
SUBSTITUTE SENATE BILL 5626

State of Washington

52nd Legislature

1991 Regular Session

By Senate Committee on Environment & Natural Resources (originally sponsored by Senators McMullen, Amondson and Snyder; by request of Washington Hardwoods Commission).

Read first time March 6, 1991.

1 AN ACT Relating to the hardwood commission; amending RCW 15.74.030
2 and 15.74.060; adding a new section to chapter 15.74 RCW; and declaring
3 an emergency.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 15.74.030 and 1990 c 142 s 4 are each amended to read
6 as follows:

7 The commission shall have the power to elect a chair and such
8 officers as the commission deems necessary and advisable. The
9 commission shall elect a treasurer who shall be responsible for all
10 receipts and disbursements by the commission. The treasurer's faithful
11 discharge of duties shall be guaranteed by a bond at the sole expense
12 of the commission. The commission shall adopt rules for its
13 governance, which shall provide for the holding of an annual meeting
14 for the election of officers and the transaction of other business and
15 for such other meetings as the commission may direct. The commission

1 shall do all things reasonably necessary to effect the purposes of this
2 chapter. The commission shall have no legislative power. The
3 commission may employ and discharge managers, secretaries, agents,
4 attorneys, and other employees or staff, and may engage the services of
5 independent contractors, prescribe their duties, and fix their
6 compensation. Each member of the board shall be compensated in
7 accordance with RCW 43.03.240 and shall be reimbursed for travel
8 expenses at the rates allowed state employees in accordance with RCW
9 43.03.050 and 43.03.060.

10 NEW SECTION. **Sec. 2.** A new section is added to chapter 15.74 RCW
11 to read as follows:

12 Any due and payable assessment levied under this chapter in such
13 specified amount as may be determined by the commission shall
14 constitute a personal debt of every person so assessed or who otherwise
15 owes the same, and the same shall be due and payable to the commission
16 when payment is called for by the commission. In the event any person
17 fails to pay the commission the full amount of such assessment or such
18 other sum on or before the date due, the commission may, and is hereby
19 authorized to, add to such unpaid assessment or sum an amount not
20 exceeding ten percent of the same to defray the cost of enforcing the
21 collecting of the same. In the event of failure of such person or
22 persons to pay any such due and payable assessment or other such sum,
23 the commission may bring a civil action against such person or persons
24 in a court of competent jurisdiction for the collection thereof,
25 together with the above specified ten percent thereon, and such action
26 shall be tried and judgment rendered as in any other cause of action
27 for debt due and payable.

1 **Sec. 3.** RCW 15.74.060 and 1990 c 142 s 7 are each amended to read
2 as follows:

3 To provide for permanent funding of the Washington hardwoods
4 commission, agricultural commodity assessments shall be levied by the
5 commission on processors of hardwoods. (~~The commission shall
6 determine by December 31, 1990, a method and rate of assessment on
7 processors as well as a work plan for the commission. The commission
8 shall report to the natural resource and revenues committees of each
9 house of the legislature at that time.~~)

10 An assessment is hereby levied on hardwood processors operating
11 within the state of Washington. The assessment categories shall be
12 based on the hardwood processor's production per calendar quarter. The
13 assessment shall be levied based upon the following schedule:

14	<u>CATEGORY</u>	<u>QUARTERLY PRODUCTION</u>	<u>QUARTERLY ASSESSMENT</u>
15		<u>(THOUSAND TONS)</u>	
16	<u>1</u>	<u>5 to 7.5</u>	<u>\$ 150</u>
17	<u>2</u>	<u>7.5 to 15</u>	<u>\$ 300</u>
18	<u>3</u>	<u>15 to 25</u>	<u>\$ 600</u>
19	<u>4</u>	<u>25 to 35</u>	<u>\$ 900</u>
20	<u>5</u>	<u>35 to 45</u>	<u>\$ 1,200</u>
21	<u>6</u>	<u>45 to 62.5</u>	<u>\$ 1,500</u>
22	<u>7</u>	<u>62.5 to 82.5</u>	<u>\$ 2,250</u>
23	<u>8</u>	<u>82.5 to 125</u>	<u>\$ 3,000</u>
24	<u>9</u>	<u>125 to 175</u>	<u>\$ 4,500</u>
25	<u>10</u>	<u>175 to 250</u>	<u>\$ 6,000</u>
26	<u>11</u>	<u>250 to 350</u>	<u>\$ 9,000</u>
27	<u>12</u>	<u>350 to 450</u>	<u>\$12,000</u>
28	<u>13</u>	<u>450 to 625</u>	<u>\$15,000</u>

1	<u>14</u>	<u>625 to 875</u>	<u>\$22,500</u>
2	<u>15</u>	<u>875 to 1125</u>	<u>\$30,000</u>
3	<u>16</u>	<u>Over 1125</u>	<u>\$35,000</u>

4 The commission may develop by rule formulas for converting other
5 units of measure to thousands of tons of production for determining the
6 appropriate production category. The assessment shall be calculated
7 based upon calendar quarters with the first assessment period beginning
8 July 1, 1991.

9 NEW SECTION. Sec. 4. This act is necessary for the immediate
10 preservation of the public peace, health, or safety, or support of the
11 state government and its existing public institutions, and shall take
12 effect immediately.