



EXPEDITED RULE MAKING

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

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STATE OF WASHINGTON
FILED

DATE: July 19, 2023

TIME: 10:36 AM

WSR 23-15-120

Agency: Department of Licensing

Title of rule and other identifying information: (describe subject) WAC 308-47-090 Operator licensure for those who conduct cremations, alkaline hydrolysis, or natural organic reduction, WAC 308-47A-030 Final disposition permit application procedure, and WAC 308-48-180 Renewal of licenses—Funeral directors, embalmers, funeral director interns and embalmer interns

Purpose of the proposal and its anticipated effects, including any changes in existing rules: DOL is updating WAC to align with current statute per SSB 5261 passed during the 2023 legislative session, which changes renewal dates for cemetery certificates, prearrangement sales licenses, funeral directors, embalmers, and reduction facility operators.

Reasons supporting proposal: These updates align rule with statute following the adoption of SSB 5261.

Statutory authority for adoption: RCW 68.05.100 Rules; RCW 68.05.105 Authority of the board; and RCW 18.39.175 Board-Duties and responsibilities – Rules., and RCW 46.01.110.

Statute being implemented: SSB 5261, RCW 68.05.215, RCW 68.05.225, RCW 68.05.245, and RCW 18.39.020

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:

Name of proponent: (person or organization)

- Private
 Public
 Governmental

Name of agency personnel responsible for:

	Name	Office Location	Phone
Drafting:	Tanya Hessler	405 Black Lake Boulevard S.W., Olympia, WA 98502	360-968-4048
Implementation:	Tanya Hessler	405 Black Lake Boulevard S.W., Olympia, WA 98502	360-968-4048
Enforcement:	Tanya Hessler	405 Black Lake Boulevard S.W., Olympia, WA 98502	360-968-4048

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

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): This rulemaking is to incorporate new explicit laws passed by the 2023 state legislature to change renewal dates for cemetery certificates, prearrangement sales licenses, funeral directors, embalmers, and reduction facility operators.

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) September 19, 2023

Date: July 19, 2023
Name: Ellis Starrett
Title: Rules and Policy Manager

Signature:

