
SENATE BILL 6634

State of Washington 61st Legislature 2010 Regular Session

By Senators Ranker, Hatfield, Morton, Haugen, Becker, Shin, and Jacobsen

Read first time 01/19/10. Referred to Committee on Agriculture & Rural Economic Development.

1 AN ACT Relating to establishing civil penalties for failure to
2 comply with dairy nutrient management recordkeeping requirements;
3 adding a new section to chapter 90.64 RCW; and prescribing penalties.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 90.64 RCW
6 to read as follows:

7 (1) Except as provided in chapter 43.05 RCW, the department of
8 agriculture may impose a civil penalty to a dairy producer for failure
9 to comply with recordkeeping requirements in RCW 90.64.010(17)(c). The
10 amount of the civil penalty shall not exceed five thousand dollars in
11 a calendar year.

12 (2) In determining the amount of the civil penalty to be levied,
13 the department of agriculture shall take into consideration:

- 14 (a) The gravity and magnitude of the violation;
15 (b) Whether the violation was repeated or is continuous;
16 (c) Whether the cause of the violation was an unavoidable accident,
17 negligence, or an intentional act;
18 (d) The violator's efforts to correct the violation; and

1 (e) The immediacy and extent to which the violation threatens the
2 public health or safety or harms the environment.

3 (3) The department of agriculture may establish by rule a graduated
4 civil penalty schedule that includes the factors listed in this
5 section.

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