



# 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: 8:38 AM

WSR 24-17-087

**Agency:** Dept. of Agriculture

**Title of rule and other identifying information:** (describe subject) Chapter 16-74 WAC, LIVESTOCK TESTING—DUTIES OF OWNERS

**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.

**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.

**Statutory authority for adoption:** RCW 16.36.040, RCW 43.01.160,

**Statute being implemented:** Chapter 16.36 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
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**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:**

- ☐ Relates only to internal governmental operations that are not subject to violation by a person;
- ☐ 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;
- ☒ Corrects typographical errors, make address or name changes, or clarify language of a rule without changing its effect;
- ☐ Content is explicitly and specifically dictated by statute;
- ☐ 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
- ☐ 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:**

- ☐ 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;
- ☐ 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;
- ☐ The rule is no longer necessary because of changed circumstances; or
- ☐ 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.

**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**

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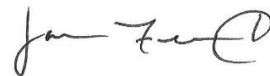
**AND RECEIVED BY** (date) 10/22/2024

**Date:** 08/19/2024

**Name:** Jason Ferrante

**Title:** Deputy Director

**Signature:**



AMENDATORY SECTION (Amending WSR 00-06-065, filed 3/1/00, effective 4/1/00)

**WAC 16-74-005 Definitions.** (1) "Communicable disease" means a disease due to a specific infectious agent or its toxic products transmitted from an infected person, animal or inanimate reservoir to a susceptible host, either directly or indirectly through an intermediate plant or animal host, vector or the environment.

(2) "Contagious disease" means a communicable disease that is capable of being easily transmitted from one animal to another animal or a human.

(3) "Director" means the director of agriculture of the state of Washington or (~~his or her~~) their authorized representative.

(4) "Department" means the department of agriculture of the state of Washington.

(5) "Infectious disease" means a clinical disease of humans or animals resulting from an infection with an infectious agent that may or may not be communicable or contagious.

(6) "Livestock" means horses, mules, donkeys, cattle, bison, sheep, goats, swine, rabbits, llamas, alpacas, ratites, poultry, waterfowl, game birds and other species designated by statute. "Livestock" does not mean free ranging wildlife as defined in Title 77 RCW.

AMENDATORY SECTION (Amending WSR 00-06-065, filed 3/1/00, effective 4/1/00)

**WAC 16-74-020 Facilities.** Owners must furnish adequate facilities to assure convenient and safe procedures in conducting all tests. The required facilities may include corrals, chutes, stanchions and/or squeeze chutes as deemed necessary by the director or (~~his~~) their duly authorized representative.