



RULE-MAKING ORDER
(RCW 34.05.360)

In Order 5084

CR-103 (7/23/95)

Agency: Department of Agriculture

- Permanent Rule**
- Emergency Rule**
- Expedited Repeal**

(1) Date of adoption: October 17, 1995

(2) Purpose: To establish a fee schedule that will provide increased revenues to more fully support cost recovery of services provided and to transition from a cumbersome fee schedule consisting of a combination of hourly, piece, and set rates to a single, hourly rate applicable to all services performed by the metrology laboratory.

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

- Repealed:** WAC 16-675-029 and WAC 16-675-039
- Amended:** WAC 16-675-010, 16-675-030, and 16-675-040
- Suspended:**

(4) Statutory authority for adoption: RCW 19.94.216 & 19.94.325
Other authority:

PERMANENT RULE ONLY

Adopted under notice filed as WSR 95-17-093 on August 22, 1995 (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 of effectiveness of rule?

- Yes No If Yes, explain:

The fee schedule and fee amount are amended in conformance with Sec. 10, Chapter 355, Laws of 1995.

(6) Effective date of rule:

- | | |
|--|--|
| Permanent Rules | Emergency Rules |
| <input checked="" type="checkbox"/> 31 days after filing | <input type="checkbox"/> Immediately |
| <input type="checkbox"/> Other (specify) _____* | <input type="checkbox"/> Later (specify) _____ |

*(If less than 31 days after filing, specific finding in 5.3 under RCW 34.05.380(3) is required)

CODE REVISER USE ONLY

CODE REVISER'S OFFICE
STATE OF WASHINGTON

OCT 18 1995

TIME 10:59
WSR 95-21-097

NAME (TYPE OR PRINT)

Jim Jesernig

SIGNATURE

TITLE Director

DATE October 17, 1995

**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 <u>3</u>	Repealed _____

*(current calendar year)

The number of sections adopted at the request of a nongovernmental entity: None

New _____ Amended _____ Repealed _____

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

New _____ Amended 3 Repealed 2

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

New _____ Amended 3 Repealed 2

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>3</u>	Repealed <u>2</u>

AMENDATORY SECTION (Amending WSR 94-12-035, filed 5/25/94, effective 6/25/94)

WAC 16-675-010 Purpose. The department of agriculture promulgates this chapter to implement the provisions of RCW 19.94.216(1) and 19.94.325(2) which allows the director of the state department of agriculture to establish reasonable fees for ((weighing, measuring,)) inspection, testing and ((providing)) calibration services performed by the ((weights and measures)) metrology laboratory on weights and measures standards.

AMENDATORY SECTION (Amending WSR 94-12-035, filed 5/25/94, effective 6/25/94)

WAC 16-675-030 Condition of submitted weights and measures. ((Effective July 1, 1994.)) Weights and measures standards submitted to the laboratory for tolerance testing or calibration must be in a physical condition that makes them acceptable for the service to be performed. Unacceptable weights and measures standards may be returned to the sender at the sender's expense or, if repairs can be made, these repairs shall be charged at the rate of (((\$28.30)) \$50.00 an hour. Repair fees shall be charged in addition to any testing or other calibration fees. Repairs will only be done by written agreement between the department and the owner of the weights or measures to be repaired.

AMENDATORY SECTION (Amending WSR 94-12-035, filed 5/25/94, effective 6/25/94)

WAC 16-675-040 Schedule of laboratory fees. ((Effective July 1, 1994.)) The following fees will be charged for services performed by the ((weights and measures)) metrology laboratory of the department:

((1) For the testing or calibration of avoirdupois weights;

weighing less than 50 lbs.	\$ 22.60 an hour
weighing from 50 to 499 lbs.	\$ 34.00 an hour
weighing 500 lbs. or more	\$ 56.70 an hour

For the testing or calibration of metric weights;

weighing less than 20 kg	\$ 22.60 an hour
weighing from 20 to 24 kg	\$ 28.30 an hour
weighing from 25 to 249 kg	\$ 34.00 an hour
weighing 250 kg or more	\$ 56.70 an hour

((2) For the testing or calibration of class 5, 6, e or f weight sets, as defined in the laboratory weights and precision mass

standards adopted by the American Society of Testing and Materials and the American National Standard Institute;

sets containing less than 10 weights	\$ 22.60 a set
sets containing 10 to 24 weights	\$ 45.30 a set
sets containing 25 to 39 weights	\$ 68.00 a set
sets containing 40 weights or more	\$113.40 a set

There will be an additional charge of \$56.70 a set for any requested declaration of the nominal values or uncertainties of the weights contained in any weight set.

(3) For the testing or calibration of class 1, 2, 3 or 4 weight sets, as defined in the laboratory weights and precision mass standards adopted by the American Society of Testing and Materials and the American National Standard Institute;

sets containing less than 10 weights	\$ 85.00 a set
sets containing 10 to 24 weights	\$170.10 a set
sets containing 25 to 39 weights	\$255.20 a set
sets containing 40 weights or more	\$453.60 a set

(4) For the testing or calibration of liquid measuring standards;

(a) measuring less than 5 gallons	\$ 11.30 each
measuring 5 to 24 gallons	\$ 22.60 each
measuring 25 to 49 gallons	\$ 45.30 each
measuring 50 to 99 gallons	\$ 90.70 each
measuring 100 to 499 gallons	\$170.10 each
measuring 500 to 999 gallons	\$226.80 each
measuring 1,000 gallons or more	\$283.50 each
(b) measuring less than 20 liters	\$ 11.30 each
measuring 20 to 99 liters	\$ 22.60 each
measuring 100 to 199 liters	\$ 45.30 each
measuring 200 to 399 liters	\$ 90.70 each
measuring 400 to 1,999 liters	\$170.10 each
measuring 2,000 to 3,999 liters	\$226.80 each
measuring 4,000 liters or more	\$283.50 each

There will be an additional charge of \$11.30 per hour for any testing or calibration of any other liquid measuring standards, except that the fee to be charged for flasks, graduates, cylinders and other precision glassware will be \$28.30 for each flask, graduate, cylinder or other precision glassware, regardless of capacity.

(5) For the testing or calibration of linear measuring devices;

rulers	\$ 22.60 each
measuring tapes less than 25 feet	\$ 28.30 each
measuring tapes 25 to 99 feet	\$ 56.70 each
measuring tapes 100 feet or more	\$113.40 each

(6) For the testing or calibration of scales;

analytical scales	\$ 51.00 each
bench scales	\$ 22.60 each
counter scales	\$ 22.60 each
grain test scales	\$ 28.30 each
jeweler's scales	\$ 28.30 each
platform scales	\$ 34.00 each
prescription scales	\$ 51.00 each
any other scale	\$ 56.70 each))

(1) An hourly fee of fifty dollars per hour will be charged for inspection, testing and calibration services performed at the metrology laboratory.

(2) Inspection, testing and calibration services performed at other than the metrology laboratory will be charged an hourly rate of fifty dollars per hour plus the current mileage and per diem rates established by the office of financial management.

(3) There will be a minimum one-half hour charge for any services provided by the laboratory.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 16-675-029 Condition of submitted weights and measures.
WAC 16-675-039 Schedule of laboratory fees.