rule is promulgated under the general rule-making authority of the  
\_\_\_\_\_  
(agency)

as authorized in RCW \_\_\_\_\_

(3) This order after being first recorded in the order register of this governing body shall be forwarded to the  
Code Reviser for filing pursuant to chapter 34.04 RCW and chapter 1-12 WAC.

APPROVED AND ADOPTED August 16, 19 77.

By Paul E. Waack

President  
Title

By John Brundage

Secretary-Manager  
Title

AMENDATORY SECTION

WAC 24-12-010 AMOUNT OF ASSESSMENTS. ((The amount of the apple assessment shall be twelve cents (12¢) on each one hundred pounds (100 lbs.) gross billing weight of apples,)) Assessments shall be that amount on each one hundred pounds (100 lbs.) gross billing weights of apples established from time to time pursuant to the provisions of RCW 15.24.090 and shall be payable when shipped, whether in bulk or loose in boxes or any other container, or packed in any style package. The gross billing weights for the following containers shall apply for the purpose of computing said assessment:

<u>DESCRIPTION OF CONTAINER</u>	<u>GROSS BILLING WEIGHTS</u>
1/3 Bushel Box (packed or loose)	15 lbs.
1/2 Bushel Box (loose)	23 lbs.
Bulk Bushel Container (loose)      Net weight plus 3 lbs tare	41 lbs.
9/4 and 12/3 Bag Containers	41 lbs.
((10/4-and)) 13/3 Bag ((Containers)) <u>Container</u>	45 lbs.
10/4 Bag Container	46 lbs.
12/4 Bag Container                      ((53-lbs.))	54 lbs.
Standard Tray Pack Container	46 lbs.
Pocket Cell Tray Pack Container	46 lbs.
Cell Pack Containers, all counts	46 lbs.
2-Layer Tray Pack Container	23 lbs.
Single-Layer Tray Pack Container	12 lbs.

NEW SECTION

WAC 24-12-090 COLLECTION OF ASSESSMENTS. (1) The commission shall obtain from the department of agriculture a record of all shipments of fresh apples and shall from this record invoice twice monthly all apple dealers and handlers shown thereon. Said dealers and handlers shall remit the amount shown on their respective invoices to the commission office in Wenatchee within ten (10) days of their mailing dates.

(2) Assessments not paid as provided in WAC 24-12-010 shall be delinquent. Delinquent assessments not paid within thirty (30) days of the due dates thereof shall, at the option of the commission, bear interest at the maximum legal rate and in case of suit to collect said delinquent assessments, the commission shall be allowed, in addition to any other relief granted, a reasonable attorney's fee and its costs of suit.

(3) The foregoing procedure for collection of assessments shall apply to all shipments of apples disclosed by department of agriculture records obtained by the commission on or after September 2, 1977.

REPEALER

The following sections of the Washington Administrative Code are each repealed, effective upon implementation of WAC 24-12-090:

- (1) WAC 24-12-020 APPLE ADVERTISING STAMPS
- (2) WAC 24-12-030 STAMP BOOKS
- (3) WAC 24-12-040 BILLS OF LADING AND RELEASES
- (4) WAC 24-12-050 REPORTS