

WAC 242-03-930 Compliance participant. (1) A person with standing to challenge legislation or other action taken in response to the board's order may petition the board to be allowed to participate at the compliance hearing. The compliance participant shall file a motion to participate by the date indicated in the compliance schedule, or if no date is indicated, by at least twenty days before the initial pre-hearing brief would be required under the compliance schedule. The motion should indicate the basis of the person's standing pursuant to RCW 36.70A.330(2) and the person's interest in the matter. Participation in the compliance proceeding shall be limited to matters about which the person testified in the proceedings below related to issues concerning compliance with the board's prior order. The compliance participant shall abide by the briefing schedule set in the compliance schedule.

(2) A person who has participated in the proceedings of a city, county, or state agency to enact legislation or take other action in response to the board's order and who seeks to raise new issues unrelated to compliance with the board's prior order, must file a new petition for review. New issues are issues not within the nature, scope and statutory basis of conclusions of noncompliance in the board's prior order finding noncompliance.

(3) A compliance participant seeking to be a party to all subsequent proceedings in the matter shall so indicate by a motion to intervene.

[Statutory Authority: RCW 36.70A.270(7). WSR 11-13-109, § 242-03-930, filed 6/21/11, effective 7/22/11.]