
SENATE BILL 6101

State of Washington

61st Legislature

2009 Regular Session

By Senator Roach

Read first time 02/25/09. Referred to Committee on Government Operations & Elections.

1 AN ACT Relating to updating public records provisions; amending RCW
2 36.22.175, 42.17.020, 10.97.140, 42.56.240, 42.56.320, and 43.07.380;
3 adding new sections to chapter 40.14 RCW; creating a new section; and
4 repealing RCW 40.14.010, 40.14.020, 40.14.022, 40.14.024, 40.14.025,
5 40.14.027, 40.14.030, 40.14.040, 40.14.050, 40.14.060, 40.14.070,
6 40.14.080, 40.14.100, 40.14.110, 40.14.120, 40.14.130, 40.14.140,
7 40.14.150, 40.14.160, 40.14.170, and 40.14.180.

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

9 **PART I**

10 **INTENT**

11 NEW SECTION. **Sec. 1.** A new section is added to chapter 40.14 RCW
12 to read as follows:

13 The division of archives and records management is established in
14 the office of the secretary of state to ensure the proper management
15 and safeguarding of public records. All public records remain the
16 property of the state of Washington. Public records must be delivered
17 by outgoing officials and employees to their successors and must be
18 retained, preserved, stored, transferred, destroyed, or disposed of in

1 accordance with this chapter. The state archivist will administer the
2 division and must have reasonable access to all public records,
3 wherever kept, for the purposes of information, surveying, or
4 cataloging.

5 **PART II**
6 **DEFINITIONS**

7 NEW SECTION. **Sec. 2.** A new section is added to chapter 40.14 RCW
8 to read as follows:

9 The definitions in this section apply throughout this chapter
10 unless the context clearly requires otherwise.

11 (1) "General retention schedule" means a records retention schedule
12 applicable to any state or local agency.

13 (2) "Legislative record" means correspondence, committee bill
14 files, amendments, reports, and minutes of meetings made by or
15 submitted to legislative committees or subcommittees and transcripts or
16 other records of hearings or supplementary written testimony or data
17 thereof filed with committees or subcommittees in connection with the
18 exercise of legislative or investigatory functions. "Legislative
19 record" does not include the records of an official act of the
20 legislature kept by the secretary of state, bills and their copies,
21 published materials, digests, or multicopied matter that are routinely
22 retained and otherwise available at the state library or in a public
23 repository, or reports or correspondence made or received by or in any
24 way under the personal control of the individual members of the
25 legislature.

26 (3) "Public record" means "public record" as defined in RCW
27 42.17.020.

28 (4) "Records retention schedule" means a legal document approved by
29 the state or local records committee that specifies required retention
30 periods for a records series and gives agencies ongoing disposition
31 authority for the records series after its approved retention period
32 has been satisfied.

33 (5) "Records series" means a class of public records with a
34 specific or common function or purpose of state or local agencies as
35 identified and defined by the state or local records committee.

1 (6) "Retention period" means the required amount of time, approved
2 by the state or local records committee, that a state or local
3 government agency is required to retain records within a records
4 series.

5 (7) "Unique retention schedule" means a records retention schedule
6 applicable to a specific state or local agency.

7 **PART III**
8 **STATE ARCHIVIST--DUTIES**

9 NEW SECTION. **Sec. 3.** A new section is added to chapter 40.14 RCW
10 to read as follows:

11 The state archivist shall:

12 (1) Centralize, administer, and manage the archives of the state of
13 Washington, make them available for reference and scholarship, and
14 ensure their proper preservation;

15 (2) Inspect, inventory, catalog, and arrange retention and transfer
16 schedules on public records of all state agencies;

17 (3) Ensure the maintenance and security of all state agency public
18 records and establish safeguards against their unauthorized removal or
19 destruction;

20 (4) Approve of the transfer of local agency records of historical
21 or legal significance as provided by section 7(4) of this act;

22 (5) Establish and operate such state records centers as may from
23 time to time be authorized by appropriation, for the purpose of
24 preserving, servicing, screening, and protecting all state agency
25 public records which must be preserved temporarily or permanently, but
26 which need not be retained in office space and equipment;

27 (6) Gather and disseminate to interested agencies information on
28 all phases of records management to provide for the efficient and
29 economical management and preservation of public records;

30 (7) Operate at cost an imaging service for state or local agency
31 records;

