

ESSB 5959 - H COMM AMD

By Committee on Rural Development, Agriculture, & Natural Resources

NOT ADOPTED 04/11/2019

1 Strike everything after the enacting clause and insert the
2 following:

3

4 "Sec. 1. RCW 16.57.010 and 2010 c 66 s 5 are each reenacted
5 and amended to read as follows:

6 The definitions in this section apply throughout this chapter
7 unless the context clearly requires otherwise.

8 (1) "Brand" means a permanent fire brand or any artificial mark,
9 other than an individual identification symbol, approved by the
10 director to be used in conjunction with a brand or by itself.

11 (2) "Certificate of permit" means a form prescribed by and
12 obtained from the director that is completed by the owner or a
13 person authorized to act on behalf of the owner to show the
14 ownership of livestock. It is used to document ownership of
15 livestock while in transit within the state or on consignment to any
16 public livestock market, special sale, slaughter plant or certified
17 feed lot. It does not evidence inspection of livestock.

18 (3) "Department" means the department of agriculture of the
19 state of Washington.

20 (4) "Director" means the director of the department or his or
21 her duly authorized representative.

22 (5) "Horses" means horses, burros, and mules.

23 (6) "Individual identification certificate" means an inspection
24 certificate that authorizes the livestock owner to transport the
25 animal out of state multiple times within a set period of time.

26 (7) "Individual identification symbol" means a permanent mark
27 placed on a horse for the purpose of individually identifying and

1 registering the horse and which has been approved for use as such by
2 the director.

3 (8) "Inspection certificate" means a certificate issued by the
4 director, or a veterinarian or field livestock inspector that are
5 certified by the director documenting the ownership of an animal
6 based on an inspection of the animal. It includes an individual
7 identification certificate.

8 (9) "Livestock" includes, but is not limited to, horses, mules,
9 cattle, sheep, swine, and goats.

10 (10) "Livestock inspection" or "inspection" means the
11 examination of livestock or livestock hides for brands or any means
12 of identifying livestock or livestock hides including the
13 examination of documents providing evidence of ownership.

14 (11) "Microchipping" means the implantation of an identification
15 microchip or similar electronic identification device to establish
16 the identity of an individual animal:

17 (a) In the pipping muscle of a chick ratite or the implantation
18 of a microchip in the tail muscle of an otherwise unidentified adult
19 ratite;

20 (b) In the nuchal ligament of a horse unless otherwise specified
21 by rule of the director; and

22 (c) In locations of other livestock species as specified by rule
23 of the director when requested by an association of producers of
24 that species of livestock.

25 (12) "Person" means a natural person, individual, firm,
26 partnership, corporation, company, society, and association, and
27 every officer, agent or employee thereof. This term shall import
28 either the singular or the plural as the case may be.

29 (13) "Production record brand" means a number brand which shall
30 be used for production identification purposes only.

31 (14) "Ratite" means, but is not limited to, ostrich, emu, rhea,
32 or other flightless bird used for human consumption, whether live or
33 slaughtered.

34

1 (15) "Registering agency" means any person issuing an individual
2 identification symbol for the purpose of individually identifying
3 and registering a horse.

4 (16) "Self-inspection certificate" means a form prescribed by
5 and obtained from the director that (~~was~~) is completed and signed
6 by the buyer and seller of livestock to document a change in
7 ownership (~~before June 10, 2010~~).

