

WSR 25-11-011

NOTICE OF PUBLIC MEETINGS

DEPARTMENT OF CORRECTIONS

(Correctional Industries Advisory Board)

[Filed May 8, 2025, 1:56 p.m.]

Following are the correctional industries advisory board meetings for 2026 [contact agency for meeting links]:

March 12, 2026

Meeting ID: 235 068 394 775 5

Passcode: uq2Dr9wq

June 4, 2026

Meeting ID: 287 652 930 883 0

Passcode: Bs2P58CX

September 17, 2026

Meeting ID: 249 020 674 377 6

Passcode: cq9tg6CA

December 10, 2026

Meeting ID: 232 145 055 567 9

Passcode: o6nk6Dh9

All meetings will be held at Correctional Industries Headquarters, 801 88th Avenue S.E., Tumwater, WA 98501, with a virtual option listed above.

WSR 25-11-014
NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF
LABOR AND INDUSTRIES
(Board of Boiler Rules)
[Filed May 9, 2025, 4:26 p.m.]

Revised Board of Boiler Rules Meetings - 2025

Pursuant to chapter 42.30 RCW, the Open Public Meetings Act, this is the notification regarding the board of boiler rules meeting and study session in August 2025. The dates for the meeting and study session have changed.

Date	Time	Location
Study Session: August 19, 2025 Board Meeting: August 20, 2025	10:00 a.m. 10:00 a.m.	The boiler board study session will be held virtually only. The link to attend virtually and meeting updates are available on the department of labor and industries (L&I) website at https://Lni.wa.gov/Licensing-permits/boilers/board-of-boiler-rules . L&I 7273 Linderson Way S.W. Tumwater, WA 98501

If you have any questions, contact Meagan Edwards, management analyst, at 360-522-0125 or Meagan.Edwards@Lni.wa.gov.

WSR 25-11-015

NOTICE OF PUBLIC MEETINGS

HEALTH CARE AUTHORITY

(Health Care Cost Transparency Board)

[Filed May 10, 2025, 6:54 a.m.]

Revised schedule as of May 9, 2025: The following is the schedule of regular meetings for the Washington state health care authority's health care cost transparency board's advisory committee on data issues for 2025:

Date	Time	Location
May 22, 2025	2 - 4 p.m.	*Hybrid
October 23, 2025	2 - 4 p.m.	*Hybrid

*Unless indicated otherwise, meetings will be hybrid with attendance options either via the Zoom platform or in person at Washington State Health Care Authority, Cherry Street Plaza, Sue Crystal Conference Rooms 106A and 106B, 626 8th Avenue S.E., Olympia, WA 98501.

Visit our health care cost transparency board's advisory committee on data issues page to learn more about the committee, meeting materials, and Zoom information.

Sign up to receive announcements about the committee.

Live captioning may be available: Communication access real-time transcription (CART) services, or live closed captioning, may be available for this event, on demand. To request this accommodation, please submit a request to addie.augsburger@hca.wa.gov as soon as possible. We will make every effort to accommodate this request but cannot guarantee that a CART writer will be available.

If you need further information or are a person with a disability and need a special accommodation, please contact hcahcctboard@hca.wa.gov.

WSR 25-11-016

NOTICE OF PUBLIC MEETINGS

HEALTH CARE AUTHORITY

(Health Care Cost Transparency Board)

[Filed May 10, 2025, 6:59 a.m.]

Revised schedule as of May 9, 2025: The following is the schedule of regular meetings for the Washington state health care authority's health care cost transparency board's advisory committee of health care stakeholders for 2025:

Date	Time	Location
May 22, 2025	2 - 4 p.m.	*Hybrid
October 23, 2025	2 - 4 p.m.	*Hybrid

*Unless indicated otherwise, meetings will be hybrid with attendance options either via the Zoom platform or in person at Washington State Health Care Authority, Cherry Street Plaza, Sue Crystal Conference Rooms 106A and 106B, 626 8th Avenue S.E., Olympia, WA 98501.

Visit our health care cost transparency board's advisory committee of health care providers and carriers page to learn more about the committee, meeting materials, and Zoom information.

Sign up to receive announcements about the committee.

Live captioning may be available: Communication access real-time transcription (CART) services, or live closed captioning, may be available for this event, on demand. To request this accommodation, please submit a request to addie.augsburger@hca.wa.gov as soon as possible. We will make every effort to accommodate this request but cannot guarantee that a CART writer will be available.

If you need further information or are a person with a disability and need a special accommodation, please contact hcahcctboard@hca.wa.gov.

WSR 25-11-017

CLEMENCY AND PARDONS BOARD

[Filed May 12, 2025, 7:10 a.m.]

Notice of Quarterly Hearing

The Washington state clemency and pardons board (board) hereby gives notice of its quarterly hearings scheduled for June 12 and 13, 2025, via virtual hearing, starting at 9:00 a.m.¹ The following petitions will be considered by the board:

¹ Please note that all board hearings are recorded by a court reporter and broadcast on the state public affairs network, TVW.

June 12, 2025

Petitioner:	County of Conviction:	Relief Requested:	Estimated Start Time:
Stuart Vincent	Clark	Pardon	9:00 a.m.
Thomas Keen	Cowlitz	Commutation	10:15 a.m.
Dan Mireles	Chelan	Pardon	1:00 p.m.
Igor Levin	Snohomish	Pardon	2:15 p.m.
Doug Bullis	Chelan	Pardon	3:30 p.m.

