



PROPOSED RULE MAKING

CR-102 (October 2017) (Implements RCW 34.05.320)

Do **NOT** use for expedited rule making

CODE REVISER USE ONLY

Agency: SHORELINE COMMUNITY COLLEGE

☒ **Original Notice**

☐ **Supplemental Notice to WSR** _____

☐ **Continuance of WSR** _____

☒ **Preproposal Statement of Inquiry was filed as WSR** 17-16-024 ; or

☐ **Expedited Rule Making--Proposed notice was filed as WSR** _____; or

☐ **Proposal is exempt under RCW 34.05.310(4) or 34.05.330(1); or**

☐ **Proposal is exempt under RCW** _____.

Title of rule and other identifying information: (describe subject) PUBLIC RECORDS – WAC 132G-276, Revising Section 090

Hearing location(s):

Date:	Time:	Location: (be specific)	Comment:
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12/5/17	2pm	Shoreline Community College Quiet Dining Room, Bldg 9000	
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Date of intended adoption: 1/6/18 (Note: This is **NOT** the **effective** date)

Submit written comments to:

Name: VERONICA ZURA

Address: 16101 GREENWOOD AVE N

Email: sccrulemaking@shoreline.edu

Fax:

Other:

By (date) 12/5/17 _____

Assistance for persons with disabilities:

Contact Office of Special Service

Phone: 206-546-4520

Fax:

TTY:

Email:

Other:

By (date) 12/5/17

Purpose of the proposal and its anticipated effects, including any changes in existing rules: EHB 1595 (Chapter 304, 2017 Laws, Sec. 3) pass in 2017 and effective July 23, 2017, modified the authority for state agencies (including higher education) to charge for costs associated with producing records in response to a public records request. Shoreline CC is amending the section of our public records rule to comply with the new requirements.

Reasons supporting proposal: The Public Records Act is at chapter 42.56 RCW. RCW 42.56.120 as amended effective July 23, 2017 (Chap. 304, 2017 Laws, Sec. 3) requires that before an agency uses the amended statutory default copy fee schedule in the new law (rather than determining actual costs of copies), the agency must have a rule declaring the reason that it is not calculating actual costs because to do so would be unduly burdensome. The rule amendments to WAC 132G-276-090 makes those findings. RCW 42.56.120, as amended, also allows an agency to waive any charge assessed for a public record pursuant to a rule. WAC 132G-276-090 also provides for fee waivers

Statutory authority for adoption: RCW 42.56.120 as amended by Chapter 304, Laws of 2017(EHB 1595), RCW 42.56.040(1)(d), and RCW 28B.50.140(13).

Statute being implemented: RCW 42.56.120

Is rule necessary because of a:

Federal Law?

☐ Yes ☒ No

Federal Court Decision?

☐ Yes ☒ No

State Court Decision?

☐ Yes ☒ No

If yes, CITATION:

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters: NONE

Name of proponent: (person or organization)

☐ Private

☐ Public

☐ Governmental

Name of agency personnel responsible for:

	Name	Office Location	Phone
Drafting:	JULIE BATHKE	ADMIN BLDG 1000, Rm 1019	206-546-7859
Implementation:	JULIE BATHKE	SAME	
Enforcement:	JULIE BATHKE	SAME	

Is a school district fiscal impact statement required under RCW 28A.305.135?

☐ Yes ☒ No

If yes, insert statement here:

A STATEMENT IS NOT REQUIRED FOR THESE COLLEGE RULES UNDER RCW 19.85.030

The public may obtain a copy of the school district fiscal impact statement by contacting:

Name:

Address:

Phone:

Fax:

TTY:

Email:

Other:

Is a cost-benefit analysis required under RCW 34.05.328?

☐ Yes: A preliminary cost-benefit analysis may be obtained by contacting:

Name:

Address:

Phone:

Fax:

TTY:

Email:

Other:

☒ No: Please explain: THE COST-BENEFIT ANALYSIS IN RCW 34.05.328 DOES NOT APPLY TO THESE COLLEGE RULES.

Regulatory Fairness Act Cost Considerations for a Small Business Economic Impact Statement:

This rule proposal, or portions of the proposal, **may be exempt** from requirements of the Regulatory Fairness Act (see chapter 19.85 RCW). Please check the box for any applicable exemption(s):

☐ This rule proposal, or portions of the proposal, is exempt under RCW 19.85.061 because this rule making is being adopted solely to conform and/or comply with federal statute or regulations. Please cite the specific federal statute or regulation this rule is being adopted to conform or comply with, and describe the consequences to the state if the rule is not adopted.

Citation and description:

☐ This rule proposal, or portions of the proposal, is exempt because the agency has completed the pilot rule process defined by RCW 34.05.313 before filing the notice of this proposed rule.

☐ This rule proposal, or portions of the proposal, is exempt under the provisions of RCW 15.65.570(2) because it was adopted by a referendum.

☒ This rule proposal, or portions of the proposal, is exempt under RCW 19.85.025(3). Check all that apply:

☐ RCW 34.05.310 (4)(b)
(Internal government operations)

☒ RCW 34.05.310 (4)(e)
(Dictated by statute)

☐ RCW 34.05.310 (4)(c)
(Incorporation by reference)

☒ RCW 34.05.310 (4)(f)
(Set or adjust fees)

☐ RCW 34.05.310 (4)(d)
(Correct or clarify language)

☐ RCW 34.05.310 (4)(g)
((i) Relating to agency hearings; or (ii) process requirements for applying to an agency for a license or permit)

☐ This rule proposal, or portions of the proposal, is exempt under RCW ____.

Explanation of exemptions, if necessary:

COMPLETE THIS SECTION ONLY IF NO EXEMPTION APPLIES

If the proposed rule is **not exempt**, does it impose more-than-minor costs (as defined by RCW 19.85.020(2)) on businesses?

☐ No Briefly summarize the agency's analysis showing how costs were calculated. _____

☐ Yes Calculations show the rule proposal likely imposes more-than-minor cost to businesses, and a small business economic impact statement is required. Insert statement here:

The public may obtain a copy of the small business economic impact statement or the detailed cost calculations by contacting:

Name:
Address:
Phone:
Fax:
TTY:
Email:
Other:

Signature:



Date: 10/25/17

Name: VERONICA ZURA

Title: DIRECTOR OF HUMAN RESOURCES