8

9 **Sec. 2.** RCW 16.57.015 and 2011 1st sp.s. c 21 s 51 are each
10 amended to read as follows:

11 (1) The director shall establish a livestock identification
12 advisory committee. The committee shall be composed of (~~six members~~
13 ~~appointed by the director. One member shall represent each of the~~
14 ~~following groups: Beef producers, public livestock market operators,~~
15 ~~horse owners, dairy farmers, cattle feeders, and meat processors~~)
16 twelve voting members appointed by the director as follows: Two beef
17 producers, two cattle feeders, two dairy producers, two livestock
18 market owners, two meat processors, and two horse producers.
19 Organizations representing the groups represented on the committee
20 may submit nominations for these appointments to the director for
21 the director's consideration. No more than two members at the time
22 of their appointment or during their term may reside in the same
23 county. Members may be reappointed and vacancies must be filled in
24 the same manner as original appointments are made. As used in this
25 subsection, "meat processor" means a person licensed to operate a
26 slaughtering establishment under chapter 16.49 RCW or the federal
27 meat inspection act (21 U.S.C. Sec. 601 et seq.). In making
28 appointments, the director shall solicit nominations from
29 organizations representing these groups statewide. The committee
30 shall elect a member to serve as chair of the committee. The
31 committee must meet at least twice a year. The committee shall meet
32 at the call of the director, chair, or a majority of the committee.
33 A quorum of the committee consists of a majority of members. If a
34 member has not been designated for a position set forth in this

1 section, that position may not be counted for purposes of
2 determining a quorum. A member may appoint an alternate who meets
3 the same qualifications as the member to serve during the member's
4 absence. The director may remove a member from the committee if that
5 member has two or more unexcused absences during a single calendar
6 year.

7 (2) The purpose of the committee is to provide advice to the
8 director regarding livestock identification programs administered
9 under this chapter and regarding inspection fees and related
10 licensing fees. The director shall consult the committee before
11 adopting, amending, or repealing a rule under this chapter or
12 altering a fee under RCW 16.58.050, 16.65.030, 16.65.037, or
13 16.65.090. If the director publishes in the state register a
14 proposed rule to be adopted under the authority of this chapter and
15 the rule has not received the approval of the advisory committee,
16 the director shall file with the committee a written statement
17 setting forth the director's reasons for proposing the rule without
18 the committee's approval.

19 (3) The members of the advisory committee serve three-year
20 terms. However, the director shall by rule provide shorter initial
21 terms for some of the members of the committee to stagger the
22 expiration of the initial terms. The members serve without
23 compensation. The director may authorize the expenses of a member to
24 be reimbursed if the member is selected to attend a regional or
25 national conference or meeting regarding livestock identification.
26 Any such reimbursement shall be in accordance with RCW 43.03.050 and
27 43.03.060.

28

29 **Sec. 3.** RCW 16.57.020 and 2003 c 326 s 4 are each amended to
30 read as follows:

31 The director shall be the recorder of livestock brands and such
32 brands shall not be recorded elsewhere in this state. Any person
33 desiring to record a livestock brand shall apply on a form
34 prescribed by the director. The application shall be accompanied by

1 a facsimile of the brand applied for and a one hundred (~~twenty~~)
2 thirty-two dollar recording fee. The director shall, upon his or her
3 satisfaction that the application and brand facsimile meet the
4 requirements of this chapter and its rules, record the brand. The
5 director must establish a staggered brand record renewal schedule
6 and may adopt an annual or biennial renewal schedule if necessary.
7 The application to transfer a brand shall be accompanied by a
8 notarized form that includes a facsimile of the brand, a
9 description, information about the current owners, and a twenty
10 seven dollar and fifty cent transfer fee. If the application to
11 transfer a brand is for a legacy brand, the application must be
12 accompanied by a one hundred dollar transfer fee. For purposes of
13 this section, "legacy brand" means a brand that has been in
14 continuous use for at least twenty-five years.

15

16 **Sec. 4.** RCW 16.57.025 and 2003 c 326 s 6 are each amended to
17 read as follows:

18 (1) The director may enter into agreements with Washington state
19 licensed and accredited veterinarians, who have been certified by
20 the director, to perform livestock inspection.

21 (2) The department must actively recruit and maintain a list of
22 field livestock inspectors who are certified to perform livestock
23 inspection. The list must be divided into at least six geographic
24 regions of the state. The list must be updated quarterly and must be
25 made available to the public through electronic media and by mail
26 when requested.

