



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: 5/29/97

(2) Purpose: To establish a fee schedule for calibration services that will provide increased revenues to more fully support the statutory mandate of RCW 19.94.216 which stipulates that fees shall recover at least seventy-five percent of the costs incurred in performing the service by June 30, 1998.

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

Repealed:

Amended: WAC 16-675-010, 16-675-020, 16-675-030, and 16-675-040

Suspended:

(4) Statutory authority for adoption: RCW 19.94.216 and 19.94.325

Other Authority:

PERMANENT RULE ONLY

Adopted under notice filed as WSR 97-09-103 on 4/23/97 (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: Sec 10, Chapter 355, Laws of 1995

(6) Effective date of rule:

CODE REVISER USE ONLY

**Permanent Rules
or Expedited Repeal**

Emergency Rules

31 days after filing

Immediately

Other (specify) _____*

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
5/29/97

CODE REVISER'S OFFICE
STATE OF WASHINGTON
FILED

MAY 29 1997

TIME 11:10 AM PM

WSR 97-12-024

**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Federal statute:	New	_____	Amended	_____	Repealed	_____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>2</u>	Repealed	_____

The number of sections adopted at the request of nongovernmental entity:

New	_____	Amended	_____	Repealed	_____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

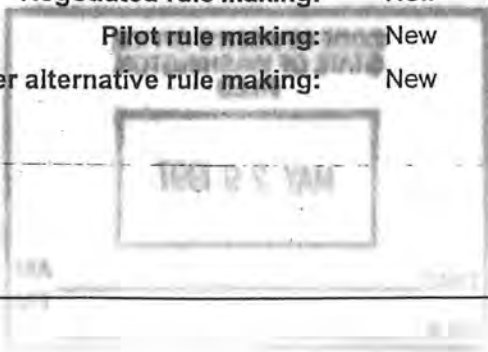
New	_____	Amended	<u>4</u>	Repealed	_____
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The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New	_____	Amended	<u>2</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	<u>4</u>	Repealed	_____



AMENDATORY SECTION (Amending Order 5084, filed 10/18/95, effective 11/18/95)

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 inspection, tolerance testing and calibration services performed by the metrology laboratory on weights and measures standards.

AMENDATORY SECTION (Amending Order 2063, filed 11/26/90, effective 12/27/90)

WAC 16-675-020 Definitions. Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Department" means the department of agriculture of the state of Washington.

(2) "Director" means the director of the department or the director's duly appointed representative.

(3) "Laboratory" means (~~(weights and measures)~~) the metrology laboratory operated by the department.

(4) "Tolerance testing" means (~~(the allowable amount of variation from a standard)~~) a measurement operation performed to determine whether the actual value of a standard, artifact, or instrument is within a permitted tolerance of its nominal value.

(5) "Calibration" means the (~~(process of comparing weights and measures to known standards and determining if the weights and measures compare to the known standards within a tolerance allowed under chapter 19.94 RCW. This term shall also apply to the repairing of any weights or measures submitted to the laboratory.~~

(6) "Avoirdupois" means a system of weights and measures based on a pound containing 16 ounces, 7,000 grains or 453.59 grams.

(7) "Metric" means a decimal system of weights and measures based on the meter as a unit length and the kilogram as a unit mass)) comparison of a measurement standard or instrument with another standard or instrument to detect, correlate, report, or eliminate by adjustment any inaccuracy of the compared standard or instrument.

AMENDATORY SECTION (Amending Order 5084, filed 10/18/95, effective 11/18/95)

WAC 16-675-030 Condition of submitted weights and measures.

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 (~~(\$50.00)~~) \$65.00 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 Order 5084, filed 10/18/95, effective 11/18/95)

WAC 16-675-040 Schedule of laboratory fees. The following fees will be charged for services performed by the metrology laboratory of the department:

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

(2) Inspection, tolerance testing and calibration services performed at other than the metrology laboratory will be charged an hourly rate of (~~(fifty)~~) sixty-five 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.