TVW link: Morning: <https://www.tvw.org/watch/?eventID=2025061018>

TVW link: Afternoon: <https://www.tvw.org/watch/?eventID=2025061019>

June 13, 2025

Petitioner:	County of Conviction:	Relief Requested:	Estimated Start Time:
Wendy Davis	Pierce	Pardon	9:00 a.m.
Kasey Fenton	Cowlitz	Commutation	10:15 a.m.
Troy Hanna	Clark	Pardon	1:00 p.m.
Scott Lautenslager	King	Pardon	2:15 p.m.
Minna Long	Clark	Pardon	3:30 p.m.

TVW link: Morning: <https://www.tvw.org/watch/?eventID=2025061020>

TVW link: Afternoon: <https://www.tvw.org/watch/?eventID=2025061021>

The following matters have already been approved for future hearings:

Petitioner Name	Relief Requested	County of Conviction
Alexander, Harry	Commutation	King
Bachmeier, Mathias	Commutation	King
Belitz, Steven	Commutation	Pierce
Blanco Portilla, Ma	Pardon	Chelan
Bonds, Robert	Commutation	Pierce
Brinkley, Jeffrey	Commutation	Snohomish
Carey, Stephen	Commutation	Whatcom
ComesLast, Travis	Commutation	Spokane
Constance, Dino	Commutation	Clark
Davis, James	Commutation	Pierce
Feak, Kevin	Pardon	Thurston
Fernandez, Angel	Commutation	Cowlitz
Floch, Jesse	Pardon	Grays Harbor
Francisco, Marvin	Commutation	King
Gassman, Tyler	Pardon	Spokane

Gilleland, Burt	Pardon	King
Graves, Charles	Commutation	King
Hartung, Karissa	Pardon	Clark
Havens, Christopher	Commutation	Thurston
Hertz, Michael	Pardon	King
Kelton, William	Pardon	Whatcom
Kennedy, Joseph	Commutation	Skagit
Kinney, Naomi	Commutation	Whatcom
Lapraim, Dominic	Pardon	Thurston
Lomedico, Benjamin	Pardon	Mason
Longan, Daniel	Commutation	Cowlitz
Luke, Ryan	Pardon	King
McCauley, Kerry	Pardon	Pierce
Meyers, Jeremy	Pardon	Pierce
Nguyen, Anh	Pardon	King
Nguyn, Hung Van	Pardon	King
Oliver, Marriam Diane	Commutation	Snohomish
Price, Claude	Commutation	Thurston
Reinhart, Geoffrey	Pardon	Pierce
Riche, Wesley	Pardon	Clark
Richter, Jessica	Commutation	Walla Walla
Rose, Rebecca	Pardon	Snohomish
Rothermel, Perry	Commutation	Snohomish
Rudolph, Carlton	Commutation	Thurston
Sayasack, Dokdinh	Pardon	Pierce
Self, Brad	Commutation	Spokane
Smalley, Travis	Commutation	Pierce
Smith, John	Pardon	Pierce
Spears, Albert	Commutation	Pierce
Statler, Paul	Pardon	Spokane
Styles, Trey	Pardon	Clark
Thornstein, Paul	Pardon	Snohomish
Varnes, McQueen	Commutation	Pierce
Wright, Paul	Pardon	King
Wyman, Brandon	Pardon	Lewis
Young, Corey	Commutation	Pierce

WSR 25-11-023
NOTICE OF APPEAL
OFFICE OF THE GOVERNOR
[Filed May 13, 2025, 1:44 p.m.]

March 12, 2025

Conner Edwards
216 Spotswood Street
Moscow, ID 83843
Via email: cg.edwards53@gmail.com

Re: APA Appeal - Washington Administrative Code (WAC)
390-18-050(4).

Dear Mr. Edwards:

On January 29, 2025, the Governor's Office received the appeal you filed in response to the Public Disclosure Commission's decision to deny your petition to amend WAC 390-18-050(4). Under RCW 34.05.330(3), an agency's denial of a petition to repeal or amend a rule may be appealed to the Governor.

RCW 42.17A.345 requires out-of-state commercial advertisers to make their books of account available for public inspection. This requirement can be accomplished by providing an in-person inspection or by providing for inspection electronically, by digital transmission, or by online publication. WAC 390-18-050(4)(a).

On November 15, 2024, you petitioned the Public Disclosure Commission to amend WAC 390-18-050(4)(a) by adding the following underlined language:

"(4) Until such time as the PDC provides an open access platform on its website for this information, which will replace the following methods of inspection for all required information, such information must be available for public inspection by any person, and provided:

(a) In person during normal business hours, however if the commercial advertiser is located out-of-state, the location for in person inspection must be within the state of Washington;"

Your petition states that you had recently sought to inspect the books of account for an out-of-state commercial advertiser that did not make the books of account available digitally, but instead only offered in-person inspection in Massachusetts. Petition at 1.

The Commission discussed your petition during its January 23, 2025 meeting and denied your petition on January 24, 2025. In its denial letter, the Commission states that the current options for public inspection of books of account "have been generally successful in making advertiser records accessible to Washington voters in multiple ways." Response at 1. The Commission states that requiring all commercial advertisers to have a Washington location for in-person inspection of books of account is premature and that increasing accounting burdens at this time may result in unintended impacts with ongoing litigation. Response at 1-2.