27 (3) All individuals applying for certification as a field
28 livestock inspector under this section must complete training
29 provided by the department at the discretion of the director.
30 Training must include, but is not limited to, the:

31 (a) Reading of printed brands;

32 (b) Reading of brands or other marks on animals, including the
33 location of brands on animals;

34

1 (c) Reading of a microchip or other electronic official
2 individual identification;

3 (d) Completion of official documents; and

4 (e) Review of satisfactory ownership documents.

5 (4) In order to qualify, an individual must submit an
6 application to the director that includes:

7 (a) The full name, address, telephone number, and email address
8 of the individual applying for certification;

9 (b) The applicant's Washington state veterinary license number,
10 if the applicant is a veterinarian;

11 (c) The geographic area in which the applicant will issue
12 inspection certificates for livestock;

13 (d) A statement describing the applicant's experience with large
14 animals, especially cattle and horses; and

15 (e) A brief statement indicating that the applicant is
16 requesting certification to issue inspection certificates for
17 cattle, horses, or both.

18 (5) Fees for livestock inspection performed by a certified
19 veterinarian or field livestock inspector shall be collected by the
20 veterinarian or field livestock inspector and remitted to the
21 director. Veterinarians and field livestock inspectors providing
22 livestock inspection may charge a fee for livestock inspection that
23 is in addition to and separate from fees collected under RCW
24 16.57.220. The director may adopt (~~rules necessary to implement~~
25 ~~livestock inspection performed by veterinarians and may adopt~~)) fees
26 to cover the cost associated with certification of veterinarians and
27 field livestock inspectors.

28 (6) A veterinarian or field livestock inspector certified to
29 perform livestock inspection under this section shall not be
30 considered an employee of the department.

31 (7)(a) The director may suspend or revoke a veterinarian's or
32 field livestock inspector's certification to issue inspection
33 certificates if the veterinarian or field livestock inspector
34 knowingly:

- 1 (i) Makes or acquiesces in false or inaccurate statements on
2 livestock inspection certificates regarding:
3 (A) The date or location of the inspection;
4 (B) The marks or brands on the livestock inspected;
5 (C) The owner's name; or
6 (D) Any other statement about the livestock inspected.
7 (ii) Fails to properly verify the ownership status of the animal
8 before issuing an inspection certificate.
9 (iii) Issues an inspection certificate without actually
10 conducting an inspection of the livestock.
11 (iv) Fails to submit inspection fees and certificates issued to
12 the director within thirty days from the date of issue.
13 (b) Actions under this section must be taken in accordance with
14 chapter 34.05 RCW.

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16 **Sec. 5.** RCW 16.57.160 and 2015 c 197 s 2 are each amended to
17 read as follows:

18 (1) The director may adopt rules:

19 (a) Designating any point for mandatory inspection of cattle or
20 horses or the furnishing of proof that cattle or horses passing or
21 being transported through the point have been inspected or
22 identified and are lawfully being transported;

23 (b) Providing for issuance of individual horse and cattle
24 identification certificates or other means of horse and cattle
25 identification;

26 (c) Designating the documents that constitute other satisfactory
27 proof of ownership for cattle and horses. A bill of sale may not be
28 designated as documenting satisfactory proof of ownership for
29 cattle; (~~and~~)

30 (d) Providing for self-inspection of twenty-five or fewer horses
31 at a time, and no more than one hundred horses per calendar year; and

32 (e) Designating when inspection certificates, certificates of
33 permit, or other transportation documents required by law or rule
34 must designate a physical address of a destination. Cattle and

1 horses must be delivered or transported directly to the physical
2 address of that destination.

3 (2) The director may establish a process to electronically
4 report transactions involving (~~unbranded dairy~~) cattle under RCW
5 16.57.450 as an alternative to the mandatory cattle inspections
6 required by department rule adopted pursuant to this section.

