WAC 16-536-040  Assessments and collections. (1) Assessments.
   (a) The assessment on all varieties of pulse crops subject to
   this marketing order shall be one percent of the net receipts at the
   first point of sale and shall be deducted by the first purchaser from
   the price paid to the grower. Such assessment shall be remitted to the
   commission board in accordance with procedures adopted by the commis-
   sion board: Provided, That an assessment on commercial wrinkled pea
   seed shall not become effective unless approved by a referendum vote
   of the affected wrinkled pea seed producers.
   (b) Assessments shall not be payable on any such pulse crops used
   by the producer thereof on his or her premises for feed, seed and per-
   sonal consumption.

(2) Collections. Any moneys collected or received by the board
pursuant to the provisions of this order during or with respect to any
season or year may be refunded on a pro rata basis at the close of
such season or year or at the close of such longer period as the board
determines to be reasonably adapted to effectuate the declared poli-
cies of this act and the purposes of this marketing order, to all per-
sons from whom moneys were collected or received, or may be carried
over into and used with respect to the next succeeding season, year or
period whenever the board finds that the same will tend to effectuate
the policies and purposes.

(3) Penalties. Any due and payable assessment herein levied in
such specified amount as may be determined by the board pursuant to
the provisions of the act and this order, shall constitute a personal
debt of every person so assessed or who otherwise owes the same, and
the same shall be due and payable to the board when payment is called
for by it. In the event any person fails to pay the board the full
amount of such assessment or such other sum on or before the date due,
the board may, and is hereby authorized to add to such unpaid assess-
ment or sum an amount not exceeding ten percent of the unpaid assess-
ment to defray the cost of enforcing the collecting of it. In the
event of failure of such person or persons to pay any due and payable
assessment or other such sum, the board may bring a civil action
against the person or persons in a state court of competent jurisdic-
tion for the collection thereof, together with the above specified ten
percent, and the action shall be tried and judgment rendered as in any
other cause of action for debt due and payable.

[Statutory Authority: RCW 15.65.047, 15.65.050, and chapter 34.05 RCW.
WSR 16-15-004, § 16-536-040, filed 7/7/16, effective 8/7/16. Statutory
Authority: RCW 15.65.047 and chapter 34.05 RCW. WSR 04-17-021, §
16-536-040, filed 8/9/04, effective 9/9/04. Statutory Authority: Chap-
ter 15.65 RCW. WSR 86-15-002 (Order 1895), § 16-536-040, filed 7/3/86,
effective 8/4/86; WSR 82-15-020 (Order 1768), § 16-536-040, filed
7/13/82; Order 1533, § 16-536-040, filed 6/8/77; Marketing Order Arti-
cle IV, §§ A through C, filed 3/26/65.]