32 (8) Approve imaging projects of public records undertaken by state
33 agencies and, upon request, by local agencies, and develop and maintain
34 standards for this work;

35 (9) Maintain facilities necessary to review records approved for

1 destruction and to cost-efficiently dispose of them by sale or burning.
2 The destruction of public records as authorized by this chapter must be
3 supervised by the state archivist;

4 (10) Assist and train state and local agencies in the proper
5 methods of creating, maintaining, cataloging, indexing, transmitting,
6 storing, and reproducing photographic, optical, electronic, or other
7 images used as public records;

8 (11) Solicit, accept, and expend donations as provided in RCW
9 43.07.037 for the purpose of the archive program. These purposes
10 include, but are not limited to, acquisition, accession,
11 interpretation, and display of archival materials. Donations that do
12 not meet the criteria of the archive program may not be accepted;

13 (12) Upon availability of resources, furnish appropriate
14 information, suggestions, and guidelines to local government agencies
15 for their assistance in the preparation of records series and retention
16 schedules or any other matter relating to the retention, preservation,
17 disposition, or destruction of records under this chapter; and

18 (13) Adopt rules under chapter 34.05 RCW that:

19 (a) Set standards for the durability and permanence of public
20 records maintained by state and local agencies;

21 (b) Govern procedures for the creation, maintenance, transmission,
22 cataloging, indexing, storage, or reproduction of photographic,
23 optical, electronic, or other images of public documents or records in
24 a manner consistent with current standards, policies, and procedures of
25 the department of information services for the acquisition of
26 information technology;

27 (c) Govern the accuracy and durability of, and facilitate access
28 to, photographic, optical, electronic, or other images used as public
29 records; or

30 (d) Carry out any other provision of this chapter.

31 **PART IV**

32 **TRANSFER OF RECORDS**

33 NEW SECTION. **Sec. 4.** A new section is added to chapter 40.14 RCW
34 to read as follows:

35 (1)(a) All state agency public records, not required in the current
36 operation of the office where they are made or kept, and all records of

1 every agency, commission, committee, or any other activity of state
2 government which may be abolished or discontinued, shall be transferred
3 to the state archives so that the valuable historical records of the
4 state may be centralized, made more widely available, and ensured
5 permanent preservation. However, this section does not apply to public
6 records approved for destruction under this chapter.

7 (b) When transferred, copies of the public records concerned shall
8 be made and certified by the archivist, which certification shall have
9 the same force and effect as though made by the officer originally in
10 charge of them. Fees may be charged to cover the cost of reproduction.
11 In turning over the archives of his or her office, the officer in
12 charge of those archives, or his or her successor, retains the rights
13 of access to them, without charge, whenever necessary.

14 (2)(a) Records that are confidential, privileged, or exempt from
15 public disclosure under state or federal law while in the possession of
16 the originating agency, commission, board, committee, or other entity
17 of state or local government retain their confidential, privileged, or
18 exempt status after transfer to the state archives unless the
19 archivist, with the concurrence of the originating jurisdiction,
20 determines that the records must be made accessible to the public
21 according to proper and reasonable rules adopted by the secretary of
22 state, in which case the records may be open to inspection and
23 available for copying after the expiration of seventy-five years from
24 creation of the record. If the originating jurisdiction is no longer
25 in existence, the archivist shall make the determination of
26 availability according to the rules. If, while in the possession of
27 the originating agency, commission, board, committee, or other entity,
28 any record is determined to be confidential, privileged, or exempt from
29 public disclosure under state or federal law for a period of less than
30 seventy-five years, then the record must be made accessible to the
31 public upon the expiration of the shorter period of time according to
32 proper and reasonable rules adopted by the secretary of state.

33 (b) Records of investigative reports prepared by any state, county,
34 municipal, or other law enforcement agency pertaining to sex offenders
35 contained in chapter 9A.44 RCW or sexually violent offenses as defined
36 in RCW 71.09.020 that are not required in the current operation of the
37 law enforcement agency or for pending judicial proceedings shall,
38 following the expiration of the applicable schedule of the law

1 enforcement agency's retention of the records, be transferred to the
2 Washington association of sheriffs and police chiefs for permanent
3 electronic retention and retrieval. Upon electronic retention of any
4 document, the association may destroy the paper copy of the document.