7 (3) A self-inspection certificate may be accepted as
8 satisfactory proof of ownership for cattle if the director
9 determines that the self-inspection certificate, together with other
10 available documentation, sufficiently establishes ownership.
11 Self-inspection certificates completed after June 10, 2010, are not
12 satisfactory proof of ownership for cattle.

13 (4)(a) Upon request by a milk producer licensed under chapter
14 15.36 RCW, the department must issue an official individual
15 identification tag to be placed by the producer before the first
16 point of sale on bull calves and free-martins (infertile female
17 calves) under thirty days of age. The fee for each tag is the cost
18 to the department for manufacture, purchase, and distribution of the
19 tag plus the applicable beef commission assessment. As used in this
20 subsection (4), "green tag" means the official individual
21 identification issued by the department.

22 (b) Transactions involving unbranded dairy breed bull calves or
23 free-martins (infertile female calves) not being moved or
24 transported out of Washington are exempt from inspection
25 requirements under this chapter only if:

26 (i) The animal is under thirty days old and has not been
27 previously bought or sold;

28 (ii) The seller holds a valid milk producer's license under
29 chapter 15.36 RCW;

30 (iii) The sale does not take place at or through a public
31 livestock market or special sale authorized by chapter 16.65 RCW;

32 (iv) Each animal is officially identified as provided in (a) of
33 this subsection; and

34

1 (v) A certificate of permit and a bill of sale listing each
2 animal's green tag accompanies the animal to the buyer's location.
3 These documents do not constitute proof of ownership under this
4 chapter.

5 (c) All fees received under (a) of this subsection, except for
6 the beef commission assessment, must be deposited in the animal
7 disease traceability account in the agricultural local fund created
8 in RCW 43.23.230.

9

10 **Sec. 6.** RCW 16.57.220 and 2010 c 66 s 7 are each amended to
11 read as follows:

12 (1) Except as provided for in RCW 16.65.090 and otherwise in
13 this section, the fee for livestock inspection is ~~((one dollar and~~
14 ~~sixty cents))~~ three dollars per head for cattle and ~~((three))~~ two
15 dollars and ~~((fifty))~~ forty cents for horses ~~((or the time and~~
16 ~~mileage fee, whichever is greater))~~, with a call out fee of twenty
17 dollars.

18 (2) When cattle are identified with the owner's brand,
19 electronic official individual identification, or other form of
20 identification specified by the director by rule, the fee for
21 livestock inspection is one dollar and ~~((ten))~~ twenty-five cents per
22 head ~~((or the time and mileage fee, whichever is greater))~~, with a
23 call out fee of twenty dollars.

24 (3) No inspection fee is charged for a calf that is inspected
25 before moving out-of-state under an official temporary grazing
26 permit if the calf is part of a cow-calf unit and the calf is
27 identified with the owner's Washington-recorded brand or other form
28 of identification specified by the director by rule.

29 (4) The fee for inspection of cattle at a processing plant with
30 a daily capacity of no more than five hundred head of cattle where
31 the United States department of agriculture maintains a meat
32 inspection program is four dollars per head, with a call out fee of
33 twenty dollars.

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1 (5) When a single inspection certificate is issued for thirty or
2 more horses belonging to one person, the fee for livestock
3 inspection is two dollars per head (~~(or the time and mileage fee,~~
4 ~~whichever is greater)~~), with a call out fee of twenty dollars.

5 (6) The fee for individual identification certificates is
6 twenty-two dollars for an annual certificate and sixty dollars for a
7 lifetime certificate (~~(or the time and mileage fee, whichever is~~
8 ~~greater)~~), with a call out fee of twenty dollars. However, the fee
9 for an annual certificate listing thirty or more animals belonging
10 to one person is five dollars per head (~~(or the time and mileage~~
11 ~~fee, whichever is greater)~~), with a call out fee of twenty dollars.
12 A lifetime certificate shall not be issued until the fee has been
13 paid to the director.

