



CR103 Memorandum

Regarding Title 314 WAC – Second Substitute House Bill 1210 Replacing “Marijuana” With “Cannabis”.

Date: July 6, 2022
Presented by: Jeff Kildahl, Policy and Rules Coordinator

Background

The Washington State Legislature passed Second Substitute House Bill 1210 (Chapter 16, Laws of 2022) on March 11, 2022. In passing this bill, the legislature found that the use of the term "marijuana" in the United States has discriminatory origins and should be replaced with the more scientifically accurate term "cannabis". To this end, the bill replaced the term "marijuana" with the term "cannabis" throughout the Revised Code of Washington, including chapter 69.50 RCW, the Uniform Controlled Substances Act.

In addition to amendments to the Revised Code of Washington, Section 168 of the bill directed the LCB to use expedited rule making under RCW 34.05.353 to replace the term “marijuana” with the term “cannabis” throughout Title 314 WAC. This change was technical in nature, and no substantive changes were intended.

Stakeholder Engagement

Implementation of Second Substitute House Bill 1210 was dictated by statute and completed through expedited rulemaking. The amendments necessary to replace the term "marijuana" with the term "cannabis" in title 314 WAC are technical in nature, and no substantive changes were intended.

Because these amendments are technical in nature, and do not change the form or substance of these rules, a Listen and Learn forum was not held.

Rule Necessity

Amendments were needed to implement Section 168 of Second Substitute House Bill 1210, effective June 9, 2022.

Description of Rule Changes

Amended Title 314 WAC —The proposed expedited rulemaking replaces the term “marijuana” with the term “cannabis” in the following WAC sections:

314-11-015, 314-42-110, 314-42-115, 314-55-005, 314-55-010, 314-55-013, 314-55-017, 314-55-018, 314-55-035, 314-55-073, 314-55-075, 314-55-077, 314-55-080, 314-55-083, 314-55-084, 314-55-085, 314-55-086, 314-55-087, 314-55-089, 314-55-092, 314-55-095, 314-55-096, 314-55-097, 314-55-099, 314-55-0995, 314-55-101, 314-55-102, 314-55-1025, 314-55-103, 314-55-1035, 314-55-104, 314-55-105, 314-55-1055, 314-55-106, 314-55-107, 314-55-109, 314-55-115, 314-55-117, 314-55-135, 314-55-140, 314-55-145, 314-55-147, 314-55-150, 314-55-155, 314-55-160, 314-55-165, 314-55-185, 314-55-200, 314-55-210, 314-55-220, 314-55-225, 314-55-230, 314-55-310, 314-55-410, 314-55-415, 314-55-417, 314-55-430, 314-55-505, 314-55-5055, 314-55-509, 314-55-520, 314-55-521, 314-55-522, 314-55-523, 314-55-524, 314-55-525, 314-55-540, 314-55-550, 314-55-560, and 314-60-015.

Variance between proposed rule (CR102) and final rule:

There were no changes between the proposed rule and the final rule.

Rule Implementation

Informing Persons Impacted by the Rule

To help inform and educate persons impacted by the rule, the WSLCB will:

- Email notice with the adoption materials to the rule making and licensee distribution lists, and the general WSLCB GovDelivery list;
- Post rule adoption materials, including final rule language, final analysis (Concise Explanatory Statement), and any other relevant documents on the rulemaking webpage for public access.

Promoting and Assisting Education

WSLCB will promote and assist education through technical assistance.

- WSLCB staff are available to respond to phone and email inquiries about the rule.
- Agency leadership and staff have proactively coordinated updates to agency websites, forms, and publications to replace the term “marijuana” with “cannabis”.
- Rule documents will be available on the WSLCB website.
- WSLCB will use available and customary resources to disseminate materials and information to all persons impacted by the rules.

These actions are designed to inform and educate all persons impacted by the rule.

Training and Informing WSLCB Staff

The WSLCB will consider:

- Provision of internal and external training and education, as needed, potentially including webinars, training, and videos if appropriate.
- Coordinating and centrally locating decisions to assure consistency between agency, staff, and industry.

Rule Effectiveness Evaluation

The WSLCB will evaluate the effectiveness of these rules in the following ways, including but not limited to:

- Monitoring questions received after the effective date of these rules, and adjusting training and guidance accordingly.
- Monitoring requests for rule language revisions or changes.
- Monitoring requests for rule interpretation.
- Monitoring licensee feedback including, but not limited to, requests for assistance.