Chapter 16-501 WAC  
WSDA PROCEDURAL RULES—COMMODITY BOARDS OR COMMISSIONS

WAC 16-501-005 Definitions. Unless the context clearly requires otherwise, the definitions in this section apply throughout the chapter:

"Assessment level" means the total annual assessment collected by an agricultural commodity board or commission under the provisions of its marketing order or authorizing statute. For the Washington beer commission, "assessment level" includes net proceeds collected from commission-sponsored beer festivals in addition to the total annual assessment collected by the commission.

"Department" means the Washington state department of agriculture (WSDA).

"Total financial contribution" means the contributions from all agricultural commodity boards and commissions to cover one-half the annual salary and benefits of the department's commodity commission coordinator for commodity boards and commissions plus the annual costs for goods and services, travel, training and equipment necessary to support the commodity commission coordinator.

WAC 16-501-010 Commodity commission financial contribution. (1) Under the provisions of RCW 43.23, the director may establish, by rule, a method to fund staff support for all commodity boards and commissions.

(2) Before July 1 of each fiscal year, the department will determine the total financial contribution required from all commodity boards or commissions and calculate, according to the provisions of WAC 16-501-015, each board or commission's share of that total contribution. The board or commission's contribution shall be based on the previous fiscal year's assessment level.

(3) On or around July 1 of each fiscal year, the department will bill each commodity board or commission for its portion of the total financial contribution. The board or commission shall remit to the department the amount billed within thirty days of the billing date.

(4) The department will provide each commodity board or commission with an annual report regarding the department's activities on behalf of the boards or commissions.

WAC 16-501-015 Calculation of a commodity board or commission's contribution. The total financial contribution for each commodity board or commission shall be calculated using the following steps:

(1) Step 1 - Using a board or commission's assessment level, the base assessment portion of a commodity board or commission's share of the total financial contribution is established as follows:

<table>
<thead>
<tr>
<th>Assessment Level</th>
<th>Base Assessment</th>
</tr>
</thead>
<tbody>
<tr>
<td>&gt; $100,000</td>
<td>$ 250.00</td>
</tr>
<tr>
<td>100,001 - 250,000</td>
<td>500.00</td>
</tr>
<tr>
<td>250,001 - 500,000</td>
<td>750.00</td>
</tr>
<tr>
<td>500,001 - 1,000,000</td>
<td>1,000.00</td>
</tr>
<tr>
<td>1,000,001 - 5,000,000</td>
<td>2,000.00</td>
</tr>
<tr>
<td>5,000,001 - 10,000,000</td>
<td>3,000.00</td>
</tr>
<tr>
<td>10,000,001 and above</td>
<td>4,000.00</td>
</tr>
</tbody>
</table>

A percentage is calculated for each board or commission by dividing the board or commission's base assessment by the total base assessment for all boards and commissions.

For example, assuming commission A's base assessment is $4,000 divided by an assumed total base assessment of $80,000 results in 5% (.05)

(2) Step 2 - The difference between the total financial contribution and the total base assessment is apportioned to each board or commission using the percentage calculated in subsection (1) subject to a $7,500 cap on any one board or commission;

For example, assuming a total financial contribution of $105,000 minus the assumed total base assessment of $80,000 results in a difference of $25,000. $25,000 multiplied by commission A's .05 equals $1,250. This is commission A's portion of the difference.

(3) Step 3 - If any commission reaches the $7,500 cap in Step 2, the difference between the amount calculated for that board or commission in subsection (2) and $7,500 would be recalculated among the remaining commissions or boards.

[Statutory Authority: Chapters 15.65, 15.66, 15.24, 16.67, 15.44, 15.28, 15.26, 15.88, and 43.23 RCW. WSR 02-16-045, § 16-501-010, filed 8/1/02, effective 9/1/02.]
using a percentage of each commission's base assessment to
the total base assessment less the base assessment of the com-
mision that reached the cap.

For example, assume that commission A's percent-
age remains 5% but that the difference between the
total financial contribution and the total base assess-
ment is $180,000. $180,000 multiplied by .05
equals $9,000. $9,000 exceeds the $7,500 cap for
commission A by $1,500. This $1,500 would be
apportioned between the other boards and commis-
sions excluding commission A.

For example, assume that commission B's base
assessment is $3,000. The total base assessment
excluding commission A is now $76,000 ($80,000
less commission A's $4,000). Commission B's base
assessment of $3,000 divided by $76,000 results in
.04 rounded (4%). $1,500 (the excess over the cap
for commission A) multiplied by .04 equals $60,
which is commission B's share of the excess.

(4) Step 4 - A commodity commission or board's contri-
bution is the sum of the base assessment from subsection (1)
and the calculations in subsections (2) or (3) whichever is
applicable.

For example, using the calculations in subsection
(2), commission A's contribution is $5,250 ($4,000
base assessment plus $1,250 apportioned share).

Using the calculations in subsection (3), commis-
sion A's contribution is $11,500 ($4,000 base
assessment plus the $7,500 cap).

(3) In the event a ballot is submitted to the department
and the certification is not signed and dated in accordance
with the instructions contained on the outside of the ballot-
mailing return envelope or the ballot is returned in a different
envelope without a certification, the ballot-mailing envelope
will not be opened nor will the ballot it contains be counted.
The unopened ballot-mailing envelope will be set aside and
retained in accordance with the appropriate records retention
schedule.

(4) Only validated ballots will be included in a ballot
count.

(5) This rule applies to referenda, advisory votes, elec-
tions, and runoffs required by statute.

[Statutory Authority: Chapters 15.65, 15.66, 15.24, 15.44, 15.28,
15.26, 15.88, and 43.23 RCW. WSR 02-16-045, § 16-501-015, filed 8/1/02,
effective 9/1/02.

Procedural Rules for Administrative Function for
Commodity Commissions Advisory Votes, Elections, and
Referenda

WAC 16-501-525 Unsigned ballot envelopes: Advisory
votes, referenda, and board member elections. The
director of the department of agriculture is responsible for
administering marketing order referenda under chapters
15.65 and 15.66 RCW and for administering elections for
advisory votes and board member selection as authorized in
RCW 15.24.035, 15.26.060, 15.28.023, 15.44.02, 15.65.-
240, 15.66.113, 15.88.050, 15.89.050, 15.115.060, and
16.67.060.

(1) The department will mail ballots to those eligible to
vote in each election according to the terms of the applicable
statute and marketing order. Each voter will be provided an
official ballot, instructions for voting, a security envelope and
return ballot-mailing envelope with a "Certificate of Eligibil-
ity" (certification) printed on the reverse side of the envelope.

(2) After casting a vote in the election, an eligible voter
must place the ballot in the security envelope, which is then
placed in the ballot-mailing return envelope with the certifi-
cation on the reverse side. To validate his or her ballot, the
voter is required to complete, sign and date the certification.

[Ch. 16-501 WAC p. 2] (10/24/18)