14 (7) The minimum fee for the issuance of an inspection
15 certificate by the director is (~~(five)~~) four dollars. The minimum
16 fee does not apply to livestock consigned to a public livestock
17 market or special sale or inspected at a cattle processing plant.

18 (~~(8) For purposes of this section, "the time and mileage fee"~~
19 ~~means seventeen dollars per hour and the current mileage rate set by~~
20 ~~the office of financial management.)~~)

21

22 **Sec. 7.** RCW 16.57.450 and 2015 c 197 s 1 are each amended to
23 read as follows:

24 (1)(a) The director may establish an electronic cattle
25 transaction reporting system as a mechanism for reporting
26 transactions involving (~~(unbranded dairy)~~) cattle to the department.
27 The system may be used as an alternative to mandatory inspections
28 under RCW 16.57.160. However, it may only be used as an alternative
29 for (~~(unbranded dairy)~~) cattle that are (~~(individually identified~~
30 ~~through an identification method authorized by the department)~~)
31 identified with official electronic individual identification. All
32 other livestock transactions are subject to the provisions of RCW
33 16.57.160. The system may be used to report the inspection of
34 animals that are being moved out-of-state.

1 (b) (~~Pursuant to criteria established by the director by~~
2 ~~rule,~~) A cattle transaction described in (a) of this subsection,
3 that would otherwise trigger a mandatory inspection under rules
4 adopted pursuant to RCW 16.57.160, is eligible to report
5 electronically under this section.

6 (c) Transactions that may be reported electronically include any
7 sale, trade, gift, barter, or any other transaction that constitutes
8 a change of ownership of (~~unbranded dairy~~) cattle.

9 (2) A person may not electronically report change of ownership
10 or out of state movement transactions involving (~~unbranded dairy~~)
11 cattle under this section without first obtaining an electronic
12 cattle transaction reporting license from the director. Applicants
13 for an electronic cattle transaction reporting license must submit
14 an application to the department on a form provided by the
15 department and must include an application fee. The amount of the
16 application fee must be established by the director by rule
17 consistent with subsection (8) of this section.

18 (3) All holders of an electronic cattle transaction reporting
19 license must transmit to the department a record of each transaction
20 containing the (~~unique~~) official electronic individual
21 identification of each (~~individual~~) animal (~~included in the~~
22 ~~transaction as assigned through a department authorized~~
23 ~~identification method~~). The transmission required under this
24 subsection must be completed no more than twenty-four hours after a
25 qualifying transaction involving (~~unbranded dairy~~) cattle.

26 (4) All holders of an electronic cattle transaction reporting
27 license must keep accurate records of all transactions involving
28 (~~unbranded dairy~~) cattle and make those records available for
29 inspection by the department upon reasonable request during normal
30 business hours. All records of the licensed property must be
31 retained for at least three years.

32 (5)(a) The director may enter the property of the holder of an
33 electronic cattle transaction reporting license at any reasonable
34 time to conduct examinations and inspections of cattle and any

1 associated records for movement verification purposes. For purposes
2 of this section, "any reasonable time" means during regular business
3 hours or during any working shift.

4 (b) It is unlawful for any person to interfere with an
5 examination and inspection of cattle and records performed under
6 this subsection.

7 (c) If the director is denied access to a property or cattle for
8 the purposes of this subsection, or a person fails to comply with an
9 order of the director, the director may apply to a court of
10 competent jurisdiction for a search warrant. To show that access is
11 denied, the director must file with the court an affidavit or
12 declaration containing a description of all attempts to notify and
13 locate the owner or owner's agent and secure consent.

14 (6)(a) The director may deny, suspend, or revoke an electronic
15 cattle transaction reporting license issued under this section if
16 the director finds that an electronic cattle transaction reporting
17 license holder:

18 (i) Fails to satisfy the reporting requirements as provided in
19 this section;

20 (ii) Knowingly makes false or inaccurate statements;

21 (iii) Has previously had an electronic cattle transaction
22 reporting license revoked;

23 (iv) Denies entry to property, cattle, or records as provided in
24 subsection (5) of this section; or

25 (v) Violates any other provision of this chapter or any rules
26 adopted under this chapter.

