



PREPROPOSAL STATEMENT OF INQUIRY

CR-101 (June 2004)
(Implements RCW 34.05.310)
Do NOT use for expedited rule making

Agency: Department of Agriculture

Subject of possible rule making: Chapter 16-08 WAC (Practice and Procedure).

Statutes authorizing the agency to adopt rules on this subject: RCW 43.17.060 and chapter 34.05 RCW.

Reasons why rules on this subject may be needed and what they might accomplish: The department proposes to amend chapter 16-08 of the Washington Administrative Code (WAC) to improve language clarity, to update the department's procedure for conducting brief adjudicative proceedings and to list additional actions that the department may review in a brief adjudicative proceeding.

Under RCW 34.05.482 of the Administrative Procedure Act, an agency may use a brief adjudicative proceedings if:

- Use of those proceedings in the circumstances does not violate any provision of law;
- The protection of the public interest does not require the agency to give notice and an opportunity to participate to persons other than the parties;
- The matter is within a category the agency has identified by rule for use of a brief adjudicative proceeding; and
- The issue and interests involved in the controversy do not warrant use of a formal adjudicative proceeding.

Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies:
None

Process for developing new rule (check all that apply):

Negotiated rule making

Pilot rule making

Agency study

Other: Affected stakeholders will have an opportunity to submit written comments on the proposed rules during the public comment period and will be able to present oral testimony at the public hearing.

How interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication:

(List names, addresses, telephone, fax numbers, and e-mail of persons to contact; describe meetings, other exchanges of information, etc.)

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DATE
September 17, 2014

NAME (TYPE OR PRINT)
Julie Morgan

SIGNATURE

TITLE
Chief of Staff

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STATE OF WASHINGTON
FILED**

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