CERTIFICATION OF ENROLLMENT

SUBSTITUTE SENATE BILL 5767

Chapter 313, Laws of 2013

63rd Legislature 2013 Regular Session

DAIRY CATTLE--INSPECTION

EFFECTIVE DATE: 07/28/13

Passed by the Senate April 22, 2013 YEAS 46 NAYS 2

BRAD OWEN

President of the Senate

Passed by the House April 12, 2013 YEAS 96 NAYS 0

FRANK CHOPP

Speaker of the House of Representatives

Approved May 20, 2013, 3:17 p.m.

CERTIFICATE

I, Hunter G. Goodman, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SUBSTITUTE SENATE BILL 5767** as passed by the Senate and the House of Representatives on the dates hereon set forth.

HUNTER G. GOODMAN

Secretary

FILED

May 20, 2013

JAY INSLEE

Governor of the State of Washington

Secretary of State State of Washington

SUBSTITUTE SENATE BILL 5767

AS AMENDED BY THE HOUSE

Passed Legislature - 2013 Regular Session

State of Washington

63rd Legislature

2013 Regular Session

By Senate Agriculture, Water & Rural Economic Development (originally sponsored by Senators Hatfield and Hobbs)

READ FIRST TIME 02/22/13.

- 1 AN ACT Relating to inspection of dairy cattle; amending RCW
- 2 16.57.160, 16.57.370, and 16.57.300; and repealing RCW 16.57.303.
- 3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:
- 4 **Sec. 1.** RCW 16.57.160 and 2011 c 204 s 13 are each amended to read 5 as follows:
- 6 (1) The director may adopt rules:
- 7 (a) Designating any point for mandatory inspection of cattle or 8 horses or the furnishing of proof that cattle or horses passing or 9 being transported through the point have been inspected or identified
- 10 and are lawfully being transported;
- 11 (b) Providing for issuance of individual horse and cattle
- 12 identification certificates or other means of horse and cattle
- 13 identification;
- 14 (c) Designating the documents that constitute other satisfactory
- 15 proof of ownership for cattle and horses. A bill of sale may not be
- 16 designated as documenting satisfactory proof of ownership for cattle;
- 17 and
- 18 (d) Designating when inspection certificates, certificates of
- 19 permit, or other transportation documents required by law or rule must

- designate a physical address of a destination. Cattle and horses must be delivered or transported directly to the physical address of that destination.
 - (2) A self-inspection certificate may be accepted as satisfactory proof of ownership for cattle if the director determines that the self-inspection certificate, together with other available documentation, sufficiently establishes ownership. Self-inspection certificates completed after June 10, 2010, are not satisfactory proof of ownership for cattle.
- (3)(a) Upon request by a milk producer licensed under chapter 15.36 10 RCW, the department must issue an official individual identification 11 12 tag to be placed by the producer before the first point of sale on bull 13 calves and free-martins (infertile female calves) under thirty days of 14 age. The fee for each tag is the cost to the department for manufacture, purchase, and distribution of the tag plus the applicable 15 beef commission assessment. As used in this subsection (3), "green 16 tag" means the official individual identification issued by the 17 department. 18
- 19 <u>(b) Transactions involving unbranded dairy breed bull calves or</u>
 20 <u>free-martins (infertile female calves) not being moved or transported</u>
 21 <u>out of Washington are exempt from inspection requirements under this</u>
 22 chapter only if:
- 23 <u>(i) The animal is under thirty days old and has not been previously</u> 24 bought or sold;
- 25 (ii) The seller holds a valid milk producer's license under chapter
 26 15.36 RCW;
- 27 (iii) The sale does not take place at or through a public livestock
 28 market or special sale authorized by chapter 16.65 RCW;
- 29 <u>(iv) Each animal is officially identified as provided in (a) of</u> 30 this subsection; and
- 31 <u>(v) A certificate of permit and a bill of sale listing each</u>
 32 animal's green tag accompanies the animal to the buyer's location.
- 33 These documents do not constitute proof of ownership under this
- 34 <u>chapter.</u>

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- 35 (c) All fees received under (a) of this subsection, except for the
- 36 <u>beef commission assessment, must be deposited in the animal disease</u>
- 37 <u>traceability account in the agricultural local fund created in RCW</u>
- 38 <u>43.23.230.</u>

- 1 **Sec. 2.** RCW 16.57.370 and 2003 c 326 s 43 are each amended to read 2 as follows:
- All fees collected under the provisions of this chapter shall be deposited in an account in the agricultural local fund and used to carry out the purposes of this chapter, except as otherwise provided.
- NEW SECTION. Sec. 3. RCW 16.57.303 (Proceeds from sale of impounded dairy breed cattle--Paid to seller) and 2003 c 326 s 37 are each repealed.
- 9 **Sec. 4.** RCW 16.57.300 and 2003 c 326 s 36 are each amended to read 10 as follows:

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((Except-under-RCW-16.57.303,)) The proceeds from the sale of cattle and horses when impounded under RCW 16.57.290, after paying the cost thereof, shall be paid to the director, who shall make a record showing the brand or marks or other method of identification of the animals and the amount realized from the sale thereof. However, the proceeds from a sale of the cattle or horses at a licensed public livestock market shall be held by the licensee for a reasonable period not to exceed thirty days to permit the consignor to establish ownership or the right to sell the cattle or horses. If the consignor fails to establish legal ownership or the right to sell the cattle or horses, the proceeds shall be paid to the director to be disposed of as any other estray proceeds.

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Passed by the Senate April 22, 2013. Passed by the House April 12, 2013. Approved by the Governor May 20, 2013. Filed in Office of Secretary of State May 20, 2013.