



RULE-MAKING ORDER (RCW 34.05.360)

CR-103 (4/25/96)

Agency: Department of Agriculture

- Permanent Rule
- Emergency Rule
- Expedited Repeal

(1) Date of adoption: February 5, 1997

(2) Purpose: Amend the formula for the allocation of state fair funds to community and area fairs and add qualifying language to the rule.

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

Repealed:
 Amended: Chapter 16-700 WAC
 Suspended:

(4) Statutory authority for adoption: RCW 15.76.180

Other Authority:

PERMANENT RULE ONLY

Adopted under notice filed as WSR 97-01-080 on December 17, 1996 (date).

Describe any changes other than editing from proposed to adopted version: The amendment to the rule was adopted with the exception to the change in the basic allocation to community fairs in section 16-700-021 and 16-700-080. A supplemental proposal was filed to allow for additional testimony.

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
or Expedited Repeal**

Emergency Rules

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

Jim Jesernig

Signature

Title
Director

Date
2/5/97

CODE REVISER USE ONLY

CODE REVISER'S OFFICE
STATE OF WASHINGTON
FILED

FEB 5 1997

TIME 10:35 AM
 WSR 97-04-078 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: NONE

Federal statute:	New	-----	Amended	-----	Repealed	-----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: NONE

New	-----	Amended	-----	Repealed	-----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

New	-----	Amended	<u>1</u>	Repealed	-----
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The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New	-----	Amended	<u>5</u>	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	-----

AMENDATORY SECTION (Amending Order 1279, filed 11/28/72, effective 1/1/73)

WAC 16-700-010 Activity reports required. Any area county fair desiring to apply for an allocation from the state fair fund under the provisions of chapter 61, Laws of 1961, must submit to the director annually, on or before February 15 of the following year, reports covering all of its activities on forms to be supplied by the director, and include a (~~county~~) certified auditor's report of receipts and expenditures attributed to the fair. Any (~~area or~~) community fair or youth show must submit to the director annually, on or before December 1, the reports of its activities on forms to be supplied by the director.

AMENDATORY SECTION (Amending Order 1662, filed 12/14/79, effective 1/1/81)

WAC 16-700-021 Qualifications. (1) 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+)) (a) Three or more of the following animal categories: Beef, sheep, swine, horses, dairy, goats, llamas, dogs, and poultry and rabbits (poultry and rabbits being in one category) with at least five exhibits in each category, except poultry and rabbits and dogs which shall have ten; and

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

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

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

(2) 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+)) (a) Three or more of the following categories: Beef, sheep, swine, dairy, horses, llamas or goats; or

((+2+)) (b) At least two of the following categories: Beef, sheep, swine, dairy, llamas 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))~~ (c) Each category, to qualify as per above, shall have at least three exhibitors.

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

(e) 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.

(3) Any area fair may not receive an allocation in excess of the total reimbursement of premiums and prizes.

AMENDATORY SECTION (Amending Order 847, Regulation 4, effective 6/8/61)

WAC 16-700-040 ~~((Weight))~~ Consideration given to community support. ~~((Due weight shall))~~ Special consideration may be given to each of the several criteria by which fairs are to receive a merit rating. Special consideration may be given, however, to small and comparatively isolated fairs with limited local resources when such fairs have shown that a maximum community effort has been made in support of these fairs.

AMENDATORY SECTION (Amending Order 847, Regulation 5, effective 6/8/61)

WAC 16-700-050 Merit criteria. The merit of area, district, county and community fairs shall be determined on the basis of the following criteria:

(1) **Aims and purposes:** For what reason or purposes is the show held and what is the evidence of successful achievement of these aims and purposes?

(2) **Organization and management:** To what extent is the organization, its officers and management, and the physical ~~((setup))~~ facilities and financial resources geared to accomplish the objectives stated above?

(3) **Area served:** What is the extent of the area from which exhibits and exhibitors are drawn and the extent of the area served?

(4) **General attractiveness:** Are the agricultural, educational, commercial and recreational features wellbalanced, making the fair attractive to the fairgoing public?

(5) **Exhibits:** What is the number, quality and diversity of exhibits and their general rating judged by recognized standards of excellence, as well as their neatness and orderliness in all departments, in open and junior classes?

(6) **Community, county or area interest:** How is full participation and support of the area served indicated by (a) attendance, both paid and total, and (b) by active support of service clubs, farm organizations and other groups?

(7) (~~**Financial management:** What are the receipts from all sources, all expenditures, including building funds, capital improvements, financial reserves and obligations?~~)

(8) **Success of the fair:** How successful does the fair appear, measured by its accomplishment in relation to resources available?

AMENDATORY SECTION (Amending Order 847, Regulation 6, effective 6/8/61)

WAC 16-700-060 Criteria for youth shows and fairs. Youth shows and fairs shall be judged on a merit basis according to the following criteria:

(1) **Aims and purposes:** To what extent does the show supplement 4-H, FFA and other related youth programs and to what extent does it provide opportunity for showing results of supervised training in these programs?

(2) **Organization and management:** To what extent is the organization, its officers and management and the physical setup geared to accomplish the objectives stated above?

(3) **Scope:** What does the show include in the nature of youth participation, such as number of participants, kind and number of exhibits or displays, and the clubs or chapters represented?

(4) **Quality:** What is the general attractiveness of the show in all departments, the general rating of exhibits judged by recognized standards of excellence, and the neatness and orderliness in all departments?

(5) **Financial statement:** What are the receipts of all kinds, the expenditures, including salaries and wages, premiums paid, (~~building fund accounts,~~) financial reserves and general obligations?

(6) **Area and/or community support:** In what ways does the area served support this show?

(7) **Special activities:** To what extent does the show provide special activities for youth development, such as judging contests, educational demonstrations, banquets, barbecues, programs, or other supervised recreation?

AMENDATORY SECTION (Amending Order 1279, filed 11/28/72, effective 1/1/73)

WAC 16-700-080 Qualifying premiums and prizes. Premiums and prizes that qualify for listing for allocation purposes shall be those paid for exhibits and educational contests, displays, and demonstrations of an educational nature. This is not to include

judges fees and expenses, livestock sale revenues, prizes or premiums for promotion or entertainment activities such as queen contests, parades, dances, rodeos, and races.