The Commission stated that it supports your shared goal of providing timely and accurate election information and "will consider other ideas for making advertiser books of account more easily available to the public." Response at 2.

You appealed the Commission's denial on January 29, 2025. You allege that "out-of-state commercial advertisers can (and often do) in-

sist on making Washingtonians travel to an out-of-state location to see the books of account." Appeal petition at 1. You argue that the Commission's rationale in denying your petition "is nothing more than baseless legal handwringing" and that the amendment "would not fundamentally alter the existing requirements that apply to commercial advertisers." Appeal petition at 1.

The Commission cited multiple reasons for denying your petition in addition to the potential consequences in current litigation. The Commission noted that, as a practical matter, the current options for public inspection of books of account have been generally successful. Response at 1. The current rule requires commercial advertisers to provide their books of account either: 1) electronically; 2) by digital transmission (e.g. email); 3) through online publication; or 4) through in-person inspection. WAC 390-18-050(4). The Commission appropriately reasoned that your amendment would increase accounting burdens for commercial advertisers. Response at 1. The Commission also noted that it "will consider other ideas for making advertiser books of account more easily available to the public" as well as "discuss request legislation to require those documents to be provided by campaigns that already have a presence in the local community." Response at 2. The Commission is appropriately positioned to balance different considerations and make a policy determination, and it has properly exercised that discretion here.

The Commission denied your petition after careful consideration, and I am not persuaded that it erred in doing so. Your appeal petition is denied.

Sincerely,

Bob Ferguson
Governor of Washington

WSR 25-11-024
NOTICE OF APPEAL
OFFICE OF THE GOVERNOR
[Filed May 13, 2025, 1:44 p.m.]

May 5, 2025

Bianca Williams
Via email: biancanilla@live.com

Re: APA Appeal - Washington Administrative Code (WAC)
296-200A-060.

Dear Ms. Williams:

On March 19, 2025, the Governor's Office received the appeal you filed in response to the Department of Labor and Industries' (L&I) decision to deny your petition to amend WAC 296-200A-030, -040, -050, -060, -070, and -080. These regulations provide requirements for contractor registration. Under RCW 34.05.330(3), an agency's denial of a petition to repeal or amend a rule may be appealed to the Governor. However, the Governor lacks jurisdiction under this statute to consider an appeal of other matters, such as an agency's denial of a petition to adopt a new rule. See RCW 34.05.330(3).

On January 17, 2025, you petitioned L&I to amend WAC 296-200A-060. You proposed amendments that would: 1) "Establish specific measures and penalties to enforce compliance with the notification requirements," 2) "Implement oversight mechanisms to monitor compliance with the notification requirements," and 3) "Ensure that the regulations are aligned with statutory requirements to prevent gaps that can lead to consumer harm."

On January 29, 2025, you raised additional issues for L&I to consider with your petition. This communication requests the following amendments:

1. WAC 296-200A-030: "Require contractors to consistently use their registered business names in all official correspondence, with penalties for violations."
2. WAC 296-200A-040: "Require L&I to cross-reference and validate insurance information directly with insurance companies before accepting contractors' registrations."
3. WAC 296-200A-050: "Mandate L&I to verify compliance with anti-flipping laws when registering contractors. Additionally, ensure that electrical, plumbing, and structural work are verified and documented by licensed professionals, especially in cases of property flips."
4. WAC 296-200A-060: "Enforce SHB 1843 more stringently with clear guidelines on regulating sales of properties by contractors."
5. WAC 296-200A-070: "Create stricter penalties and follow-up mechanisms for non-compliance with timely notifications of policy cancellations"; "Include specific timelines and mandatory reporting for insurance companies, with fines for late notifications"; "Insurance policies cannot be considered cancelled until L&I has been notified and a grace period for the notification process"; "Clarify the statutory requirement for notification in general liability insurance policies and ensure insurance companies are informed of this requirement."
6. WAC 296-200A-080: "Require contractors to follow safety regulations and obtain permits and city inspections for plumbing, electrical work, and structural work. There should be no exemptions

wrongfully made under the guise that they are homeowners renovating their primary residence. Furthermore, all plumbing work must be properly permitted, inspected, and documented by licensed professionals."

A further follow-up communication sent on January 29, 2025, proposes as follows:

- o *To prevent deviations from the intent of House Bill 1843 and other protective laws and regulations, L&I employees should be held to a higher standard of law interpretation. This includes ensuring they fully understand and accurately apply the law as intended, so as not to deviate from its protective measures for consumers.*
- o *Implement rigorous oversight and clear guidelines for law interpretation.*
- o *Utilize detailed compliance checklist and enforce strict penalties for any violations.*
- o *Conduct regular audits and reviews of enforcement practices.*
- o *If those entrusted to enforce the law do not interpret it correctly:*
 - *Penalties should apply.*
 - *If repeated, as in my case, someone else should immediately take over and perform the job efficiently.*
 - *Otherwise, they compromise consumer safety and security, which cannot be permitted.*

In sum, your petition and follow-up communications contain multiple requests seeking to expand L&I's enforcement authority or add penalties and other provisions beyond what is provided by the agency's authorizing legislation. L&I correctly responded that it cannot adopt rules that exceed the authority the Legislature has granted to the agency by statute. Relatedly, while framed as requests to amend existing rules, your requests that the agency adopt rules that exceed its statutory authority are effectively requests for new legislation, and the adoption of new rules on new subjects under an expanded scope of statutory authority. Such requests are not subject to the Governor's jurisdiction through this appeal. See RCW 34.05.330(3).

