



RULE-MAKING ORDER
(RCW 34.05.360)

CR-103 (10/1/89)

Agency: Agriculture

- Permanent Rule
 Emergency Rule

(1) Date of adoption: January 14, 1992

(2) Purpose: To amend the period of time for negotiations between processors and associations representing producers of potatoes and sweet corn and to adopt a record keeping requirement for negotiations.

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

Repealed:
Amended: WAC 16-622-050
Suspended:

(4) Authority for adoption:

Statute: RCW 15.83.100
Other Authority:

(5.1) PERMANENT RULE ONLY

Pursuant to notice filed as WSR _____ on _____ (date).

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

(5.2) EMERGENCY RULE ONLY

Pursuant to 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:

This action establishes the negotiating period for potatoes and sweet corn for the up-coming season.

(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

JAN 14 1992

TIME: 11:57 PM

WSR 92-03-070

NAME (TYPE OR PRINT)

Mike Willis

SIGNATURE

Mike Willis

TITLE

Assistant Director

DATE

1/14/92

AMENDATORY SECTION (Amending WSR 90-08-069 filed 4/02/90)

WAC 16-622-050 **Negotiating period.** The negotiating period provided in RCW 15.83.010 ((and ~~15.83.060~~)) shall commence each year on ((February 1st)) January 15th for potatoes and ((~~on February 5th for~~)) sweet corn. Negotiations may begin at any time prior to ((these)) this date((s)) and may continue past the date which is ((thirty)) forty-five days following ((these)) this date((s)) by mutual consent of the affected parties. Contracts which are agreed to during this mutual consent period will be considered advance contracts.

NEW SECTION WAC 16-622-060 **REPORT OF NEGOTIATING SESSION.** (1) Each accredited association of producers and handler shall, within a reasonable time following a negotiating session, place a copy of a summary of the discussions into their respective accreditation file maintained for that negotiating unit. For the purposes of this section, a negotiating session is a meeting of the parties at which pertinent information is exchanged. Each summary shall accurately reflect the substance of discussions and the points raised by either side. Each summary shall be signed by an authorized representative of the association of producers or handler which prepared it. Each summary shall contain the last offer of contract terms placed on the table during that negotiating

session. Either party may place supplementary materials regarding the negotiation into their file. (2) At the conclusion of the forty-five day negotiating period which is thirty days prior to the normal planting date, each of the parties to a negotiation shall place, in their respective accreditation file for that negotiating unit, a report summarizing the negotiations and indicating whether an agreement was reached.