5 (c) Any record transferred to the Washington association of
6 sheriffs and police chiefs under (b) of this subsection is no longer a
7 public record under RCW 42.17.020 and is exempt from public disclosure.
8 Such records shall be disseminated only to criminal justice agencies as
9 defined in RCW 10.97.030 to determine if a sex offender meets the
10 criteria of a sexually violent predator as defined in chapter 71.09
11 RCW.

12 **PART V**

13 **STATE RECORDS COMMITTEE**

14 NEW SECTION. **Sec. 5.** A new section is added to chapter 40.14 RCW
15 to read as follows:

16 (1) The state records committee is created. Membership on the
17 state records committee consists of the state archivist or his or her
18 designee, a representative appointed by the state auditor, a
19 representative appointed by the attorney general, and a representative
20 appointed by the director of the office of financial management. The
21 appointing authority for each committee member may appoint an alternate
22 member to serve in the absence of the primary appointee.

23 (2) The state records committee shall meet at least once every
24 quarter or more often as business dictates. Action by the committee
25 shall be by majority vote and records shall be kept of all committee
26 business. The state records committee may adopt appropriate policies
27 and procedures to be followed in implementing its authority under this
28 chapter.

29 (3) The state records committee must approve, modify, or disapprove
30 records retention schedules for state agency public records and must
31 act upon requests to dispose of or to destroy such records. However,
32 any modification of a request or recommendation must be approved by the
33 head of the agency originating the request or recommendation.

34 (4) The state records committee shall establish general retention
35 schedules for state agency records when practical. Upon a
36 determination of the state records committee, unique retention

1 schedules may be approved for a state agency. The committee's
2 determination shall include consideration of factors justifying the use
3 of a unique retention schedule in lieu of, or the absence of, a general
4 retention schedule.

5 (5) Except as otherwise provided by law, no public records of a
6 state agency shall be disposed of or destroyed until approved for
7 disposition or destruction by the state records committee. State
8 agencies may apply for authority to dispose of or destroy public
9 records having no further administrative or legal value by submitting
10 retention schedules for approval to the state records committee.
11 Submittals shall be made to the state records committee through the
12 division of archives and records management on forms approved by the
13 state records committee. The division shall facilitate the state
14 agency's submittal to the state records committee and provide
15 administrative support as needed.

16 **PART VI**

17 **STATE RECORDS OFFICERS**

18 NEW SECTION. **Sec. 6.** A new section is added to chapter 40.14 RCW
19 to read as follows:

20 Each department or other agency of the state government shall
21 designate a records officer to supervise its records management and
22 retention program under this chapter and to represent the office in all
23 contacts with the state records committee and the division of archives
24 and records management. The records officer shall:

25 (1) Coordinate all aspects of the records management and retention
26 program;

27 (2) Inventory, or manage the inventory, of all public records at
28 least once during a biennium for disposition scheduling and transfer
29 action, in accordance with procedures prescribed by the state archivist
30 and state records committee. However, essential records shall be
31 inventoried and processed in accordance with chapter 40.10 RCW at least
32 annually;

33 (3) Consult with any other personnel responsible for maintenance of
34 specific records within the officer's state organization regarding
35 records retention and transfer recommendations;

1 (4) Analyze records inventory data, examine and compare divisional
2 or unit inventories for duplication of records, and recommend to the
3 state archivist and state records committee minimal retentions for all
4 copies commensurate with legal, financial, and administrative needs;

5 (5) Approve all records inventory and destruction requests which
6 are submitted to the state records committee;

7 (6) Review established records retention schedules at least
8 annually to ensure that they are complete and current;

9 (7) Exercise internal control over the acquisition of imaging and
10 records storage equipment.

11 If a particular agency or department does not wish to transfer
12 records at a time previously scheduled therefor, the records officer
13 shall, within thirty days, notify the archivist and request a change in
14 such previously set schedule, including the officer's reasons therefor.

15 **PART VII**

16 **LOCAL RECORDS COMMITTEE**

17 NEW SECTION. **Sec. 7.** A new section is added to chapter 40.14 RCW
18 to read as follows:

19 (1)(a) The local records committee is created. Membership on the
20 committee consists of the state archivist or his or her designee, a
21 representative appointed by the state auditor, and a representative
22 appointed by the attorney general. The appointing authority for each
23 committee member may appoint an alternate member to serve in the
24 absence of the primary appointee. The committee shall meet at least
25 once every quarter or more often as business dictates. Records shall
26 be kept of all committee business.