L&I denied your petition on March 18, 2025. The next day, you wrote to the Governor's office seeking reconsideration of your petition. While you refer to your submission as an "appeal," your submission does not specify any amendments that you are asking L&I to make to existing regulations as requested in the petition. Instead—consistent with L&I's explanation that it cannot regulate beyond its legislatively delegated authority—your submission asks the Governor to: 1) "introduce legislation to close critical enforcement gaps and strengthen consumer protections" and 2) "foster transparency and collaboration with affected individuals, like myself, to ensure that our voices are central to the reform process."

As noted above, RCW 34.05.330(3) provides that the Governor can review agency denials of a petition to repeal or amend a rule; however, requests for new legislation and advocacy efforts are outside of the scope of this rule appeal process. Accordingly, the Governor does not have statutory authority to take action pursuant to RCW 34.05.330 in response to your request.

Sincerely,

Kristin Beneski

Chief Legal Counsel

WSR 25-11-025
NOTICE OF APPEAL
OFFICE OF THE GOVERNOR
[Filed May 13, 2025, 1:44 p.m.]

March 3, 2025

CLIC Risk Retention Group, Inc.
c/o Christopher Payne
2 North Central Avenue, Suite 1800
Phoenix, AZ 85004
Via email: chris@clicrrg.com

Re: APA Appeal - Washington Administrative Code (WAC)
314-55-082(2).

Dear Mr. Payne:

On January 17, 2025, the Governor's Office received the appeal you filed on behalf of CLIC Risk Retention Group, Inc. in response to the Washington State Liquor and Cannabis Board's decision to deny CLIC's petition to amend WAC 314-55-082(2). This regulation requires Washington cannabis licensees to obtain insurance coverage to protect the consumer if any claims, suits, actions, costs, damages, or expenses arise from any negligent or intentional act or omission of the cannabis licensee. Under RCW 34.05.330(3), an agency's denial of a petition to repeal or amend a rule may be appealed to the Governor.

WAC 314-55-082 requires cannabis licensees to provide the Board with a certificate of insurance demonstrating that the licensee has obtained insurance that meets the requirements detailed in WAC 314-55-082. Such requirements include the following:

- (1) Commercial general liability insurance: The licensee must carry and maintain commercial general liability insurance or commercial umbrella insurance for bodily injury and property damage arising out of licensed activities at all times. The limits of liability insurance will not be less than \$1,000,000. Upon board request, a licensee must provide proof of insurance.
[...]
- (2) Insurance carrier rating: The insurance required in subsection (1) of this section must be issued by an insurance company authorized to do business within the state of Washington. Insurance is to be placed with a carrier that has a rating of A - Class VII or better in the most recently published edition of *Best's Reports*. If an insurer is not admitted, all insurance policies and procedures for issuing the insurance policies must comply with chapters 48.15 RCW and 284-15 WAC.

WAC 314-55-082(1)-(2). The insurance carrier rating requirements in WAC 314-55-082(2) have been in place since 2013, after the voters of Washington state elected to legalize and regulate the cannabis industry through Initiative 502 in 2012.

On October 31, 2024, CLIC petitioned the Liquor and Cannabis Board to amend WAC 314-55-082(2) to account for captive insurers—and specifically, to accommodate CLIC or other risk retention groups that lack the required insurance carrier rating. CLIC's petition requests that the Board take any of three actions:

- a) amend WAC 314-55-082(2) to account for captive insurers;
- b) amend WAC 314-55-082(2) to include other federally approved rating agencies in the code section, and/or;

- c) issue a decision allowing CLIC RRG to issue insurance policies within the state.

Pet. at 1-2. The petition argues that "subsection (2) is ambiguous as to whether a non-admitted insurer must have the stated rating" if the non-admitted insurer is in compliance with the subsection's third sentence. *Id.* at 4. Resolving this alleged ambiguity, the petition argues, "would benefit captive insurers seeking to issue cannabis policies in Washington State, as well as cannabis licensees seeking to obtain cannabis insurance in the state." *Id.* at 6.

A captive insurer is an insurance company that is wholly owned by the insured, and insures risks for which the parent company or companies have not purchased commercial insurance.¹ A risk retention group is a type of captive insurer that is owned by its members and may insure only the "similar or related" commercial or professional liability exposures of its members, and is regulated by its chartering state.² CLIC's petition states that "[c]aptive insurance companies serve as a correcting mechanism for failures in the insurance market and are formed when insurance is unavailable, policy terms are inadequate or premiums are higher than justified by the exposure." Pet. at 2.

¹ Wash. State Dept. of Revenue and Office of Insurance Commissioner, *Captive Insurance Study* (Jan. 18, 2021) at 8, <https://www.insurance.wa.gov/sites/default/files/documents/captive-insurance-study.pdf>.

² *Id.* at 20.

