



RULE-MAKING ORDER

CR-103 (12/31/00)

(RCW 34.05.360)

Agency: Washington State Potato Commission

- Permanent Rule
- Emergency Rule
- Expedited Repeal

(1) Date of adoption: March 28, 2001

(2) Purpose: The proposed rules implement provisions of RCW 15.04.200 governing promotional hosting expenditures by agricultural commodity commission employees.

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

- Repealed:
- Amended:
- Suspended:

(4) Statutory authority for adoption: RCW 15.66

Other authority: RCW 15.04.200

PERMANENT RULE ONLY

Adopted under notice filed as WSR 01-04-088 on February 7, 2001 (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 | Emergency Rules |
| <input checked="" type="checkbox"/> 31 days after filing | <input type="checkbox"/> Immediately |
| <input type="checkbox"/> Other (specify) ___* | <input type="checkbox"/> Later (specify) ___ |

*(If less than 31 days after filing, specific finding in 5.3 under RCW 34.05.380(3) is required)

NAME (TYPE OR PRINT)

PAT BOSS

SIGNATURE

TITLE
EXECUTIVE DIRECTOR

DATE
3/28/01

CODE REVISER USE ONLY

SEARCHED _____ INDEXED _____

SERIALIZED _____ FILED _____

APR 10 2001

4:30

01-09-028

AAI
PM

**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Federal statute:	New	Amended	Repealed
Federal rules or standards:	New	Amended	Repealed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

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 <u>2</u>	Amended	Repealed
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The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New <u>2</u>	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 <u>2</u>	Amended	Repealed

RULES OF THE WASHINGTON STATE POTATO COMMISSION

NEW SECTION

WAC 16-516-100 Definitions. The following definitions apply to rules in this chapter adopted by the Washington Potato Commission unless otherwise provided:

“**Hosting**” may include providing meals, refreshments, lodging, transportation, gifts of nominal value, reasonable and customary entertainment, and normal incidental expenses at meetings or gatherings.

“**Promotional hosting**” means the hosting of individuals and groups of individuals at meetings, meals, and gatherings for the purpose of cultivating trade relations and promoting sales of Washington State potatoes and potato products.

NEW SECTION

WAC 16-516-170 Rules for implementation of promotional hosting by the Washington State Potato Commission. The laws of section 1, chapter 26, Laws of 1985 (RCW 15.04.200) provide that agricultural commodity commissions shall adopt rules governing promotional hosting expenditures by agricultural commodity commission employees, agents, or commissioners. The rules governing promotional hosting expenditures for the Washington State Potato Commission shall be as follows:

(1) Budget approval: Commission expenditures for agricultural development or trade promotion and promotional hosting shall be pursuant to specific budget items as approved by the commission at annual public hearings on the commission budget.

(2) Officials and agents authorized to make expenditures. The following officials and agents are authorized to make expenditures for agricultural development or trade promotion and promotional hosting in accordance with the provisions of these rules:

Commissioners/Commission employees – Individual commissioners and commission staff shall make promotional hosting expenditures, or seek reimbursements for those expenditures, only in those instances where the expenditures have been approved by the commission.

(3) Payment and reimbursement. All payments and reimbursements shall be as identified and supported by vouchers to which receipts are attached. Voucher forms will be supplied by the commission, and shall require the following information:

(a) Name and position of each person hosted, provided that in case of a group of twenty-five or more persons, then only the name of the group hosting shall be required;

(b) General purpose of the hosting;

(c) Date of hosting;

(d) To whom payment was or will be made;

(e) Signature of person seeking payment or reimbursement;

(4) The chairman of the commission and/or the Executive Director or Assistant Executive Director are authorized to approve direct payment or reimbursements submitted in accordance with these rules.

(5) The following persons may be hosted when it is reasonably believed such hosting will cultivate trade relations and promote sales of Washington State potatoes and potato products, provided that such hosting shall not violate federal or state conflict of interest laws:

(a) Individuals from private business and accompanying interpreter or interpreters;

(b) Foreign government officials and accompanying interpreter or interpreters;

(c) Federal, state, and local officials, provided lodging, meals, and transportation will not be provided when such officials may obtain reimbursement for these expenses from their government employer;

(d) The general public, at meetings and gatherings open to the general public;

(e) Commissioners and employees of the commission when their attendance at meetings, meals, and gatherings at which the persons described in (a) through (d) of this subsection are being hosted will cultivate and promote sales of Washington State potatoes and potato products.