

641—36.4(17A) Board consideration.

36.4(1) *Information considered.* Upon request by the petitioner in the petition, the board must schedule a brief and informal meeting between the petitioner and the board, a member of the board, or a member of the staff of the board, to discuss the petition. The board may request the petitioner to submit additional information or argument concerning the petition. Any person may submit comments to the board on the substance of the petition. The board may also solicit comments from any person on the substance of the petition.

36.4(2) *Time for decision.* Within 60 days after the filing of the petition, or within any longer period agreed to by the petitioner, the board must, in writing, deny the petition, and notify petitioner of its action and the specific grounds for the denial, or grant the petition and notify petitioner that it has instituted rule-making proceedings on the subject of the petition. Petitioner shall be deemed notified of the denial or grant of the petition on the date when the board mails or delivers the required notification to petitioner.

36.4(3) *Denial on the basis of form is without prejudice.* Denial of a petition because it does not substantially conform to the required form does not preclude the filing of a new petition on the same subject that seeks to eliminate the grounds for the board's rejection of the petition.

36.4(4) *Notification to administrative rules coordinator and administrative rules review committee.* Within 14 days after the filing of a petition, the board must submit a copy of the petition and any accompanying brief to the administrative rules coordinator and to the administrative rules review committee. Within 14 days after granting or denying a petition, the board must notify the administrative rules coordinator and the administrative rules review committee of the disposition of the petition.

[ARC 0453C, IAB 11/14/12, effective 12/19/12; ARC 5483C, IAB 2/24/21, effective 3/31/21]