27 (b) Any action taken under this subsection must be consistent
28 with the provisions of chapter 34.05 RCW, the administrative
29 procedure act.

30 (c) If an electronic cattle transaction reporting license is
31 denied, suspended, or revoked, then the mandatory cattle inspection
32 requirements under RCW 16.57.160 apply to any future transactions.

33 (7) The department must submit an annual report to the
34 legislature, consistent with RCW 43.01.036, that documents all

1 examinations and inspections of cattle and records of electronic
2 cattle transaction reporting license holders performed by the
3 department either since the department's last report or since the
4 adoption of the electronic cattle transaction reporting system. The
5 annual report must also include details regarding any actions the
6 department took following the examinations and inspections. All
7 reports required under this section must be submitted by July 31st
8 of each year.

9 (8)(a) The director may adopt rules:

10 (i) Designating the conditions of licensure under this section
11 and the use of the electronic cattle transaction reporting system
12 authorized by this section;

13 (ii) Establishing an initial application fee and a license
14 renewal fee applicable to the electronic cattle transaction
15 reporting license; and

16 (iii) Establishing any fees that must be paid by the holder of
17 an electronic cattle transaction reporting license for reporting
18 cattle transactions through the electronic cattle transaction
19 reporting system.

20 (b) All fees established under this section must, as closely as
21 practicable, cover the cost of the development, maintenance, fee
22 collection, and audit and administrative oversight of the electronic
23 cattle transaction reporting system.

24

25 NEW SECTION. **Sec. 8.** A new section is added to chapter 16.57
26 RCW to read as follows:

27 The department must maintain appropriate staffing levels to
28 efficiently provide brand inspections.

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30 **Sec. 9.** RCW 16.58.050 and 2003 c 326 s 49 are each amended to
31 read as follows:

32 (1) The application for an annual license to engage in the
33 business of operating one or more certified feed lots shall be

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1 accompanied by a license fee of ((~~eight hundred fifty~~)) nine hundred
2 thirty-five dollars.

3 (2) Upon approval of the application by the director and
4 compliance with the provisions of this chapter and rules adopted
5 under this chapter, the applicant shall be issued a license or
6 license renewal. The director shall conduct an inspection of all
7 cattle and their corresponding ownership documents prior to issuing
8 an original license. The inspection fee is the higher of the current
9 inspection fee per head of cattle or time and mileage as set forth
10 in RCW 16.57.220.

11

12 **Sec. 10.** RCW 16.65.080 and 2003 c 326 s 70 are each amended to
13 read as follows:

14 (1) The director may deny, suspend, or revoke a license when the
15 director finds that a licensee (a) has misrepresented titles,
16 charges, numbers, brands, weights, proceeds of sale, or ownership of
17 livestock; (b) has attempted payment to a consignor or the
18 department by a check the licensee knows not to be backed by
19 sufficient funds to cover such check; (c) has violated any of the
20 provisions of this chapter or rules adopted under this chapter; (d)
21 has violated any laws of the state that require inspection of
22 livestock for health or ((~~ownership~~)) identification purposes; (e)
23 has violated any condition of the bond, as provided in this chapter.

24 (2) Upon notice by the director to deny, revoke, or suspend a
25 license, a person may request a hearing under chapter 34.05 RCW.

26 (3) The director may issue subpoenas to compel the attendance of
27 witnesses, ((~~and/or~~)) or the production of books or documents
28 anywhere in the state. The applicant or licensee shall have
29 opportunity to be heard, and may have such subpoenas issued as he or
30 she desires. Subpoenas shall be served in the same manner as in
31 civil cases in the superior court. Witnesses shall testify under
32 oath which may be administered by the director. Testimony shall be
33 recorded, and may be taken by deposition under such rules as the
34 director may prescribe.

