



RULE-MAKING ORDER

(RCW 34.05.360)

CR-103 (7/22/01)

Agency: Agriculture

- Permanent Rule
- Emergency Rule
- Expedited Rule Making

(1) Date of adoption: May 29, 2002

(2) Purpose: These rules regulate the sales and export of domestically cultivated ginseng in compliance with the Convention on International Trade in Endangered Species of Wild Fauna and Flora. The purpose of this proposal is to increase, within the fiscal growth factor for fiscal year 2002, the fees related to the sale and export of ginseng. This includes a certificate fee and an inspection fee.

(3) Citation of existing rules affected by this order:

- Repealed:
- Amended: WAC 16-695-070
- Suspended:

(4) Statutory authority for adoption: RCW 15.19

Other Authority:

PERMANENT RULE ONLY (Including Expedited Rule Making)

Adopted under notice filed as WSR 02-07-122 on March 20, 2002
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:

(5.3) Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?:

- Yes No If Yes, explain: These fee increases are within the appropriate fiscal growth factor.

(6) Effective date of rule:

Permanent Rules

- 31 days after filing
- Other (specify) _____*

Emergency Rules

- Immediately
- 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)
William E. Brookreson

Signature

Title: Acting Director Date: May 29, 2002

CODE REVISER USE ONLY

CODE REVISER'S OFFICE
STATE OF WASHINGTON
FILED

MAY 29 2002

TIME 1234 AM

WSR 02-12-031 PM

(COMPLETE REVERSE SIDE)

**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 a nongovernmental entity:

New	Amended	Repealed
-----	---------	----------

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

New	Amended	<u>1</u>	Repealed
-----	---------	----------	----------

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

New	Amended	Repealed
-----	---------	----------

The number of sections adopted using:

Negotiated rule making:	New	Amended	Repealed
Pilot rule making:	New	Amended	Repealed
Other alternative rule making:	New	Amended	<u>1</u> Repealed

AMENDATORY SECTION (Amending WSR 97-23-059, filed 11/18/97, effective 12/19/97)

WAC 16-695-070 Schedule of fees and charges. The following schedule for ginseng certification activities shall apply:

- (1) Certificate of origin form, each . . . (~~(\$25.00)~~) \$25.65
- (2) Hourly rate as established in chapter 16-401

WAC((~~. \$28.00)~~)

- (3) Overtime rate as established in chapter 16-401

WAC((~~. \$42.00)~~)

(4) Travel time at the appropriate hourly or overtime rate shall be assessed.

(5) Mileage and per diem shall be charged at the rate established by the state office of financial management.

(6) Postage and other miscellaneous costs shall be charged back at actual cost.

(7) Certification activities shall include auditing records of the production, sales and storage of ginseng, and issuing certificates.