



# RULE-MAKING ORDER

(RCW 34.05.360)

CR-103 (7/10/97)

Agency: Department of Agriculture

- Permanent Rule
- Emergency Rule
- Expedited Adoption
- Expedited Repeal

(1) Date of adoption: December 21, 1999

(2) Purpose: This section establishes requirements and process for the inspection, phytosanitary certification, and testing of certified grape nursery stock. This section (WAC 16-462-030) currently references WAC 16-401-025 and WAC 16-470-910, which have been superceded by WAC 16-401-026 and WAC 16-470-911, respectively, and are no longer in effect. The amendment would remedy the erroneous citations.

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

Repealed:  
 Amended: WAC 16-462-030  
 Suspended:

(4) Statutory authority for adoption: Chapter 15.14 RCW

Other Authority:

### PERMANENT RULE ONLY (Including EXPEDITED ADOPTION)

Adopted under notice filed as WSR 99-21-083 on October 20, 1999 (date).

Describe any changes other than editing from proposed to adopted version:

### 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

- 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) \_\_\_\_\_

Name (Type or Print)

Jim Jesernig

Signature

Title  
Director

Date  
December 21, 1999

CODE REVISER USE ONLY

CODE REVISER'S OFFICE  
STATE OF WASHINGTON

DEC 21 1999

8:49

00-01-149

TIME \_\_\_\_\_ (AM) \_\_\_\_\_ (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:**

<b>Federal statute:</b>	New	-----	Amended	-----	Repealed	-----
<b>Federal rules or standards:</b>	New	-----	Amended	-----	Repealed	-----
<b>Recently enacted state statutes:</b>	New	-----	Amended	-----	Repealed	-----

**The number of sections adopted at the request of 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	<u>1</u>	Repealed	-----
-----	-------	---------	----------	----------	-------

**The number of sections adopted using:**

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	New	-----	Amended	-----	Repealed	-----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	New	-----	Amended	-----	Repealed	-----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	Repealed	-----

AMENDATORY SECTION (Amending WSR 99-12-025, filed 5/25/99, effective 6/25/99)

**WAC 16-462-030 Certified grape nursery stock--Application and fees.** (1) The applicant shall furnish all information requested on the application form and shall give consent to the department to take plants or plant parts from any planting stock enrolled in the program as registered for inspection or indexing.

(2) Application for inspection shall be filed with the department by January 1 of each year accompanied by a one hundred seventy-five dollar application fee.

(3) Inspection, phytosanitary certification, indexing and testing fees are due upon completion of services.

(4) Fees for inspection, phytosanitary certification, and testing shall be assessed at the appropriate rate established in (~~WAC 16-401-025 and 16-470-910~~) chapters 16-401 and 16-470 WAC. Mileage for inspections and other on-site services shall be charged at a rate established by the state office of financial management.