27 (b) Approval, amendment, or veto of any retention schedule shall be
28 by unanimous vote of the local records committee. Upon such approval,
29 the retention schedule shall constitute authority for the local agency
30 to dispose of or destroy the records listed thereon consistent with the
31 conditions of the retention schedule.

32 (c) The local records committee may adopt appropriate policies and
33 procedures to be followed in implementing its authority under this
34 chapter.

35 (2) No local agency public records shall be disposed of or

1 destroyed until the expiration of applicable retention periods on
2 records retention schedules approved by the local records committee.

3 (3)(a) The local records committee shall establish general
4 retention schedules for local agency records when practical. Upon a
5 determination of the local records committee, unique retention
6 schedules may be approved for a local agency. The committee's
7 determination shall include consideration of factors justifying the use
8 of a unique retention schedule in lieu of, or the absence of, a general
9 retention schedule.

10 (b) Local government agencies may apply for authority to dispose of
11 or destroy public records having no further administrative or legal
12 value by submitting retention schedules for approval to the local
13 records committee. Submittals shall be made to the local records
14 committee through the division of archives and records management on
15 forms approved by the local records committee. The division shall
16 facilitate the local agency's submittal to the local records committee
17 and provide administrative support as needed.

18 (c) Except as otherwise provided by law, local agencies may, as an
19 alternative to destroying public records having no further
20 administrative or legal value, donate the public records to the state
21 library, local library, historical society, genealogical society, or
22 similar society or organization. Public records may not be donated
23 under this subsection unless:

24 (i) The records are seventy years old or older;

25 (ii) The local records committee has approved the destruction of
26 the public records; and

27 (iii) The state archivist has determined that the public records
28 have no historic or legal significance.

29 (4) Records of local agencies, designated by the archivist as
30 having historical or legal significance, may be transferred to a
31 repository approved by the archivist.

32 PART VIII

33 RETENTION REQUIREMENTS

34 NEW SECTION. **Sec. 8.** A new section is added to chapter 40.14 RCW
35 to read as follows:

36 Public records shall not be disposed of or destroyed until the

1 expiration of applicable retention periods on records retention
2 schedules approved by the state or local records committee. Unless
3 otherwise provided by state or federal law, rule, or regulation,
4 retention periods approved for records series that serve as primary
5 documentation of official actions, transactions, contracts, or
6 agreements must be at least six years. The state or local records
7 committee may approve retention periods of less than six years for
8 records series that:

9 (1) The department of origin of the records has made a satisfactory
10 showing to the state or local records committee that the retention of
11 the records for a minimum of six years is unnecessary and that such
12 records serve only an administrative value; or

13 (2) The originals of the official public records less than six
14 years old have been copied or reproduced by any photographic or other
15 process approved by the state archivist which accurately reproduces or
16 forms a durable medium for so reproducing the original.

17 **PART IX**
18 **LEGISLATIVE RECORDS**

19 NEW SECTION. **Sec. 9.** A new section is added to chapter 40.14 RCW
20 to read as follows:

21 Nothing in this chapter prohibits a legislator or legislative
22 employee from contributing his or her personal papers to any private
23 library, public library, or the state archives. The state archivist is
24 authorized to receive papers of legislators and legislative employees
25 and is directed to encourage the donation of such personal papers to
26 the state. The state archivist is authorized to establish such
27 guidelines and procedures for the collection of personal papers and
28 correspondence relating to the legislature as the archivist sees fit.
29 Legislators and legislative employees are encouraged to contribute
30 their personal papers to the state for preservation.

31 NEW SECTION. **Sec. 10.** A new section is added to chapter 40.14 RCW
32 to read as follows:

33 The chief clerk of the house of representatives or the chief
34 clerk's designee, and the secretary of the senate or the secretary's

1 designee, shall establish requirements and responsibilities for keeping
2 committee minutes and records as part of their instructions to
3 committee chairs and employees.

4 The chief clerk or the secretary, with the assistance of the state
5 archivist, shall classify and arrange the legislative records delivered
6 to the chief clerk or secretary in a manner that he or she considers
7 best suited to carry out the efficient and economical utilization,
8 maintenance, preservation, and disposition of the records. The chief
9 clerk or the secretary may deliver to the state archivist all
10 legislative records in his or her possession when such records have
11 been classified and arranged and are no longer needed by either house.
12 The state archivist shall thereafter be custodian of the records so
13 delivered, but shall deliver such records back to either the chief
14 clerk or secretary upon his or her request.

