

State of Washington

DEPARTMENT OF AGRICULTURE

(agency name)

Administrative Order No. 1628

(1) I, Bob J. Mickelson, director of Department of Agriculture

do promulgate and adopt at General Administration Building, Olympia, Washington (place)

the annexed rules relating to:

Amending WAC 16-401-025 and 16-401-030 to change nursery fee structure and repealing WAC 16-401-003 (Promulgation) and WAC 16-401-035 (effective date)

(2) ALTERNATIVE A. Use only for Adoption of Permanent Rules.

This action is taken pursuant to Notice No. 79-02-072 filed with the code reviser on 2/6/79. Such rules shall take effect:

- [x] pursuant to RCW 34.04.040(2).
[] at a later date, such date being

(2) ALTERNATIVE B. Use only for Adoption of Emergency Rules.

I, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is:

Such rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

(3) Pursuant to the requirements of RCW 34.04 (1977 c 19 § 2) that "every agency shall incorporate the most specific, but in no case omit all, of the following language alternatives when adopting or amending rules" (fill in statement (a), (b), or (c) as appropriate):

(a) This rule is promulgated pursuant to RCW 15.13 and is intended to administratively implement that statute.

(b) This rule is promulgated pursuant to RCW which directs that the

has authority to implement the provisions of (agency)

(name of act or RCW citation)

(c) This rule is promulgated under the general rule-making authority of the

(agency)

as authorized in RCW

(4) The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

(5) This order after being first recorded in the order register of this agency is herewith transmitted to the Code Reviser for filing pursuant to chapter 34.04 RCW and chapter 1-12 WAC.

APPROVED AND ADOPTED March 21 1979

STATE OF WASHINGTON FILED

By Bob J. Mickelson

Director

Title

MAR 21 1979

[Form CR-7: Effective 12/1/77]

CODE REVISER'S OFFICE

WSR 79-04-025

AMENDATORY SECTION (Amending Order 1315, filed 5/30/73)

WAC 16-401-025 REQUESTED INSPECTIONS. Requested inspections shall be at the rate of \$((8:25)) 12.00 per hour, except as listed below, and shall include, but not be limited to:

- Third Party inspections, travel time
 - Minimum charge..... \$ ((8:25)) 12.00/hr.
- Phytosanitary Certificate((7-S-F-9030))
 - Minimum charge each inspection..... ((3:50) ea.)
 - First Phytosanitary..... \$6.00
 - Each additional Phytosanitary..... 2.00
- Nursery Stock Inspection Certificate((7-S-F-5747))
 - Minimum charge..... ((3:50) ea.) \$6.00
- Fumigation Certificate((7-S-F-6809))
 - Minimum charge..... ((45:00)) 18.00 ea.

Field Inspections
Field inspections of flowering bulbs, corms, rhizomes, or other field crops, each year

- Per acre or fraction thereof..... \$2.00
- Certificate of Inspection of Nursery Stock((7-S-F-67087))
 - Minimum charge:
 - Licensed Nurseryman..... No Fee
 - Unlicensed Nurseryman..... 1.00 ea.

- Nursery Sticker((7-S-F-568))
 - In lots of 250..... .01 ea.
 - Less than 250 (Minimum 10)..... .10 ea.

- Nursery Stock Inspection Certificate Tag((7-S-F-7708))
 - In lots of 250..... .01 ea.
 - Less than 250 (Minimum 10)..... .10 ea.

When requested inspections are in combination, the charge will be \$((8:25)) 12.00 per hour and minimum charges will be waived. EXCEPTION: When combination inspections include fumigation, a minimum charge will be \$((45:00)) 18.00.

AMENDATORY SECTION (Amending Order 1315, filed 5/30/73)

WAC 16-401-030 EXTRA CHARGES. Extra charges on all requested inspections under WAC 16-401-025 shall be at the rate of \$((8:25)) 12.00 per hour above the minimum charges listed.

(1) For all inspection services performed after 5:00 p.m. or on Saturdays, Sundays or state legal holidays, an hourly charge equivalent of \$((42:30)) 18.00 per hour for actual hours spent in performance of duties shall be made. This shall include unit charges, plus, if necessary, overtime charges to equal \$((42:30)) 18.00 per hour.

(2) The following state legal holidays will be observed: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, Veteran's Day, Christmas Day, Lincoln's Birthday, Washington's Birthday, Columbus Day and General Election Day. NO SERVICE will be performed on Thanksgiving, Christmas or New Year's Day, beginning at 5:00 p.m. on the previous day.

(3) All fees due under provisions of WAC 16-401-020, 16-401-025 and 16-401-030 shall be payable at the time the service is completed.

REPEALER

The following sections of the Washington Administrative Code are repealed:

- (1) WAC 16-401-003 PROMULGATION.
- (2) WAC 16-401-035 EFFECTIVE DATE.



STATE OF
WASHINGTON

Dixy Lee Ray
Governor

DEPARTMENT OF AGRICULTURE

406 General Administration Building, Olympia, Washington 98504

March 21, 1979

RULE PURPOSE STATEMENT

- 1) State Department of Agriculture Administrative Order No. 1628 relating to change in fees charged with respect to inspection services; amending WAC 16-401-025 and WAC 16-401-030, and repealing WAC 16-401-003 and WAC 16-401-035.
- 2) This order will increase inspection fees for requested inspections and will establish a fee for the field inspection of flower bulb fields.
- 3) Agency personnel:
C. T. Nielsen, Assistant Director and
Supervisor, Plant Industry Division,
A. R. Hurd, Assistant Supervisor,
Plant Industry Division
418 General Administration Bldg.
753-5052
- 4) Meetings had been held with the Nursery Advisory Committee as well as the full membership of the Washington Bulb Growers Association. Both groups were in concurrence with these changes.
- 5) No proponents; no opponents.