WAC 314-55-082 regulates cannabis licensees, not their insurers. And the issues that captive insurance is designed to solve do not appear to be a problem for cannabis licensees in Washington. In its response denying your petition on December 18, 2024, the Liquor and Cannabis Board stated that its licensing staff "have not received complaints or heard concerns from licensees in recent years of being unable to obtain the required insurance." Resp. at 4. The Board further noted that "[w]hether or not captive insurers should be allowed to insure cannabis licensees" is an open question that implicates complex considerations. *Id.* It would be premature for the Board to resolve an alleged ambiguity in WAC 314-55-082(2) or otherwise amend its regulations to accommodate captive insurers before this open policy question is resolved.

CLIC appealed the Board's denial of its petition on January 17, 2025. In its appeal, CLIC alleges that "the Board failed to consider the preemptive effect of" a federal law that regulates risk retention groups. App. at 2. This argument was not raised in CLIC's petition to the Board, which contains no reference to this federal law. See generally Pet. It appears to have been raised only in an email to the Board dated November 14, 2024. Pet. attachment (PDF p.29). This email contains no argument concerning the federal law's application to WAC 314-55-082, but merely attaches several "documents concerning Risk Retention Groups, and recent legislative matters around the country." These documents' applicability to Washington's cannabis industry and the Liquor and Cannabis Board's regulations is not apparent or explained; they include, for example, a letter regarding proposed legislation in another state related to motor vehicle liability insurance policies. *Id.* (PDF pp.30-37). Consideration of an issue not squarely presented to the Board is not appropriate in this appeal.

Furthermore, the appeal's characterization of the Board's reasons for denying the petition is incomplete and unpersuasive. App. at 13-14. As discussed above, the Board reasonably concluded that it need

not prioritize amending its regulations to accommodate captive insurers before the complex policy considerations associated with their involvement in Washington's cannabis industry have been resolved, and before there is any demonstrated need to do so.

The Liquor and Cannabis Board denied CLIC's petition to amend WAC 314-55-082(2) after careful consideration, and I am not persuaded that it erred in doing so. CLIC's petition is denied.

Sincerely,

Bob Ferguson
Governor of Washington

WSR 25-11-026
NOTICE OF APPEAL
OFFICE OF THE GOVERNOR
[Filed May 13, 2025, 1:44 p.m.]

February 27, 2025

Stephen Jackson
1303 Commercial Street, Suite 4
Bellingham, WA 98225
Via email: swjaxon@gmail.com

Re: APA Rule Appeal - Washington Administrative Code (WAC)
230-15-135(1) (c)

Dear Mr. Jackson:

On January 14, 2025, the Governor's Office received the appeal you filed in response to the Washington State Gambling Commission's decision to deny your petition to amend WAC 230-15-135(1) (c). Under RCW 34.05.330(3), an agency's denial of a petition to repeal or amend a rule may be appealed to the Governor.

WAC 230-15-135 establishes the single-wager limits for nonhouse-banked games, including poker. For Class F and house-banked card game licensees, the limit for nonhouse-banked poker is \$300. WAC 230-15-135(1) (c). Your petition to the Gambling Commission asked to amend WAC 230-15-135(1) (c) to raise this limit from \$300 to \$400 to be in line with the betting limits for house-banked card games established in WAC 230-15-140(1). Your petition argued for this change because "[t]he Commission is unwilling to remove the betting caps altogether"; the change would bring the limits for nonhouse-banked games "in line with the betting limits of house-banked card games"; and it would give poker "parity with other games."

The Commission's denial letter indicates that the Commission discussed your petition during its January 9, 2025 meeting. Following this discussion, the Commission denied your petition. In its denial letter, the Commission states that it denied your petition because "at this time an increase in raising the wager limit" for nonhouse-banked card games "is not consistent with the public policies of Washington to promote the social welfare of the people by limiting the nature and scope of gambling activities and by strict regulation and control as outlined in RCW 9.46.010," a provision of Washington's Gambling Act.

The Governor's Office received your appeal of the Commission's decision on January 14, 2025. Your appeal petition argues that there should be "parity between the betting caps for house-banked games and nonhouse-banked poker games," and that it makes "no sense" for blackjack—a house-banked game—to be subject to a different wager limit than nonhouse-banked poker. Your appeal petition argues that the denial of your petition was "arbitrary" and, further, that the Commission's reliance on the Gambling Act's declaration of public policy is unfounded. You note that the Commission raised the wager limit on house-banked games from \$300 to \$400 but rejected your petition for the same increase to the wager limit on nonhouse-banked poker games. But your appeal petition, like your initial petition to the Gambling Commission, did not offer any reason why there currently should be "parity" between the wager limits that apply when players bet against each other (as in nonhouse-banked poker) and those that apply when they bet against the casino (as in house-banked games).

Your proposed amendment to increase the wager limit for nonhouse-banked poker games presents a policy decision that implicates the legislative declaration of public policy in the Gambling Act. This public policy—to promote social welfare by limiting the nature and scope of gambling activities and by strict regulation and control—is indeed relevant and appropriate for the Commission to consider. After careful consideration, I am not persuaded that the Commission erred in denying your petition to amend WAC 230-15-135(1). Your appeal petition is denied.

Sincerely,

Bob Ferguson
Governor of Washington

WSR 25-11-027
NOTICE OF APPEAL
OFFICE OF THE GOVERNOR
[Filed May 13, 2025, 1:45 p.m.]

