



# RULE-MAKING ORDER

(RCW 34.05.360)

CR-103 (7/10/97)

Agency: Department of Agriculture	<input checked="" type="checkbox"/> Permanent Rule
(1) Date of adoption: May 27, 1998	<input type="checkbox"/> Emergency Rule
	<input type="checkbox"/> Expedited Adoption
	<input type="checkbox"/> Expedited Repeal

(2) Purpose: Increase Metrology Laboratory fees from \$65.00 per hour to \$75.00 per hour.

(3) Citation of existing rules affected by this order:  
 Repealed:  
 Amended: WAC 16-675-030 and 040 (1) and (2)  
 Suspended:

(4) Statutory authority for adoption: RCW 19.94.216  
 Other Authority:

**PERMANENT RULE ONLY (Including EXPEDITED ADOPTION)** *April 22, 98*  
 Adopted under notice filed as WSR 98-09-099 on May 6, 1998 (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:

(6) Effective date of rule:  
**Permanent Rules or Expedited Repeal**  
 31 days after filing  
 Other (specify) \_\_\_\_\_  
**Emergency Rules**  
 Immediately  
 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  
*James M. Jesernig*

Title  
 Director

Date  
 May 27, 1998

**CODE REVISER USE ONLY**

COMPLIANCE OFFICE  
 STATE OF WASHINGTON

MAY 28 1998

98-19-030

**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Federal statute:	New	Amended	Repealed
Federal rules or standards:	New	Amended	Repealed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	Repealed

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

New	Amended	Repealed
-----	---------	----------

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

New	Amended	<b>2</b>	Repealed
-----	---------	----------	----------

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

New	Amended	Repealed
-----	---------	----------

The number of sections adopted using:

Negotiated rule making:	New	Amended	Repealed
Pilot rule making:	New	Amended	Repealed
Other alternative rule making:	New	Amended	Repealed

AMENDATORY SECTION (Amending WSR 97-12-024, filed 5/29/97, effective 6/29/97)

**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 ((~~\$65.00~~)) seventy-five dollars 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 97-12-024, filed 5/29/97, effective 6/29/97)

**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 ((~~sixty-five~~)) seventy-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 ((~~sixty-five~~)) seventy-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.