

FORM OF ORDER AND TRANSMITTAL BY AGENCY HAVING SINGLE HEAD

State of Washington

Office of the Attorney General
(agency name)

Administrative Order No. 103

(1) I, Kenneth O. Eikenberry, director of Office of the Attorney General

do promulgate and adopt at Office of the Attorney General, 13th Floor, Dexter Horton Building, Seattle, WA, (place)

the annexed rules relating to: Amending

- WAC 44-06-020 Definitions
" 44-06-030 Functions-Organization-Administrative Offices
" 44-06-050 Index
" 44-06-060 Public Records Officer
" 44-06-120 Reviewing of Denials of Public Records Requests
" 44-06-140 Adoption of Forms

(See Attachment)

(2) ALTERNATIVE A. Use only for Adoption of Permanent Rules.

This action is taken pursuant to Notice No. 84-07-035 filed with the code reviser on March 20, 1984. These rules shall take effect: [X] thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2). [ ] at a later date, such date being

(2) ALTERNATIVE B. Use only for Adoption of Emergency Rules.

I, find that an emergency exists and that this order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting the emergency is:

These rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

(3) Pursuant to the requirements of RCW 34.04.026 that "every agency shall incorporate the most specific, but in no case omit all, of the following language alternatives when adopting or amending rules" fill in statement (a), (b), or (c) as appropriate:

[X] (a) This rule is promulgated pursuant to RCW 42.17.250 through RCW 42.17.320 and is intended to administratively implement that statute.

[ ] (b) This rule is promulgated pursuant to RCW which directs that the

(agency) has authority to implement the provisions of (name of act or RCW citation)

[ ] (c) This rule is promulgated under the general rule-making authority of the (agency) as authorized in RCW

(4) The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

(5) This order, after being first recorded in the order register of this agency, is herewith transmitted to the Code Reviser for filing pursuant to chapter 34.04 RCW and chapter 1-12 WAC.

APPROVED AND ADOPTED THIS 24th Day of April 1984

STATE OF WASHINGTON FILED

APR 30 1984

By JAY UCHIDA Assistant Attorney General

Title

CODE REVISER'S OFFICE WSR 84-10-031

AMENDATORY SECTION (Amending Order 102, filed 2/20/74)

WAC 44-06-020 DEFINITIONS. (1) The definitions set forth in RCW 42.17.020 shall apply to this chapter.

(2) "Intra-agency memoranda" includes but is not limited to memoranda from one member of the attorney general's staff to another and memoranda by members of the attorney general's staff to the particular state client which they represent.

(3) "Consumer ((protection)) and business fair practices division" is the division of the attorney general's office which enforces chapter 19.86 RCW and other trade and business regulation and consumer protection statutes.

(4) "Office" is the attorney general's office.

AMENDATORY SECTION (Amending Order 102, filed 2/20/74)

WAC 44-06-030 FUNCTION--ORGANIZATION--ADMINISTRATIVE OFFICES. The attorney general's office is charged by the constitution and statutes with the general obligation of advising and legally representing the state of Washington, its officials, departments, boards, commissions and agencies but not the local units of government. In response to requests from state officers, legislators and prosecuting attorneys, the attorney general's office issues attorney general opinions. The published opinions of the attorney general's office are numbered as AGO (year of issue and number; i.e., AGO 1974 No. 1). The attorney general's office also issues office opinions which are not published, which are numbered as AGLO (year of issue and number; i.e., AGLO 1974 No. 1).

The organization of the office of the attorney general necessarily mirrors the organization of state government itself and a number of the assistant attorneys general are physically housed with the agency which they represent. Inquiries and correspondence should be directed to specifically named assistant attorneys general, if known; or the appropriate section of the office, if known.

Consumer protection complaints should be directed to the Consumer ((Protection)) and Business Fair Practices Division, Dexter-Horton Building, Seattle, Washington or to local division offices located in Tacoma, Olympia, or Spokane. Other inquiries, including requests for attorney general's opinions, should be directed to the Attorney General's Office, Temple of Justice, Olympia, Washington 98504.

Attorney general offices located in other cities are as follows:

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|---|---|
| (1) Everett Office<br>((9029-El-Capitan-Way))<br><u>1411 Wall Street</u><br>Everett, Washington                             | Social and Health Services<br>Public Assistance |
| (2) Tacoma Office<br>((446-South-9th))<br><u>949 Market Street</u><br><u>Suite 380</u><br>Tacoma, Washington                | Consumer Protection<br>(Pierce County)          |
| (3) Vancouver Office<br>((4206-1/2-Main-Street))<br><u>500 West 8th Street</u><br><u>Suite 751</u><br>Vancouver, Washington | Social and Health Services<br>Public Assistance |

- |  |  |
|--|--|
| <p>(4) Spokane Office<br/>       ((4305-Old-National<br/>       Bank-Bldg.))<br/>       1116 West<br/>       Riverside Street<br/>       Spokane, Washington</p> | <p>Consumer Protection<br/>       (Eastern Washington)<br/>       Labor and Industries</p> <p>Social and Health Services</p> |
| <p>(5) <u>Olympia Office</u><br/> <u>122 North Capitol Way</u><br/> <u>Olympia, Washington</u></p>   | <p><u>Consumer Protection</u><br/> <u>(Thurston County)</u></p>  |

Offices of sections of the attorney general's office and their addresses are as follows (inquiries involving subject matters described in the following list should be initially directed to the respective section):

