

FORM OF ORDER AND TRANSMITTAL BY AGENCY HAVING SINGLE HEAD

State of Washington

WASHINGTON STATE BEEF COMMISSION

(agency name)

Administrative Order No. 1912

(1) I, Louise Schneider, chairman of the Washington State Beef Commission

do promulgate and adopt at Ellensburg, Washington (place)

the annexed rules relating to:

WAC 16-12-010 - Regarding beef commission assessment.

(2) ALTERNATIVE A. Use only for Adoption of Permanent Rules.

This action is taken pursuant to Notice No. 86-21-130 filed with the code reviser on October 22, 1986. These rules shall take effect: [X] thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2). [ ] at a later date, such date being

(2) ALTERNATIVE B. Use only for Adoption of Emergency Rules.

I, find that an emergency exists and that this 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 the emergency is:

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

(3) Pursuant to the requirements of RCW 34.04.026 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:

[X] (a) This rule is promulgated pursuant to RCW 16.67.120 & 16,67,122 and is intended to administratively implement that statute.

[ ] (b) This rule is promulgated pursuant to RCW which directs that the

(agency) has authority to implement the provisions of (name of act or RCW citation)

[ ] (c) This rule is promulgated under the general rule-making authority of the (agency)

as authorized in RCW

(4) The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

(5) This order, after being first recorded in the order register of this agency, is herewith transmitted to the Code Reviser for filing pursuant to chapter 34.04 RCW and chapter 1-12 WAC.

APPROVED AND ADOPTED December 9 19 86

STATE OF WASHINGTON FILED DEC 9 1986 CODE REVISER'S OFFICE WSR 87-01-03

By Louise Schneider Chairman Title

AMENDATORY SECTION (Amending Order 1527, filed 5/11/77)

WAC 60-12-010 LEVY OF ASSESSMENT. ((The twenty-cent per head assessment on all Washington cattle sold in this state or elsewhere to be paid by the seller at the time of sale as provided for in RCW 16.67.120 shall continue beyond July 1, 1977.)) (1) Pursuant to the National Beef Promotion and Research Program, 7 USC S 2901, et seq., RCW 16.67.120 and RCW 16.67.122, the Washington State Beef Commission levies an assessment of one dollar per head on all Washington cattle sold in this state or elsewhere, provided that no assessment shall be collected with reference to the following:

(a) Sales by a person who purchased cattle solely for resale when such resale occurs within ten days from such person's purchase of the cattle and when any assessment due in connection with that original purchase has been paid. In order to qualify for this exception, such persons additionally must present a certification of their status under this section, a brand inspection certificate, a bill of sale or other documentation establishing the date of their purchase of the cattle. Such documentation must be presented at the time of sale to the person responsible for collecting the assessment.

(2) Assessments shall be paid by and shall be collected from the seller of the cattle. The term seller shall not include an agent or representative who is compensated in connection with the sale solely on a commission, handling fee or other service fee basis.

(3) Where a brand inspection is conducted in conjunction with a sale, brand inspectors employed by the State Department of Agriculture shall collect the assessment from the seller of the cattle. Where no brand inspection is conducted in connection with the sale, the buyer of the cattle shall collect the assessment from the cattle seller at the time of the sale. All assessments so collected shall be transmitted directly to the Washington State Beef Commission by the fifteenth of the month after the month of collection.

(4) That portion of each assessment remitted to the Washington State Beef Commission for purposes of providing funds for a National Beef Promotion and Research Program under 7 USC S 2901, et seq., and RCW 16.67.122 shall be remitted to the Cattlemen's Beef Promotion and Research Board by the Washington State Beef Commission.