



## Notice of Permanent Rules

### **Regarding electronic transmission of documents for service and filing.**

**This concise explanatory statement concerns the Washington State Liquor and Cannabis Board’s adoption of new rule section WAC 314-42-005—Electronic transmission of documents for service and filing.**

The Administrative Procedure Act (RCW 34.05.325(6)) requires agencies to complete a concise explanatory statement before filing adopted rules with the Office of the Code Reviser. The concise explanatory statement must be provided to any person upon request, or from whom the agency received comment.

The Washington State Liquor and Cannabis Board (WSLCB) appreciates and encourages your involvement in the rule making process. If you have questions, please contact Audrey Vasek, Policy and Rules Coordinator, at (360) 664-1758 or by email at [rules@lcb.wa.gov](mailto:rules@lcb.wa.gov).

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### **Background and reasons for adopting these rules:**

On February 2, 2022, the WSLCB filed a CR 101 preproposal statement of inquiry (WSR# 22-05-001) to consider creating or amending sections in Title 314 WAC to allow the WSLCB to serve and receive documents by electronic transmission.

RCW 34.05.010(19), which defines “service” for the purpose of the Administrative Procedure Act, allows state agencies to authorize service by electronic transmission through rule. RCW 34.05.010(6), which defines “filing,” also specifies that state agencies may designate by rule a place for receipt of official documents. Additionally, the WSLCB has rulemaking authority under RCW 66.08.030(9) to designate the manner of giving and serving notices.

On May 11, 2022, the WSLCB filed a CR 102 rule proposal (WSR# 22-11-033). The rule proposal was developed through a collaborative rule development process. The rule development and stakeholder engagement process are described in more detail in the CR 103 Memorandum.

The new rule section authorizing service and filing of documents by electronic transmission is needed to streamline and modernize business and adjudicative processes and bring a consistent approach to this issue across the agency. This approach will benefit anyone that interacts with the agency, including but not limited to licensees, permit holders, and any interested parties. This approach will also reduce the risks and impacts to the agency technology systems modernization project.

**Rulemaking history for this adopted rule:**

**CR 101** – filed as WSR #22-05-001 on February 2, 2022.

**CR 102** – filed as WSR #22-11-033 on May 11, 2022.

**Public hearing** held June 22, 2022. No oral testimony was provided during the public hearing.

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**Public comments received on the rule proposal:**

No comments were received during the formal public comment period (May 11, 2022 through June 22, 2022) for the CR 102 filed as WSR 22-11-033 on May 11, 2022. No oral testimony was provided at the public hearing. A recording of the June 22, 2022 public hearing is available on the LCB website at [https://lcb.wa.gov/boardmeetings/2022jun\\_schedule](https://lcb.wa.gov/boardmeetings/2022jun_schedule).

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**Changes from Proposed Rules (CR102) to the Final Rules as Adopted:**

There were no changes from the proposed rules to the final rules as adopted.