March 10, 2025

William Osmunson, DDS, MPH
Via email: bill@teachingsmiles.com

Re: APA Appeal - Washington Administrative Code (WAC)
246-290-220.

Dear Dr. Osmunson:

On January 22, 2025, the Governor's Office received the appeal you filed in response to the Washington State Board of Health's decision to deny your petition to amend WAC 246-290-220. Under RCW 34.05.330(3), an agency's denial of a petition to repeal or amend a rule may be appealed to the Governor.

WAC 246-290-220 concerns drinking water materials and additives. Subject to limited exceptions, this regulation generally requires that materials or additives in water intended for potable use conform to certain standards established by the American National Standards Institute (ANSI) and NSF International (formerly known as the National Sanitation Foundation) (NSF), and that pipes and other components of a public water system shall be lead-free. WAC 246-290-220; WAC 246-290-010(5), (164). This regulation ensures that materials and additives used in drinking water meet safety standards.

Your petition asked the Board to amend WAC 246-290-220 by adding the following subsection:

"(8) In keeping with the Federal Safe Drinking Water Act S.433 and the Food Drug and Cosmetic Act, Title 21, the Board of Health does not recommend any substance be added to water with intent to treat humans, unrelated to treatment of water as defined in RCW 18.64.011(14) (15) or 21 U.S. Code § 321(g) (1), unless approved by the Food and Drug Administration in compliance with the U.S. Food, Drug and Cosmetic Act. This recommendation does not apply to substances added to water to make water safer as determined by the U.S. Environmental Protection Administration in compliance with the Safe Drinking Water Act."

Petition at 1. According to your petition, the purpose of the proposed amendment is to end the Board's "endorsement" of water fluoridation. Petition at 3.

The Board denied your petition on January 22, 2025. The Board's formal written response indicates that its members received your petition and all supporting materials and discussed and presented information on the topic during its January 8, 2025 meeting. Response at 1. At the meeting, Assistant Secretary Lauren Jenks with the Department of Health "provided additional background information on work underway to review recently emerging science related to fluoride." Response at 1. The Board's response indicates that its members "stated that they support the upcoming review being conducted by the Department of Health" and are "interested to see the outcome of the technical review of the NTP Monograph before considering whether any changes to the drinking water rules are warranted." Response at 1. "Members noted interest in hearing about new or innovative information since the last

policy recommendations were made" and "further affirmed that Board work on oral health is something it will continue to review." Response at 1-2.

You appealed on January 22, 2025, the same day the Board denied your petition. Your appeal states that your petition "was for the Board to make a rule change, and simply abide by the Safe Drinking Water Act and the Food Drug and Cosmetic Act." Appeal Petition at 1. The appeal petition consists largely of a list of "concerns which are in the Board's domain" that you "have not heard the Board spend any time on." Appeal Petition at 1-2. The appeal petition also makes a series of assertions regarding fluoride, largely without substantiation. Appeal Petition at 3-5. It concludes by reiterating that the purpose of the petition was to "ask[] the Board to no longer recommend" water fluoridation, stating that the petition "does not require cessation of fluoridation but stops the Board from being an accomplice to the damage." Appeal Petition at 5.

As indicated in the Board's response to your petition, the Board is tracking and will consider the results of an upcoming technical review by the Department of Health, which "may prompt an internal review of existing policy recommendations to align with new information" if warranted. Response at 1. The Board also noted its interest in hearing about new information and its ongoing interest in oral health issues. Response at 1-2. Declining to engage in formal rulemaking at this time is within the Board's discretion, and it appropriately exercised this discretion.

The Board of Health denied your petition to amend WAC 246-290-220 after careful consideration, and I am not persuaded that it erred in doing so. Your petition is denied.

Sincerely,

Bob Ferguson
Governor of Washington

WSR 25-11-028
RULES COORDINATOR
DEPARTMENT OF
ENTERPRISE SERVICES

[Filed May 13, 2025, 2:04 p.m.]

Pursuant to RCW 34.05.312, effective May 30, 2025, the rules coordinator for the department of enterprise services (DES) will be Emilie Brown, acting policy and rules manager for DES.

Please reach out to Emilie directly at emilie.brown@des.wa.gov or via phone at 360-688-3693.

Matthew Jones
Director

WSR 25-11-033
NOTICE OF PUBLIC MEETINGS
BIG BEND
COMMUNITY COLLEGE

[Filed May 14, 2025, 9:20 a.m.]

In accordance with RCW 42.30.075, the board of trustees for Big Bend Community College, District No. 18, made the following revision to its published schedule in WSR 24-21-123.

The Thursday, August 28, 2025, retreat meeting will be held as originally scheduled in the WSR 24-21-123 notice for the date. The retreat meeting will begin at 9:00 a.m. The location will change from Big Bend Community College, 7662 Chanute Street N.E., Moses Lake, WA 98837 to the Columbia Basin Health Association, Leah Layne Board Room, at 1515 East Columbia Street, Othello, WA 99344.

Contact Chandra Rodriguez should you have any questions.

WSR 25-11-034

NOTICE OF PUBLIC MEETINGS

PRODUCTIVITY BOARD

[Filed May 14, 2025, 10:06 a.m.]

