

WAC 132C-104-004 Petition to board for promulgation, amendment, or repeal of rule. (1) Persons having an interest in the promulgation, amendment, or repeal of a "rule" as defined in RCW 34.05.010(16) may submit a written petition therefore to the secretary of the board of trustees. Any petition so submitted shall include the following as required by the office of financial management under WAC 82-05-020:

(a) The name of the agency responsible for administering the rule; and

(b) The rationale for adoption of a new rule or amendment or repeal of an existing rule; and

(c) In addition to any other concerns, the petitioner should address whether:

- The rule is authorized;
- The rule is needed;
- The rule conflicts with or duplicates other federal, state, or local laws;
- Alternatives to the rule exist that will serve the same purpose at less cost;
- The rule applies differently to public and private entities;
- The rule serves the purposes for which it was adopted;
- The rule imposes unreasonable costs;
- The rule is clearly and simply stated; and
- The rule differs, without adequate justification, from a federal law which applies to the same activity or subject matter.

(2) The petition should contain sufficient information so that the agency and public can understand the proposal. Forms for submitting petitions for promulgation, amendment, or repeal of rules are available from the office of financial management. The petition shall be considered by the board not less than sixty days after the date the petition was submitted to the secretary, provided, that the board may consider the petition at any earlier regular or special meeting of the board. No later than sixty days after receipt of a petition, the college must either:

(a) Initiate rule-making proceedings in accordance with chapter 34.05 RCW; or

(b) Deny the petition in writing, stating its reasons for the denial and specifically addressing the concerns stated in the petition. Where appropriate, the college must indicate alternative means by which the college will address the concerns raised in the petition.

[Statutory Authority: Chapter 28B.50 RCW. WSR 09-04-025, § 132C-104-004, filed 1/28/09, effective 2/28/09.]