



RULE-MAKING ORDER

(RCW 34.05.360)

CR-103 (7/10/97)

Agency: Department of Agriculture

- Permanent Rule
- Emergency Rule
- Expedited Adoption
- Expedited Repeal

(1) Date of adoption: November 2, 1999

(2) Purpose: This rule establishes a fee schedule for plant pathology laboratory diagnostic services and was last amended effective July 1, 1999. The changes proposed for expedited adoption reduce two fees that were inadvertently raised beyond the fiscal growth factor in the changes effective July 1, 1999. These two erroneous fee amounts were never utilized or charged.

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

Repealed:
 Amended: WAC 16-470-911
 Suspended:

(4) Statutory authority for adoption: Chapter 17.24 RCW

Other Authority:

PERMANENT RULE ONLY (Including EXPEDITED ADOPTION)

Adopted under notice filed as WSR 99-18-104 on September 1, 1999 (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
<input checked="" type="checkbox"/> 31 days after filing
<input type="checkbox"/> Other (specify) _____* | Emergency Rules
<input type="checkbox"/> Immediately
<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)

Name (Type or Print)

Jim Jesernig

Signature

Title
Director

Date
November 2, 1999

CODE REVISER USE ONLY

CODE REVISER'S OFFICE
STATE OF WASHINGTON

NOV 2 1999

TIME 11:29 AM

WSR 94-22-076 PM

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

New	-----	Amended	<u>1</u>	Repealed	-----
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The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New	-----	Amended	-----	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>1</u>	Repealed	-----

WAC 16-470-911 Schedule of fees and charges--Applicable fees and charges--Effective July 1, 1999.

- (1) Hourly rate
 - (a) Business hours \$26.90
 - (b) Nonbusiness hours (see WAC 16-407-905) \$34.40

(2) Laboratory diagnostic services, except as provided in subsection (3) or (4) of this section, are charged at the applicable hourly rate plus materials.

(3) Plant pathology laboratory diagnostic fees are as follows:

Identity Determination	1 sample	5 samples	10 samples	50 samples	100.+samples
virus	\$80.70 ea	\$(59.20) 59.15 ea	\$45.20 ea	\$17.20 ea	\$ 2.65 ea
bacteria	((37.65)) 35.60 ea	34.40 ea	32.25 ea	31.20 ea	31.20 ea
fungus	37.65 ea	32.25 ea	31.20 ea	30.10 ea	27.90 ea
nematode	27.90 ea	25.80 ea	23.65 ea	23.65 ea	21.50 ea

Note: To receive volume rates, samples must be submitted as a unit and identification request must be for one specific virus, bacterium, fungus, or nematode.

(4) For large projects, the department reserves the right to provide service by written agreement at a single, negotiated cost or at a negotiated rate.