1 **Sec. 11.** RCW 16.65.037 and 2003 c 326 s 66 are each amended to
2 read as follows:

3 (1) Any license issued under the provisions of this chapter
4 shall only be valid at the location and for the sales day or days
5 for which the license was issued.

6 (2) The license fee shall be based on the average gross sales
7 volume per official sales day of a market in the previous twelve
8 months or, for a new market, the projected average gross sales per
9 official sales day of the market during its first year's operation.

10 (a) The license fee for markets with an average gross sales
11 volume up to and including ten thousand dollars is one hundred
12 (~~(fifty)~~) sixty-five dollars.

13 (b) The license fee for markets with an average gross sales
14 volume over ten thousand dollars and up to and including fifty
15 thousand dollars is three hundred thirty dollars.

16 (c) The license fee for markets with an average gross sales
17 volume over fifty thousand dollars is four hundred (~~(fifty)~~)
18 ninety-five dollars.

19 (3) Any applicant operating more than one public livestock
20 market shall make a separate application for a license to operate
21 each public livestock market, and each application shall be
22 accompanied by the appropriate license fee.

23

24 **Sec. 12.** RCW 16.65.090 and 2003 c 326 s 71 are each amended to
25 read as follows:

26 (~~(The director shall provide for livestock inspection.)~~) When
27 livestock inspection is required the licensee shall collect from the
28 consignor and pay to the department an inspection fee, as provided
29 by law, for each animal inspected. However, if in any one sale day
30 the total fees collected for inspection do not exceed one hundred
31 fifty dollars, then the licensee shall pay one hundred fifty dollars
32 for the inspection services. The licensee must pay a call out fee of
33 twenty dollars to the department for each day and for each livestock

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1 inspector, certified veterinarian, or field livestock inspector who
2 performs inspections at a public livestock market.

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4 **Sec. 13.** RCW 16.65.170 and 2003 c 326 s 74 are each amended to
5 read as follows:

6 The licensee shall keep accurate records which shall be
7 available for inspection to all parties directly interested therein,
8 and the records shall contain the following information:

9 (1) The date on which each consignment of livestock was received
10 and sold.

11 (2) The name and address of the buyer and seller of the livestock.

12 (3) The number and species of livestock received and sold.

13 (4) The marks (~~and~~), brands, and identification on the
14 livestock.

15 (5) All statements of warranty or representations of title
16 material to, or upon which, any sale is consummated.

17 (6) The gross selling price of the livestock with a detailed
18 list of all charges deducted therefrom.

19 These records shall be kept by the licensee for one year
20 subsequent to the receipt of such livestock.

21

22 NEW SECTION. **Sec. 14.** A new section is added to chapter 16.57
23 RCW to read as follows:

24 (1) The department shall submit a livestock inspection program
25 report pursuant to RCW 43.01.036 by September 1, 2020, and annually
26 thereafter, to the appropriate committees of the legislature having
27 oversight over agriculture and fiscal matters. The report must also
28 be submitted to the livestock identification advisory committee
29 created in RCW 16.57.015. The report must include amounts collected,
30 a report on program expenditures, and any recommendations for making
31 the program more efficient, improving the program, or modifying
32 livestock inspection fees to cover the costs of the program. The
33 report must also address the financial status of the program,

34

1 including whether there is a need to review fees so that the program
2 continues to be supported by fees.

3 (2) This section expires July 1, 2023.

