
SENATE BILL 5439

State of Washington

68th Legislature

2023 Regular Session

By Senators Warnick, Dozier, Hasegawa, Lovelett, Salomon, Schoesler, and Van De Wege

Read first time 01/18/23. Referred to Committee on Agriculture, Water, Natural Resources & Parks.

1 AN ACT Relating to livestock identification; amending RCW
2 16.57.015, 16.57.015, 16.57.220, 16.57.220, and 16.57.460; providing
3 an effective date; and providing expiration dates.

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

5 **Sec. 1.** RCW 16.57.015 and 2019 c 92 s 1 are each amended to read
6 as follows:

7 (1) The director shall establish a livestock identification
8 advisory committee. The committee shall be composed of (~~twelve~~) 12
9 voting members appointed by the director as follows: Two beef
10 producers, two cattle feeders, two dairy producers, two livestock
11 market owners, two meat processors, and two horse producers.
12 Organizations representing the groups represented on the committee
13 may submit nominations for these appointments to the director for the
14 director's consideration. No more than two members at the time of
15 their appointment or during their term may reside in the same county.
16 Members may be reappointed and vacancies must be filled in the same
17 manner as original appointments are made. As used in this subsection,
18 "meat processor" means a person licensed to operate a slaughtering
19 establishment under chapter 16.49 RCW or the federal meat inspection
20 act (21 U.S.C. Sec. 601 et seq.). In making appointments, the
21 director shall solicit nominations from organizations representing

1 these groups statewide. The committee shall elect a member to serve
2 as chair of the committee. The committee must meet at least twice a
3 year. The committee shall meet at the call of the director, chair, or
4 a majority of the committee. A quorum of the committee consists of a
5 majority of members. If a member has not been designated for a
6 position set forth in this section, that position may not be counted
7 for purposes of determining a quorum. A member may appoint an
8 alternate who meets the same qualifications as the member to serve
9 during the member's absence. The director may remove a member from
10 the committee if that member has two or more unexcused absences
11 during a single calendar year.

12 (2) The purpose of the committee is to provide advice to the
13 director regarding livestock identification programs administered
14 under this chapter and regarding inspection fees and related
15 licensing fees. The advisory committee must review the costs and
16 operations of the livestock identification program. The director
17 shall consult the committee before adopting, amending, or repealing a
18 rule under this chapter or altering a fee under RCW 16.58.050,
19 16.65.030, 16.65.037, or 16.65.090. If the director publishes in the
20 (~~state register~~) Washington State Register a proposed rule to be
21 adopted under the authority of this chapter and the rule has not
22 received the approval of the advisory committee, the director shall
23 file with the committee a written statement setting forth the
24 director's reasons for proposing the rule without the committee's
25 approval.

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

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

36 (1) The director shall establish a livestock identification
37 advisory committee. The committee shall be composed of six members
38 appointed by the director. One member shall represent each of the
39 following groups: Beef producers, public livestock market operators,

1 horse owners, dairy farmers, cattle feeders, and meat processors. As
2 used in this subsection, "meat processor" means a person licensed to
3 operate a slaughtering establishment under chapter 16.49 RCW or the
4 federal meat inspection act (21 U.S.C. Sec. 601 et seq.). In making
5 appointments, the director shall solicit nominations from
6 organizations representing these groups statewide. The committee
7 shall elect a member to serve as chair of the committee.

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

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

30 **Sec. 3.** RCW 16.57.220 and 2019 c 92 s 5 are each amended to read
31 as follows:

32 (1) Except as provided for in RCW 16.65.090 and otherwise in this
33 section, the fee for livestock inspection is (~~four dollars~~) \$4 per
34 head for cattle and (~~three dollars and eighty-five cents~~) \$3.85 for
35 horses, with a call out fee of (~~twenty dollars~~) \$20.

36 (2) When cattle are identified with the owner's brand, electronic
37 official individual identification, or other form of identification
38 specified by the director by rule, the fee for livestock inspection

1 is (~~one dollar and twenty-one cents~~) \$1.20 per head, with a call
2 out fee of (~~twenty dollars~~) \$20.

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

8 (4) The fee for inspection of cattle at a processing plant with a
9 daily capacity of no more than (~~five hundred~~) 500 head of cattle
10 where the United States department of agriculture maintains a meat
11 inspection program is (~~four dollars and forty cents~~) \$4.40 per
12 head, with a call out fee of (~~twenty dollars~~) \$20.

