



EXPEDITED RULE MAKING

CR-105 (June 2004)
(Implements RCW 34.05.353)
EXPEDITED RULE MAKING ONLY

Agency: Dept. of Agriculture

Title of rule and other identifying information: (Describe Subject) Chapter 16-390 WAC, WSDA Fruit and Vegetable Inspection Districts, Inspection Fees, and Other Charges. The department is proposing to:

1. Repeal WAC 16-390-010 to correspond with the repeal of the statutes upon which it was based under SB 6345—effective June 9, 2016;
2. Amend WAC 16-390-025 and -030 to change the respective fee increase dates from January 1, 2017 to January 1, 2019; and
3. Amend the title of WAC Chapter 16-390 to delete the reference to “Inspection Districts.”

NOTICE

THIS RULE IS BEING PROPOSED UNDER AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THIS USE OF THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO

Name: Henri Gonzales, Rules Coordinator
 Agency: Washington State Dept. of Agriculture
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AND RECEIVED BY August 23, 2016

Purpose of the proposal and its anticipated effects, including any changes in existing rules: WAC 16-390-010, the rule identifying two inspection districts, is to be repealed consistent with the 2016 legislation (SB 6345; Chapter 229, Laws of 2016) repealing the statutory authority in chapter 15.17 RCW that established two inspection districts. SB 6345 took effect on June 9, 2016, at which time WAC 16-390-010 also became ineffective.

WAC 16-390-025 and WAC 16-390-030 established fee increases to take effect January 1, 2017. The department has determined that current revenue projections support extending the effective date of the fee increases under each rule from January 1, 2017 to January 1, 2019.

Reasons supporting proposal: The repeal of WAC 16-390-010 is necessary to conform to the repeal of the statutory authority for two fruit and vegetable inspection districts under SB 6345. The two year extension of the effective date is necessary to reflect current revenue projections based on the current fees established in these two rules. These projections support the conclusion that deferring for two years the fee increase will meet the program requirements to recover the costs incurred in providing inspection services (RCW 15.17.150) and the revenue needed to maintain the inspection account at the required level (RCW 15.17.240—as amended by SB 6345).

Statutory authority for adoption: RCW 15.17.030; RCW 15.17.150; Chapter 229, Laws of 2016; chapter 34.05 RCW

Statute being implemented: RCW 15.17.030; RCW 15.17.150; Chapter 229, Laws of 2016

Is rule necessary because of a:

- | | | |
|-------------------------|------------------------------|--|
| Federal Law? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| Federal Court Decision? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| State Court Decision? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |

If yes, CITATION:

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: June 13, 2016

TIME: 8:45 AM

WSR 16-13-058

DATE
June 13, 2016

NAME (TYPE OR PRINT)
Jason Ferrante

SIGNATURE

TITLE
Assistant Director

(COMPLETE REVERSE SIDE)

Name of proponent: (person or organization) Washington State Dept. of Agriculture

- Private
- Public
- Governmental

Name of agency personnel responsible for:

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Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:

None