



EXPEDITED RULE MAKING

CR-105 (August 2017) (Implements RCW 34.05.353)

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STATE OF WASHINGTON
FILED

DATE: August 19, 2024

TIME: 8:31 AM

WSR 24-17-082

Agency: Dept. of Agriculture

Title of rule and other identifying information: (describe subject) Chapter 16-06 WAC, Public Records.

Purpose of the proposal and its anticipated effects, including any changes in existing rules: In response to a petition for rule making, the Department is proposing to clarify current rule language by replacing all gender-specific pronouns with modern gender-inclusive pronouns.

The Department is also replacing the word 'marijuana' found in WAC 16-06-210, with the word 'cannabis' to align with Second Substitute House Bill 1210 (SSHB 1210) (Chapter 16, Laws of 2022).

Reasons supporting proposal: RCW 43.01.160 requires state agencies to use gender-neutral terms in rules unless a specification of gender is intended. Replacing gender-specific terminology supports the Department's commitment to integrate inclusive policies and procedures as outlined in the agency's 22-25 strategic plan.

Gender-inclusive pronouns are pronouns that are not specifically gendered and can be utilized when referring to each other in the third person. They are linguistic tools that we use to refer to people. Using gender-neutral pronouns can help create a more inclusive and welcoming environment and show respect for people's gender identities.

In 2022, the Washington State Legislature passed SSHB 1210, which replaced all instances of the word 'marijuana' with 'cannabis' throughout the Revised Code of Washington (RCW).

To ensure consistency between the overarching RCW and the WAC, the Department is proposing to replace all instances of "marijuana" to 'cannabis' in this chapter.

Statutory authority for adoption: RCW 43.01.160, RCW 43.17.060, RCW 42.56.040,

Statute being implemented: Chapter 43.17 RCW, Chapter 42.56 RCW)

Is rule necessary because of a:

Federal Law?

☐ Yes

☒ No

Federal Court Decision?

☐ Yes

☒ No

State Court Decision?

☐ Yes

☒ No

If yes, CITATION:

Name of proponent: (person or organization) Skye Theriot

☒ Private

☐ Public

☐ Governmental

Name of agency personnel responsible for:

Name

Office Location

Phone

Drafting:

Gloriann Robinson

1111 Washington Street SE, Olympia, WA

(360) 902-1802

Implementation:

Gloriann Robinson

1111 Washington Street SE, Olympia, WA

(360) 902-1802


Enforcement:	Gloriann Robinson	1111 Washington Street SE, Olympia, WA	(360) 902-1802
Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters: None.			
Expedited Adoption - Which of the following criteria was used by the agency to file this notice:			
<input type="checkbox"/> Relates only to internal governmental operations that are not subject to violation by a person;			
<input type="checkbox"/> Adopts or incorporates by reference without material change federal statutes or regulations, Washington state statutes, rules of other Washington state agencies, shoreline master programs other than those programs governing shorelines of statewide significance, or, as referenced by Washington state law, national consensus codes that generally establish industry standards, if the material adopted or incorporated regulates the same subject matter and conduct as the adopting or incorporating rule;			
<input checked="" type="checkbox"/> Corrects typographical errors, make address or name changes, or clarify language of a rule without changing its effect;			
<input type="checkbox"/> Content is explicitly and specifically dictated by statute;			
<input type="checkbox"/> Have been the subject of negotiated rule making, pilot rule making, or some other process that involved substantial participation by interested parties before the development of the proposed rule; or			
<input type="checkbox"/> Is being amended after a review under RCW 34.05.328.			
Expedited Repeal - Which of the following criteria was used by the agency to file notice:			
<input type="checkbox"/> The statute on which the rule is based has been repealed and has not been replaced by another statute providing statutory authority for the rule;			
<input type="checkbox"/> The statute on which the rule is based has been declared unconstitutional by a court with jurisdiction, there is a final judgment, and no statute has been enacted to replace the unconstitutional statute;			
<input type="checkbox"/> The rule is no longer necessary because of changed circumstances; or			
<input type="checkbox"/> Other rules of the agency or of another agency govern the same activity as the rule, making the rule redundant.			
Explanation of the reason the agency believes the expedited rule-making process is appropriate pursuant to RCW 34.05.353(4): The amendments in this proposal meet the criteria for expedited rule-making specified in RCW 34.05.353(1)(c) by clarifying the rule, without changing its effect, by replacing gender-specific pronouns with gender-inclusive pronouns and replacing the word 'marijuana' with 'cannabis'.			

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: Gloriann Robinson, Agency Rules Coordinator
 Agency: Washington State Dept. of Agriculture
 Address: PO Box 42560, Olympia, WA 98504-2560
 Phone: (360) 902-1802
 Fax: (360) 902-2092
 Email: wsdarulescomments@agr.wa.gov
 Other:

AND RECEIVED BY (date) 10/22/2024

Date: 08/19/2024	Signature:
Name: Jason Ferrante	
Title: Deputy Director	