13 (5) When a single inspection certificate is issued for (~~thirty~~)
14 30 or more horses belonging to one person, the fee for livestock
15 inspection is (~~two dollars and twenty cents~~) \$2.20 per head, with a
16 call out fee of (~~twenty dollars~~) \$20.

17 (6) The fee for individual identification certificates is
18 (~~twenty-two dollars~~) \$22 for an annual certificate and (~~sixty-~~
19 ~~three dollars~~) \$63 for a lifetime certificate, with a call out fee
20 of (~~twenty dollars~~) \$20. However, the fee for an annual certificate
21 listing (~~thirty~~) 30 or more animals belonging to one person is
22 (~~five dollars and fifty cents~~) \$5.50 per head, with a call out fee
23 of (~~twenty dollars~~) \$20. A lifetime certificate shall not be issued
24 until the fee has been paid to the director.

25 (7) The minimum fee for the issuance of an inspection certificate
26 by the director is (~~five dollars and fifty cents~~) \$5.50. The
27 minimum fee does not apply to livestock consigned to a public
28 livestock market or special sale or inspected at a cattle processing
29 plant.

30 (8) No call out fee is charged for an inspection done by a
31 certified veterinarian or field livestock inspector.

32 **Sec. 4.** RCW 16.57.220 and 2010 c 66 s 7 are each amended to read
33 as follows:

34 (1) Except as provided for in RCW 16.65.090 and otherwise in this
35 section, the fee for livestock inspection is (~~one dollar and sixty~~
36 ~~cents~~) \$1.60 per head for cattle and (~~three dollars and fifty~~
37 ~~cents~~) \$3.50 for horses or the time and mileage fee, whichever is
38 greater.

1 (2) When cattle are identified with the owner's brand or other
2 form of identification specified by the director by rule, the fee for
3 livestock inspection is (~~one dollar and ten cents~~) \$1.10 per head
4 or the time and mileage fee, whichever is greater.

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

10 (4) The fee for inspection of cattle at a processing plant with a
11 daily capacity of no more than (~~five hundred~~) 500 head of cattle
12 where the United States department of agriculture maintains a meat
13 inspection program is (~~four dollars~~) \$4 per head.

14 (5) When a single inspection certificate issued for (~~thirty~~) 30
15 or more horses belonging to one person, the fee for livestock
16 inspection is (~~two dollars~~) \$2 per head or the time and mileage
17 fee, whichever is greater.

18 (6) The fee for individual identification certificates is
19 (~~twenty dollars~~) \$20 for an annual certificate and (~~sixty~~
20 ~~dollars~~) \$60 for a lifetime certificate or the time and mileage fee,
21 whichever is greater. However, the fee for an annual certificate
22 listing (~~thirty~~) 30 or more animals belonging to one person is
23 (~~five dollars~~) \$5 per head or the time and mileage fee, whichever
24 is greater. A lifetime certificate shall not be issued until the fee
25 has been paid to the director.

26 (7) The minimum fee for the issuance of an inspection certificate
27 by the director is (~~five dollars~~) \$5. The minimum fee does not
28 apply to livestock consigned to a public livestock market or special
29 sale or inspected at a cattle processing plant.

30 (8) No call out fee is charged for an inspection done by a
31 certified veterinarian or field livestock inspector.

32 (9) For purposes of this section, "the time and mileage fee"
33 means (~~seventeen dollars~~) \$17 per hour and the current mileage rate
34 set by the office of financial management.

35 **Sec. 5.** RCW 16.57.460 and 2022 c 158 s 2 are each amended to
36 read as follows:

37 (1) The department shall submit a livestock inspection program
38 report pursuant to RCW 43.01.036 by (~~September 1, 2020~~) November 1,
39 2023, and annually thereafter, to the appropriate committees of the

1 legislature having oversight over agriculture and fiscal matters. The
2 report must also be submitted to the livestock identification
3 advisory committee created in RCW 16.57.015. The report must include
4 amounts collected, a report on program expenditures, and any
5 recommendations for making the program more efficient, improving the
6 program, or modifying livestock inspection fees to cover the costs of
7 the program. The report must also address the financial status of the
8 program, including whether there is a need to review fees so that the
9 program continues to be supported by fees.

10 (2) This section expires July 1, (~~2024~~) 2026.

11 NEW SECTION. **Sec. 6.** Sections 1 and 3 of this act expire July
12 1, 2024.

13 NEW SECTION. **Sec. 7.** Sections 2 and 4 of this act take effect
14 July 1, 2024.

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