

WSR 23-11-137

PERMANENT RULES

DEPARTMENT OF AGRICULTURE

[Filed May 23, 2023, 3:13 p.m., effective June 23, 2023]

Effective Date of Rule: Thirty-one days after filing.

Purpose: This rule making amends the Washington cranberry commission marketing order by adding the word "state" to the legal name of the commission, changing it to the Washington state cranberry commission.

Citation of Rules Affected by this Order: Amending WAC 16-565-080 and 16-565-090.

Statutory Authority for Adoption: RCW 15.65.047.

Other Authority: Chapter 34.05 RCW.

Adopted under notice filed as WSR 23-07 [23-07-138] on March 22, 2023.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 3, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Date Adopted: May 23, 2023.

Derek I. Sandison  
Director

**OTS-4432.1**

**Chapter 16-565 WAC  
WASHINGTON STATE CRANBERRY COMMISSION**

AMENDATORY SECTION (Amending WSR 22-12-077, filed 5/28/22, effective 6/28/22)

**WAC 16-565-080 Requests for public records.** (1) All requests for disclosure of public records must be submitted in writing directly to the commission's public records officer by mail to Washington State Cranberry Commission, P.O. Box 597, Grayland, Washington, 98547. The written request should include:

- (a) The name, address and telephone number or other contact information of the person requesting the records;
- (b) The calendar date on which the request is made; and

(c) Sufficient information to readily identify records being requested.

(2) Any person wishing to inspect the commission's public records may make an appointment with the public records officer to inspect the records at the commission office during regular business hours. In order to adequately protect the commission's public records, the following will apply:

(a) Public records made available for inspection may not be removed from the area the commission makes available for inspection.

(b) Inspection of any public record will be conducted in the presence of the public records officer or designee.

(c) Public records may not be marked or altered in any manner during the inspection.

(d) The commission has the discretion to designate the means and the location for the inspection of records. The viewing of those records that require specialized equipment shall be limited to the availability of that equipment located at the commission's office and the availability of authorized staff to operate that equipment.

[Statutory Authority: RCW 15.65.047 and chapter 34.05 RCW. WSR 22-12-077, § 16-565-080, filed 5/28/22, effective 6/28/22.]

AMENDATORY SECTION (Amending WSR 22-12-077, filed 5/28/22, effective 6/28/22)

**WAC 16-565-090 Fees—Inspection and copying.** (1) No fee will be charged for the inspection of public records.

(2) Pursuant to RCW 42.56.120(2), the commission declares for the following reasons that it would be unduly burdensome for it to calculate the actual costs it charges for providing copies of public records: Funds were not allocated for performing a study to calculate actual costs and the commission lacks the necessary funds to perform a study and calculations; staff resources are insufficient to perform a study and to calculate such actual costs; and a study would interfere with and disrupt other essential agency functions.

(3) The commission may charge fees for production of copies of public records consistent with the fee schedule established in RCW 42.56.120. For all copying or duplicating service charges incurred, an invoice will be sent to the requestor. Reimbursement is payable within 15 days of receipt of invoice payable to the Washington state cranberry commission. The commission may require that all charges be paid in advance of release of the copies of the records.

[Statutory Authority: RCW 15.65.047 and chapter 34.05 RCW. WSR 22-12-077, § 16-565-090, filed 5/28/22, effective 6/28/22.]