15 The committee staff person responsible for maintaining the
16 legislative records of that committee shall, on a scheduled basis
17 agreed upon by the chief clerk of the house of representatives or the
18 chief clerk's designee, and the secretary of the senate or the
19 secretary's designee, deliver to the chief clerk or secretary all
20 legislative records in his or her possession, as long as such records
21 are not required for the regular performance of official duties.

22 NEW SECTION. **Sec. 11.** A new section is added to chapter 40.14 RCW
23 to read as follows:

24 The chief clerk of the house of representatives and the secretary
25 of the senate must advise the party caucuses in each house concerning
26 the necessity to keep legislative records. The state archivist or his
27 or her representative shall work with the chief clerk and secretary to
28 provide information and instructions on the best method for keeping
29 legislative records.

30 NEW SECTION. **Sec. 12.** A new section is added to chapter 40.14 RCW
31 to read as follows:

32 The chief clerk of the house of representatives or the secretary of
33 the senate shall, with advice of the state archivist, prescribe
34 policies for access to records when such records have been delivered to
35 the state archives for preservation and maintenance.

1 preservation, cataloging, and indexing for local government records and
2 digital data and access to those records and data through the regional
3 branch archives of the division of archives and records management,
4 must be deposited into the account, and expenditures from the account
5 may be used only for these purposes.

6 NEW SECTION. **Sec. 16.** A new section is added to chapter 40.14 RCW
7 to read as follows:

8 State agencies shall collect a surcharge of twenty dollars from the
9 judgment debtor upon the satisfaction of a warrant filed in superior
10 court for unpaid taxes or liabilities. The surcharge is imposed on the
11 judgment debtor in the form of a penalty in addition to the filing fee
12 provided in RCW 36.18.012(10). The surcharge revenue shall be
13 transmitted to the state treasurer for deposit in the local government
14 archives account under section 15 of this act.

15 Surcharge revenue shall be expended by the secretary of state
16 exclusively for disaster recovery, essential records protection
17 services, and records management training for local government agencies
18 by the division of archives and records management. The secretary of
19 state shall, with local government representatives, establish a
20 committee to advise the state archivist on the local government
21 archives and records management program.

22 NEW SECTION. **Sec. 17.** A new section is added to chapter 40.14 RCW
23 to read as follows:

24 The imaging account is created in the custody of the state
25 treasurer. All receipts collected for contract imaging, micrographics,
26 reproduction, and duplication services provided by the division of
27 archives and records management must be deposited into the account, and
28 expenditures from the account may be used only for these purposes.
29 Only the secretary of state or the secretary's designee may authorize
30 expenditures from the account. The account is subject to allotment
31 procedures under chapter 43.88 RCW, but an appropriation is not
32 required for expenditures.

33 **Sec. 18.** RCW 36.22.175 and 2008 c 328 s 6006 are each amended to
34 read as follows:

35 (1)(a) In addition to any other charge authorized by law, the

1 county auditor shall charge a surcharge of one dollar per instrument
2 for each document recorded. Revenue generated through this surcharge
3 shall be transmitted monthly to the state treasurer for deposit in the
4 local government archives account under (~~RCW 40.14.024~~) section 15 of
5 this act. These funds shall be used solely for providing records
6 scheduling, security microfilm inspection and storage, archival
7 preservation, cataloging, and indexing for local government records and
8 digital data and access to those records and data through the regional
9 branch archives of the division of archives and records management.

10 (b) The division of archives and records management within the
11 office of the secretary of state shall provide records management
12 training for local governments and shall establish a competitive grant
13 program to solicit and prioritize project proposals from local
14 governments for potential funding to be paid for by funds from the
15 auditor surcharge and tax warrant surcharge revenues. Application for
16 specific projects may be made by local government agencies only. The
17 state archivist in consultation with the advisory committee established
18 under (~~RCW 40.14.027~~) section 16 of this act shall adopt rules
19 governing project eligibility, evaluation, awarding of grants, and
20 other criteria including requirements for records management training
21 for grant recipients.