2025-2026 Meeting Schedule

The following is the schedule of regular board meetings for the productivity board which operates under the secretary of state's office. These dates run from November 20, 2025, to December 1, 2026. The productivity board meetings will be held at TC3 Building Conference Room, 243 Israel Road, Tumwater, WA 98501.

Date	Time	Location
November 20, 2025	10:00 a.m. to 12:00 p.m.	TC3 Building Conference Room
February 26, 2026	10:00 a.m. to 12:00 p.m.	TC3 Building Conference Room
May 28, 2026	10:00 a.m. to 12:00 p.m.	TC3 Building Conference Room
August 27, 2026	10:00 a.m. to 12:00 p.m.	TC3 Building Conference Room
November 19, 2026	10:00 a.m. to 12:00 p.m.	TC3 Building Conference Room

For more information, please contact Cheryl Sparkuhl at Cheryl.Sparkuhl@sos.wa.gov.

WSR 25-11-037

INTERPRETIVE STATEMENT

DEPARTMENT OF HEALTH

[Filed May 14, 2025, 11:53 a.m.]

Notice of Adoption - Interpretive Statement

Title: "Qualified Physician" Under Optometry Law, INS2025-01.

Issuing Entity: Washington medical commission.

Subject Matter: Interpreting the definition of "qualified physician."

Effective Date: May 9, 2025.

Contact Person: Kyle Karinen, executive director,
medical.policy@wmc.wa.gov.

WSR 25-11-046
NOTICE OF APPEAL
OFFICE OF THE GOVERNOR
[Filed May 15, 2025, 9:06 a.m.]

NOTICE OF APPEAL
RCW 34.05.330(3)

Pursuant to RCW 34.05.330(3), you are hereby notified for publication in the Washington State Register that:

On March 31, 2025, the Governor's Office received an appeal from Bianca Williams, relating to the Office of Insurance Commissioner's denial of a petition to amend or repeal WAC Chapter 308-124 (*Real estate—Definitions and brief adjudicative proceedings*); WAC 284-30-150 (*Duties of insurers*); WAC 284-30-160 (*Enforcement*); RCW 19.86.020 (*Unfair competition, practices, declared unlawful*); and RCW 48.30.015 (*Unreasonable denial of a claim for coverage or payment of benefits*). The appeal was denied on May 15, 2025.

DATE: May 15, 2025

Kristin Beneski
Chief Legal Counsel
to the Governor

May 15, 2025

Bianca Williams
Via email: biancanilla@live.com

Re: APA Appeal - Washington Administrative Code (WAC) 284-30-150, WAC 284-30-160, WAC 308-124-160, Chapter 308-124 WAC, RCW 19.86.020, and RCW 48.30.015

Dear Ms. Williams:

On March 31, 2025, the Governor's Office received the appeal you filed in response to the Office of Insurance Commissioner's (OIC) decision to deny your petition to amend WAC 284-30-150, WAC 284-30-160, Chapter 308-124 WAC, WAC 308-124-160, RCW 19.86.020, and RCW 48.30.015. Under RCW 34.05.330(3), an agency's denial of a petition to repeal or amend a rule may be appealed to the Governor. However, the Governor lacks jurisdiction under this statute to consider an appeal of other matters, such as an agency's denial of a petition to adopt a new rule. See RCW 34.05.330(3).

On February 3, 2025, you petitioned OIC to amend WAC 284-30-150, WAC 284-30-160, Chapter 308-124 WAC, WAC 308-124-160, RCW 19.86.020, RCW 48.30.015, and RCW 19.86.020. OIC denied your petition on March 31, 2025. RCW 19.86.020 and RCW 48.30.015 are statutes, meaning they cannot be amended through a rulemaking petition. WAC 284-30-150 and WAC 284-30-160 are regulations that have been repealed, meaning they are no longer in effect and cannot be amended. Chapter 308-124 WAC is administered by the Department of Licensing; OIC does not have authority to make amendments to regulations in that chapter. Further, you mention a "WAC 308-124-160," but no regulation exists under that number. In denying your petition, OIC correctly responded that it cannot amend statutes, rules that have been repealed, or rules administered by a different state agency. Your requests for statutory changes, amendments to repealed rules, and amendments to rules that OIC does not have authority to amend are not subject to the Governor's jurisdiction through this appeal. See RCW 34.05.330(3).

On May 31, 2025, you wrote to the Governor's office seeking reconsideration of OIC's denial of your petition. While you refer to your submission as an "appeal," your submission does not specify any amendments that you are asking OIC to make to existing regulations as requested in the petition. Instead—consistent with OIC's explanation that it cannot regulate beyond its legislatively delegated authority—your submission asks the Governor to: 1) "Order an investigation into the OIC's handling of my petitions and the gaps in oversight that have allowed mortgage fraud to persist," 2) "Support legislation to address the gaps in consumer protection laws and regulations," and 3) "Ensure that the OIC is held accountable for its failure to protect consumers and that steps are taken to prevent similar failures in the future."

As noted above, RCW 34.05.330(3) provides that the Governor can review agency denials of a petition to repeal or amend a rule; however, requests for new legislation, investigations, and advocacy efforts are outside of the scope of this rule appeal process. Accordingly, the Governor does not have statutory authority to take action pursuant to RCW 34.05.330 in response to your requests.

Sincerely,

Kristin Beneski
Chief Legal Counsel

WSR 25-11-054
NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF
SERVICES FOR THE BLIND
[Filed May 16, 2025, 8:23 a.m.]

