



RULE-MAKING ORDER
(RCW 34.05.360)

Adm Order 5098

CR-103 (7/23/95)

Agency: Washington State Department of Agriculture	<input checked="" type="checkbox"/> Permanent Rule
(1) Date of adoption: June 5, 1996	<input type="checkbox"/> Emergency Rule
	<input type="checkbox"/> Expedited Repeal

(2) Purpose: To establish procedures for fulfilling the requirements of RCW 43.05.020 to compile and maintain lists of individuals, organizations, both public and private, who provide technical assistance.

(3) Citation of existing rules affected by this order: None
 Repealed:
 Amended:
 Suspended:

(4) Statutory authority for adoption: Chapter 43.05 RCW
 Other Authority:

PERMANENT RULE ONLY
 Adopted under notice filed as WSR 96-10-080 on May 1, 1996 (date).
 Describe any changes other than editing from proposed to adopted version: None

EMERGENCY RULE ONLY
 Under RCW 34.05.350 the agency for good cause finds:
 (a) That immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.
 (b) That state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.
 Reasons for this finding:

EXPEDITED REPEAL ONLY
 Under Preproposal Statement of Inquiry filed as WSR _____ on _____ (date)

(5.3) Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?:
 Yes No If yes, explain:

(6) Effective date of rule:
Permanent Rules
 31 days after filing
 Other (specify)*:
*(If less than 31 days after filing, specific finding in 5.3 under RCW 34.05.380(3) is required.)
Emergency Rules
 Immediately
 Later (specify):

CODE REVISER USE ONLY
 CODE REVISER'S OFFICE
 STATE OF WASHINGTON
 FILED
 JUN 13 1996
 TIME: 1:42 PM
 WSR 96-13-082

Name (Type or Print)
 James M. Jesernig
Signature
James M. Jesernig
Title
 Director
Date
 June 13, 1996

Note: If any category is left blank, it will be calculated as zero. No descriptive text.

Count by whole WAC sections only, from the WAC number through the history note. A section may be counted in more than one category.

The number of sections adopted in order to comply with:

Federal statute:	New	Amended	Repealed
Federal rules or standards:	New	Amended	Repealed
Recently enacted* state statutes:	New	Amended	Repealed

*(current calendar year)

The number of sections adopted at the request of nongovernmental entity:

New	Amended	Repealed
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The number of sections adopted in the agency's own initiative:

New	Amended	Repealed
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The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New	Amended	Repealed
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The number of sections adopted using:

Negotiated rule making:	New	Amended	Repealed
Pilot rule making:	New	Amended	Repealed
Other alternative rule making:	New	Amended	Repealed

Chapter 16-05 WAC

PROCEDURAL RULES FOR LISTS OF ORGANIZATIONS

NEW SECTION

WAC 16-05-001 Statement of purpose. This chapter establishes procedures for fulfilling the Washington department of agriculture requirements under RCW 43.05.020 to compile and maintain lists of individuals, organizations, both public and private, who provide technical assistance.

NEW SECTION

WAC 16-05-005 How will the lists be developed? Information concerning the opportunity to be on the department's list of technical assistance providers will be sent to interested parties and organizations identified using current mailing lists and information obtained by department staff. The department will also advertise in select publications, furnishing information on the opportunity to get on the list. Interested companies, individuals and organizations who wish placement on the list will be able to submit their names for inclusion by following the format provided in this chapter.

NEW SECTION

WAC 16-05-010 What does an organization, company or individual have to do to get on the applicable list? An organization, company or individual must write to the Washington state department of agriculture, provide the name of the organization, company or individual, address and telephone number, unified business identifier (UBI) number, authorized agent, a brief description of the type of technical assistance provided, and identify the department program. The document must include the signature of the person requesting his/her name be put on the list or the signature of the authorized agent of the company or organization who requests listing.

NEW SECTION

WAC 16-05-015 Will the department of agriculture approve organizations, companies or individuals who request listing? No, the department will not perform any testing or background checks on requesters for inclusion on the department's technical assistance list.

NEW SECTION

WAC 16-05-020 How often are lists changed or updated? The department will update its technical assistance lists once a year on or around July 1. A new list will be available at that time that reflects any changes requested prior to the annual cutoff date of May 15 for receiving new information. The department will exercise reasonable care in preparing the list, but the accuracy of the information on the list will be solely the responsibility of the company, organizations and individuals providing the information.

NEW SECTION

WAC 16-05-025 Does an applicant have to reapply each year to stay on the list? No, names will remain on the list until the department receives a written request for change or deletion with the signature of the person who requested his/her name be put on the list or the signature of the authorized agent of the company or organization who requested listing. The department may on a periodic basis contact those companies, organizations, or individuals listed in order to update the list.

NEW SECTION

WAC 16-05-030 How do I take my name off the list? The department will remove names of organizations, companies or individuals from the next list upon written request. The request must include complete information the department is to remove including name, address, individuals or any other relevant information. The request must bear the signature of the person who requested his/her name be put on the list or the signature of the authorized agent of the company or organization who requested listing.

NEW SECTION

WAC 16-05-035 Each list will include consumer information. The department shall provide on each list consumer information which indicates that customers using the list for referral are encouraged to contact the Better Business Bureau or the office of the attorney general, consumer protection unit, to determine whether a name selected is the subject of a complaint. Also, persons utilizing the list are encouraged to check references of those on the list before they select an organization, company or individual to perform technical assistance.

NEW SECTION

WAC 16-05-040 The department of agriculture is completely held harmless and not liable. (1) The department will exercise reasonable care to include or delete names upon request if received by the department by May 15 of each year. The list will be published annually on or around July 1st of each year. The department is not responsible for errors on the list. In addition, the inclusion of a name of an individual, company or organization on the list should not be construed as an endorsement by the department.

(2) Any person who is on the list is prohibited from holding themselves out as an employee or agent of the Washington state department of agriculture or suggesting that the department endorses the services provided.

NEW SECTION

WAC 16-05-045 Who to contact for inclusion, exclusion and copies of the list within the department. All requests for inclusion, exclusion and copies of the list should be forwarded to the Washington State Department of Agriculture, Attention: Administrative Regulations Unit, P.O. Box 42560, Olympia, Washington 98504-2560. Telephone inquiries should be directed to (360) 902-1806.