

FORM OF ORDER AND TRANSMITTAL BY AGENCY HAVING SINGLE HEAD

State of Washington

DEPARTMENT OF AGRICULTURE

(agency name)

Administrative Order No. 1662

(1) I, Bob J. Mickelson, director of the Washington State Department of Agriculture

do promulgate and adopt at Office of the Director of Agriculture, Olympia, WA (place)

the annexed rules relating to: the definition, qualifications, requirements, director's review, board of directors, and effective date for agricultural fairs to qualify for an allocation from the state fair fund by adding new sections WAC 16-700-002, 16-700-021, 16-700-022, 16-700-024, 16-700-027, 16-700-090; and repealing sections WAC 16-700-001 and 16-700-020.

(2) ALTERNATIVE A. Use only for Adoption of Permanent Rules.

This action is taken pursuant to Notice No. 79-09-115 filed with the code reviser on 9/4/79. Such rules shall take effect:

- checkbox pursuant to RCW 34.04.040(2).
checkbox at a later date, such date being 1/1/81.

(2) ALTERNATIVE B. Use only for Adoption of Emergency Rules.

I, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is:

Such rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

(3) Pursuant to the requirements of RCW 34.04. (1977 c 19 § 2) that "every agency shall incorporate the most specific, but in no case omit all, of the following language alternatives when adopting or amending rules" (fill in statement (a), (b), or (c) as appropriate):

- checkbox (a) This rule is promulgated pursuant to RCW 15.76 and is intended to administratively implement that statute.
checkbox (b) This rule is promulgated pursuant to RCW which directs that the

(agency) has authority to implement the provisions of

(name of act or RCW citation)

- checkbox (c) This rule is promulgated under the general rule-making authority of the

(agency) as authorized in RCW

(4) The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

(5) This order after being first recorded in the order register of this agency is herewith transmitted to the Code Reviser for filing pursuant to chapter 34.04 RCW and chapter 1-12 WAC.

STATE OF WASHINGTON ADOPTED December 10 1979

FILED

DEC 14 1979

By Bob J. Mickelson Bob J. Mickelson Director

Title

CODE REVISER'S OFFICE WSR 80-01-019

DEPARTMENT OF AGRICULTURE  
OLYMPIA, WASHINGTON

This statement relates to Order No. 1662 of the Department of Agriculture and is filed pursuant to Chapter 84, Laws of 1977, First Extraordinary Session.

- A. 1. Re: Chapter 16-700 WAC
2. Purpose of the rules is to specify minimum requirements in terms of number of exhibits, variety of exhibits, and number of exhibitors to qualify for an allocation from the State Fair Fund.
3. Statutory authority for this action is found in RCW 15.76.180.
- B. Summary of the rules:
1. Specifies minimum number of exhibits, variety of exhibits, number of exhibitors, and minimum time to qualify for a 50% reimbursement of premiums and prizes paid or to qualify for more than a 50% reimbursement of premiums and prizes paid to community fairs and area fairs.
2. Requires all fairs to have written statement of aims and purposes, provide special activities for youth development
3. Specifies number of days activities can be held prior to major part of a fair.
4. Requires organization and nonprofit status for community and area fairs and youth shows.
5. Provides for director's review.
- C. Person responsible for drafting the rules:
1. Name: Roger L. Roberts
2. Title: Market Development Specialist
3. Office: Agricultural Development Division  
Mail Stop: AX-41 Phone: 3-5046
4. Inquiries regarding implementation and enforcement of the rule should be addressed to:  
Same as C above.
- D. 1. Persons or organizations known to be proponents of the rules:  
Washington State Fairs Commission  
Washington Fairs Association Board of Directors
2. Persons or organizations known to be opponents of the rules are:  
Cornelius Verduin, Lynden  
Philip Bloom, Ellensburg

- E. Agency comments or recommendations, if any, regarding statutory language, implementation, enforcement, and fiscal matters pertaining to the rule:

To become effective on January 1, 1981, to allow fairs one more year to qualify.

NEW SECTION

WAC 16-700-002 DEFINITION. Agricultural Fair: a fair or exhibition which is intended to promote agriculture by including a balanced variety of exhibits of livestock and agricultural products, as well as related arts and manufactures; including products of the farm home, and educational contests, displays, and demonstrations designed to train youth and to promote the welfare of farm people and rural living.

NEW SECTION

WAC 16-700-021 QUALIFICATIONS. Any area or community fair applying for an allocation from the State Fair Fund shall have on display or exhibit at one place, open to the public, for at least a seven-hour period:

(1) Three or more of the following animal categories: beef, sheep, swine, horses, dairy, goats, dogs, and poultry and rabbits (poultry and rabbits being in one category) with at least five exhibits in each category, except poultry and rabbits which shall have ten; and

(2) At least three of the following categories: foods, clothing, horticulture, crops, floriculture, arts and crafts, with at least five exhibits in each category.

(3) Each category, to qualify as per above, shall have at least three exhibitors.

(4) Each fair shall have at least twenty-five exhibitors in total.

Such area or community fair, whose application is accepted by the director, shall be entitled to a basic annual allocation of fifty percent of the premiums and prizes paid to the participants. An allocation of up to one hundred percent reimbursement of premiums and prizes paid may be made on a merit basis to such fairs as reporting one thousand dollars or more of the value of such premiums and prizes: PROVIDED, That any community fair that has for its purpose the education and training of youth in the matters of rural living and production agriculture and serving the 4-H and FFA members and all interested youth in its community, may qualify for an allocation with:

(1) Three or more of the following categories: beef, sheep, swine, dairy, horses, or goats; or

(2) At least two of the following categories: beef, sheep, swine, dairy and/or goats, and at least two of the following categories: foods, clothing, horticulture, crops, floriculture, arts and crafts, dogs, poultry and/or rabbits (poultry and/or rabbits being one category).

(3) Each category, to qualify as per above, shall have at least three exhibitors.

(4) Each fair shall have at least twenty-five exhibitors in total.

All such exhibits are to be exhibited by youth exhibitors, at one place, open to the public, for at least a seven-hour period. Such fair shall be entitled to an annual allocation of only fifty percent reimbursement of premiums and prizes.

NEW SECTION

WAC 16-700-022 REQUIREMENTS. All agricultural fairs shall:

- (1) Have a written statement of aims and purposes made public.
- (2) Provide special activities for youth development, such as judging contests, educational demonstrations, and displays designed to train youth.
- (3) Hold all activities to be considered as part of the fair on consecutive days: PROVIDED, That a portion of these activities may be held up to seven days before the first day of the fair.

NEW SECTION

WAC 16-700-024 DIRECTOR'S REVIEW. Any fair not qualifying under WAC 16-700-021 or WAC 16-700-022(3) may apply to the director for a review of its circumstances and the director is authorized to determine eligibility on the basis of those circumstances on a case-by-case basis.

NEW SECTION

WAC 16-700-027 BOARD OF DIRECTORS. Area and community fairs and youth shows shall have an organized governing board of directors, be nonprofit, and show evidence of community support.

NEW SECTION

WAC 16-700-090 EFFECTIVE DATE. The effective date of these amended rules shall be January 1, 1981.

REPEALER

The following sections of the Washington Administrative Code are each repealed:

- (1) WAC 16-700-001 PROMULGATION.
- (2) WAC 16-700-020 ALLOCATIONS.