- (1) Agriculture - Legal Division  
 General Administration Bldg.  
 Olympia, Washington 98504
- (2) Ecology - Legal Division  
 St. Martin's College  
 Lacey, Washington 98504
- (3) Education - Legal Division  
 531 E. 15th  
 Olympia, Washington 98504
- (4) Employment Security - Legal Division  
 Employment Security Building  
 Olympia, Washington 98504
- (5) Departments of Game and Fisheries - Legal Division  
 600 North Capitol Way  
 Olympia, Washington 98504
- (6) Highways - Legal Division  
 5th Floor - Highway Licenses Building  
 Olympia, Washington 98504
- (7) Human Rights Commission - Legal Division  
 WEA Building  
 Olympia, Washington 98504
- (8) Labor and Industries - Legal Division  
 General Administration Building  
 Olympia, Washington 98504
- (9) Legal-Fiscal Division  
 Temple of Justice  
 Olympia, Washington  
 98504  
 (Auditor, General  
 Administration, Office of  
 Program Planning and Fiscal  
 Management, Public  
 Disclosure Commission)
- (10) Liquor Board - Legal Division  
 Capitol Plaza Building  
 Olympia, Washington 98504
- (11) Motor Vehicles - Legal Division  
 5th Floor - Highway Licenses Building  
 Olympia, Washington 98504
- (12) Natural Resources - Legal Division  
 Public Lands Building  
 Olympia, Washington 98504

- (13) Revenue Department - Legal Division  
General Administration Building  
Olympia, Washington 98504
- (14) Social and Health Services - Legal Division  
101 Public Lands Bldg.  
Olympia, Washington 98504
- (15) Tort Claims  
5th Floor - Highway Licenses Building  
Olympia, Washington 98504
- (16) Utilities and Transportation Commission - Legal Division  
5th Floor - Highway Licenses Building  
Olympia, Washington 98504
- (17) University of Washington  
112 Administration Building  
Seattle, Washington
- (18) Washington State University  
432 French Administration Bldg.  
Pullman, Washington
- (19) Western Washington ((State-College)) University  
((Room-342,-Wilson-Library)) Room 335, Old Main  
Bellingham, Washington

Other inquiries should be directed to the Attorney General's Office, Temple of Justice, Olympia, Washington 98504, unless the sender is aware of another specific address for the appropriate attorney general legal section.

AMENDATORY SECTION (Amending Order 102, filed 2/20/74)

WAC 44-06-050 INDEX. The attorney general's office biennial reports have indexed by subject matter the published opinions of the attorney general. A card index is maintained in the Central Office, Temple of Justice, Olympia, Washington, indexing all attorney general opinions (published and unpublished) by subject matter and by statute. Appellate briefs filed by the office of the attorney general are card indexed by subject and case name in the same office.

A card index is maintained in the Central Office, Temple of Justice, Olympia, Washington, for cases which have been filed involving the state, giving the name, the county and the cause number. For cases involving the department of labor and industries a comparable card index file is maintained in the Attorney General's Office, Dexter-Horton Building, Seattle, Washington.

The volume of correspondence received by the attorney general's office is such that it would be unduly burdensome to formulate and maintain an index for all such correspondence. In lieu of an index the following filing system is utilized.

(1) Consumer protection complaints received by the ((Seattle-consumer-protection-division)) consumer and business fair practices division are filed by firm name of the subject of the complaint, or by the subject matter of the complaint if no specific firm is named.

(2) Letters from the public and the responses thereto are filed in the Central Office, Temple of Justice, Olympia, Washington, by alphabetical batching for specific time periods.

(3) Letters to and from agencies are filed in the Central Office, Temple of Justice, Olympia, Washington, by the name of the agency in a chronological sequence.

AMENDATORY SECTION (Amending Order 102, filed 2/20/74)

WAC 44-06-060 PUBLIC RECORDS OFFICER. The public records officer for the attorney general's office shall be the administrative assistant to the attorney general for all records maintained in the Central Office, Temple of Justice, Olympia, Washington. For those records maintained at other locations, the assistant attorney general in charge of the legal division having custody of the records or any staff member designated by the assistant attorney general shall be the public records officer.

AMENDATORY SECTION (Amending Order 102, filed 2/20/74)

WAC 44-06-120 REVIEW OF DENIALS OF PUBLIC RECORDS REQUESTS. (1) Any person who objects to the denial of a request for a public record may petition for prompt review of such decision by tendering a written request for review. The written request shall specifically refer to the written statement by the public records officer or other staff member which constituted or accompanied the denial.

(2) Immediately after receiving a written request for review of a decision denying a public record, the public records officer or other staff member denying the request shall refer it to the attorney general or his designated deputy attorney general. The attorney general or his designee shall immediately consider the matter and either affirm or reverse such denial within ((five)) two business days following the original denial.

(3) Administrative remedies shall not be considered exhausted until the attorney general or the designated deputy attorney general has returned the petition with a decision or until the close of the ((fifth)) second business day following denial of inspection, whichever occurs first.

AMENDATORY SECTION (Amending Order 102, filed 2/20/74)

WAC 44-06-140 ADOPTION OF FORM. The attorney general's office hereby adopts use by all persons requesting inspection and/or copies of records of the form set out below, entitled "request for public records."

Return to:

Public Records Officer  
Office of the Attorney General  
(Name and address of specific Legal Division. If  
not known, return to Office of Attorney  
General, Temple of Justice,  
Olympia, Washington 98504)

OFFICE OF THE ATTORNEY GENERAL  
(~~SLADE-GORTON-ATTORNEY-GENERAL~~)

REQUEST FOR PUBLIC RECORDS

Date ..... Time .....

Name .....

Address .....

.....

Phone number where you can be reached during day -----

Description of Records (see index):

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~~((I--certify--that--the--information--obtained--through--this--request--for--public--records--will--not--be--used--for--commercial--purposes--))~~

.....  
Signature

Number of copies .....

Number of pages .....

Per page charge \$.....

Total charge \$.....