Following is the schedule of regular meetings for the department of services for the blind for 2025:

Date	Time	Location
6/25/2025	6:30 - 7:30 p.m.	Online via Zoom

If you need further information, contact Yvonne Verbraak, P.O. Box 40933, Olympia, WA 98504, [phone] 360-725-3834, [fax] 360-407-0679, [email] yvonne.verbraak@dsb.wa.gov, [web] www.dsb.wa.gov.

WSR 25-11-058

PUBLIC RECORDS OFFICER

HUMAN RIGHTS COMMISSION

[Filed May 16, 2025, 10:03 a.m.]

Pursuant to RCW 42.56.580, the public records officer for the Washington state human rights commission is Barbara Harris, P.O. Box 42490, Olympia, WA 98504-2490, phone 800-233-3247 ext. 6, fax 360-586-2282, email records@hum.wa.gov.

Kelly John Wildrick
Management Analyst

WSR 25-11-065
DEPARTMENT OF
LABOR AND INDUSTRIES
[Filed May 19, 2025, 1:35 p.m.]

Prevailing Rate of Wage Publication

Pursuant to RCW 39.12.015, 39.12.020, and WAC 296-127-011, on May 16, 2025, the industrial statistician determined and published corrections to several prevailing rates of wage. These rates become effective 30 days from publication on June 16, 2025.

Trades with journey level and apprentice level corrections include:

1. Telecommunication technician
2. Electronic technician

Corrections only to apprentice level rates will include these trades:

1. Construction site surveyors
2. Landscape construction
3. Power equipment operators
4. Power equipment operators - underground sewer and water

For more information on prevailing wage or a copy of the rates, please visit our website at <https://lni.wa.gov/licensing-permits/public-works-projects/prevailing-wage-rates/> or call 360-902-5335.

Maggie Leland
Rules Coordinator

WSR 25-11-066

**NOTICE OF PUBLIC MEETINGS
TRANSPORTATION IMPROVEMENT BOARD**

[Filed May 19, 2025, 3:45 p.m.]

2026 Meeting Dates and Locations

January 22 - 23	Olympia
March 26 - 27	Stevenson
May 14 - 15	Chelan
September 24 - 25	Walla Walla
November 19 - 20	Lynden

WSR 25-11-077

POLICY STATEMENT

DEPARTMENT OF HEALTH

[Filed May 20, 2025, 2:22 p.m.]

Notice of Adoption - Policy Statement

Title: Visiting Student Learning Opportunity License Exemptions, POL2025-03.

Issuing Entity: Washington medical commission.

Subject Matter: This policy clarifies that medical students, residents, and fellows completing elective rotations in Washington state are exempt from licensure. However, they remain accountable to the Washington medical commission and may face disciplinary action if necessary.

Effective Date: May 9, 2025.

Contact Person: Kyle Karinen, executive director, medical.policy@wmc.wa.gov.

WSR 25-11-078

INTERPRETIVE STATEMENT

DEPARTMENT OF HEALTH

[Filed May 20, 2025, 2:38 p.m.]

Notice of Adoption - Interpretive Statement

Title: Opioid Prescribing and Monitoring for Allopathic Physicians and Physician Assistants, INS2025-02.

Issuing Entity: Washington medical commission.

Subject Matter: Clarifying opioid prescribing rules for allopathic physicians and physician assistants providing guidance to support compliant and effective patient care.

Effective Date: May 9, 2025.

Contact Person: Kyle Karinen, executive director,
medical.policy@wmc.wa.gov.

WSR 25-11-079

INTERPRETIVE STATEMENT

DEPARTMENT OF HEALTH

[Filed May 20, 2025, 3:02 p.m.]

Notice of Adoption - Interpretive Statement

Title: Opioid Prescribing and Monitoring for Patients,
INS2025-03.

Issuing Entity: Washington medical commission.

Subject Matter: Ensuring patients understand opioid prescribing
rules and providing guidance to support informed discussions with
their health care practitioners.

Effective Date: May 9, 2025.

Contact Person: Kyle Karinen, medical.policy@wmc.wa.gov.

WSR 25-11-091

NOTICE OF PUBLIC MEETINGS
RECREATION AND CONSERVATION
OFFICE

(Recreation and Conservation Funding Board)

[Filed May 21, 2025, 11:07 a.m.]

The recreation and conservation funding board is adjusting the **date** of the regular quarterly meeting scheduled for June 24-25, 2025.

FROM: June 24-25, from 9:00 a.m. to 5:00 p.m., in Room 172, Natural Resources Building, 1111 Washington Street S.E., Olympia, WA 98501, online via Zoom.

to: June 24, from 9:00 a.m. to 5:00 p.m., in Room 172, Natural Resources Building, 1111 Washington Street S.E., Olympia, WA 98501, online via Zoom; and **June 25, from 9:00 a.m. to 3:15 p.m., in Lewis County.**

For further information, please contact Julia McNamara, Julia.McNamara@rco.wa.gov or check the recreation and conservation office's (RCO) web page at <https://rco.wa.gov/boards/recreation-and-conservation-funding-board/meetings/>.

RCO schedules all public meetings at barrier-free sites. Persons who need special assistance may contact Julia McNamara at 360-902-2956 or email julia.mcnamara@rco.wa.gov.