4

5 **Sec. 15.** RCW 16.58.130 and 2006 c 156 s 2 are each amended to
6 read as follows:

7 Each licensee shall pay to the director a fee of (~~twenty-five~~)
8 forty cents for each head of cattle handled through the licensee's
9 feed lot. The licensee must pay a call out fee of twenty dollars to
10 the department for each day and for each livestock inspector,
11 certified veterinarian, or field livestock inspector who performs
12 inspections at each certified feed lot. Payment of the fees shall be
13 made by the licensee on a monthly basis. Failure to pay as required
14 shall be grounds for suspension or revocation of a certified feed
15 lot license. The director shall not renew a certified feed lot
16 license if a licensee has failed to make prompt and timely payments.
17

18 NEW SECTION. **Sec. 16.** A new section is added to chapter 16.57
19 RCW to read as follows:

20 The department must allow use of credit and debit cards for
21 payment of fees to the department and its agents. The department
22 must establish a convenience fee to be paid by the credit or debit
23 card user whenever a credit or debit card is chosen as the payment
24 method. The fee must be sufficient to offset, but may not exceed,
25 the charges imposed on the department and its agents by credit and
26 debit card companies. In no event may the use of credit or debit
27 cards authorized by this section create a loss of revenue to the
28 state.

29

30 NEW SECTION. **Sec. 17.** A new section is added to chapter 16.58
31 RCW to read as follows:

32 The department must allow use of credit and debit cards for
33 payment of fees to the department and its agents. The department
34 must establish a convenience fee to be paid by the credit or debit

1 card user whenever a credit or debit card is chosen as the payment
2 method. The fee must be sufficient to offset, but may not exceed,
3 the charges imposed on the department and its agents by credit and
4 debit card companies. In no event may the use of credit or debit
5 cards authorized by this section create a loss of revenue to the
6 state.

7

8 NEW SECTION. **Sec. 18.** A new section is added to chapter 16.65
9 RCW to read as follows:

10 The department must allow use of credit and debit cards for
11 payment of fees to the department and its agents. The department
12 must establish a convenience fee to be paid by the credit or debit
13 card user whenever a credit or debit card is chosen as the payment
14 method. The fee must be sufficient to offset, but may not exceed,
15 the charges imposed on the department and its agents by credit and
16 debit card companies. In no event may the use of credit or debit
17 cards authorized by this section create a loss of revenue to the
18 state.

19

20 NEW SECTION. **Sec. 19.** A new section is added to chapter 16.57
21 RCW to read as follows:

22 (1) The department shall track the revenues, expenditures, and
23 fund balance that result from the livestock inspection program under
24 this chapter, chapter 16.58 RCW, and chapter 16.65 RCW, and shall
25 maintain a fund balance for the program that is equivalent to no
26 more than eight months of operating expenditures.

27 (2) The department may reduce livestock inspection fees
28 established in this chapter by rule if conditions warrant or if
29 reductions are necessary to maintain a fund balance that is
30 equivalent to no more than eight months of operating expenditures.

31

32 NEW SECTION. **Sec. 20.** Sections 2, 6, 12, and 15 of this act
33 expire July 1, 2023."

34

1 Correct the title.

2

EFFECT: Retains all provisions of the underlying bill with the following changes:

(1) Authorizes the Department of Agriculture (Department) to provide for self-inspections for up to 25 horses at a time, and no more than 100 per year.

(2) Provides that the Department must actively recruit field livestock inspectors.

(3) Changes livestock inspection fees as follows:

(a) Increases the inspection fee for cattle at licensed feedlots from \$0.25 to \$0.40.

(b) Reduces inspection fees for:

(i) Unbranded cattle from \$4 to \$3;

(ii) Branded and identified cattle from \$1.21 to \$1.25; and

(iii) Horses from \$3.85 to \$2.40.

(c) Restores to current law other livestock inspection fees that are increased by 10 percent in the underlying bill.

(d) Provides that fees may be reduced by the Department by rule as conditions warrant, or if necessary to maintain the maximum reserve.

(4) Specifies that the Department must track livestock identification program revenues and expenditures, and may not hold more than 8 months of operating expenditures in reserve.

(5) Provides that the Department must maintain appropriate staffing levels to efficiently provide brand inspections.

(6) Allows the use of credit and debit cards to pay livestock inspection fees.

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