



# RULE-MAKING ORDER

(RCW 34.05.360)

**CR-103** (10/1/89)

Agency: Agriculture

- Permanent Rule
- Emergency Rule

(1) Date of adoption: June 10, 1992

(2) Purpose: To implement the statutory provisions of ESB 6027 providing for the collection of a surcharge on nursery license fees to support research of benefit to the industry.

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

- Repealed:
- Amended: WAC 16-401-040
- Suspended:

(4) Authority for adoption:

- Statute: Chapter 15.13 RCW
- Other Authority:

### (5.1) PERMANENT RULE ONLY

Pursuant to notice filed as WSR 92-10-040 on May 4, 1992 (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:

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

Yes  No If yes, explain:

The effective date is made July 1 to coalesce with statute requirement.

(6) Effective date of rule:

#### Permanent Rules

- 31 days after filing
- Other (specify) 7/1/92 \*

\* (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

JUN 10 1992

TIME 2:04

WSR 92-13-034

NAME (TYPE OR PRINT)

C. Alan Pettibone

SIGNATURE

*C. Alan Pettibone*

TITLE

Director

DATE 6/10/92

AMENDATORY SECTION (Amending Order 1953, filed 9/17/87)

WAC 16-401-040 NURSERY DEALER LICENSE FEES. As provided in chapter 15.13 RCW, the director of agriculture hereby establishes the following schedule of annual license fees which shall accompany the application for nursery dealer license:

(1) Retail nursery dealer license:

(a) For gross business sales of horticultural plants and turf less than two thousand five hundred dollars, the license fee shall be twenty-five dollars.

(b) For gross business sales of horticultural plants and turf between two thousand five hundred dollars and fifteen thousand dollars, the license fee shall be fifty dollars.

(c) For gross business sales of horticultural plants and turf of fifteen thousand dollars or more, the license fee shall be one hundred dollars.

(2) Wholesale nursery dealer license:

(a) For gross business sales of horticultural plants and turf less than fifteen thousand dollars, the license fee shall be fifty dollars.

(b) For gross business sales of horticultural plants and turf of fifteen thousand dollars or more, the license fee shall be one hundred dollars.

(3) As provided in RCW 15.13.280 there is hereby established a surcharge of twenty percent of the base rate, in addition to the fees established on all classes of licenses in subsections (1) and (2) of this section to be used solely to support research projects recommended by the nursery advisory committee and of general benefit to the nursery industry.

(4) Permit fee for those types of sales and organizations exempted from licensing requirements by RCW 15.13.270, per permit..... \$5.00

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