22 (2) The advisory committee established under (~~RCW 40.14.027~~)
23 section 16 of this act shall review grant proposals and establish a
24 prioritized list of projects to be considered for funding by January
25 1st of each even-numbered year, beginning in 2002. The evaluation of
26 proposals and development of the prioritized list must be developed
27 through open public meetings. Funding for projects shall be granted
28 according to the ranking of each application on the prioritized list
29 and projects will be funded only to the extent that funds are
30 available. A grant award may have an effective date other than the
31 date the project is placed on the prioritized list.

32 (3)(a) In addition to any other surcharge authorized by law, the
33 county auditor shall charge a surcharge of one dollar per instrument
34 for every document recorded after January 1, 2002. Revenue generated
35 through this surcharge shall be transmitted to the state treasurer
36 monthly for deposit in the local government archives account under
37 (~~RCW 40.14.024~~) section 15 of this act to be used exclusively for:

38 (i) The construction and improvement of a specialized regional facility

1 located in eastern Washington designed to serve the archives, records
2 management, and digital data management needs of local government; and
3 (ii) payment of the certificate of participation issued for the
4 Washington state heritage center to the extent there is an excess fund
5 balance in the account and fees generated under RCW 36.18.010 and
6 43.07.128 are insufficient to meet debt service payments on the
7 certificate of participation.

8 (b) To the extent the facilities are used for the storage and
9 retrieval of state agency records and digital data, that portion of the
10 construction of such facilities used for state government records and
11 data shall be supported by other charges and fees paid by state
12 agencies and shall not be supported by the surcharge authorized in this
13 subsection, except that to the extent there is an excess fund balance
14 in the account and fees generated under RCW 36.18.010 and 43.07.128 are
15 insufficient to meet debt service payments for the Washington state
16 heritage center, the local government archives account under ((RCW
17 ~~40.14.024~~)) section 15 of this act may be used for the Washington state
18 heritage center.

19 (c) At such time that all debt service from construction of the
20 specialized regional archive facility located in eastern Washington has
21 been paid, fifty percent of the surcharge authorized by this subsection
22 shall be reverted to the centennial document preservation and
23 modernization account as prescribed in RCW 36.22.170 and fifty percent
24 of the surcharge authorized by this section shall be reverted to the
25 state treasurer for deposit in the archives and records management
26 account to serve the archives, records management, and digital data
27 management needs of local government, except that the state treasurer
28 shall not revert funds to the centennial document preservation and
29 modernization account and to the archives and records management
30 account if fees generated under RCW 36.18.010 and 43.07.128 are
31 insufficient to meet debt service payments on the Washington state
32 heritage center.

33 **PART XI**
34 **CONSTRUCTION**

35 NEW SECTION. **Sec. 19.** A new section is added to chapter 40.14 RCW
36 to read as follows:

1 This chapter does not repeal or modify any other acts or parts of
2 acts authorizing the retention or destruction of public records. This
3 chapter does not affect the provisions of chapter 40.07 RCW requiring
4 the deposit of all state publications in the state library or the
5 confidentiality of the bill drafting records of the code reviser's
6 office.

7 **PART XII**

8 **INTERNAL REFERENCES AND REPEALERS**

9 **Sec. 20.** RCW 42.17.020 and 2008 c 6 s 201 are each amended to read
10 as follows:

11 The definitions in this section apply throughout this chapter
12 unless the context clearly requires otherwise.

13 (1) "Actual malice" means to act with knowledge of falsity or with
14 reckless disregard as to truth or falsity.

15 (2) "Agency" includes all state agencies and all local agencies.
16 "State agency" includes every state office, department, division,
17 bureau, board, commission, or other state agency. "Local agency"
18 includes every county, city, town, municipal corporation, quasi-
19 municipal corporation, or special purpose district, or any office,
20 department, division, bureau, board, commission, or agency thereof, or
21 other local public agency.

22 (3) "Authorized committee" means the political committee authorized
23 by a candidate, or by the public official against whom recall charges
24 have been filed, to accept contributions or make expenditures on behalf
25 of the candidate or public official.

26 (4) "Ballot proposition" means any "measure" as defined by RCW
27 29A.04.091, or any initiative, recall, or referendum proposition
28 proposed to be submitted to the voters of the state or any municipal
29 corporation, political subdivision, or other voting constituency from
30 and after the time when the proposition has been initially filed with
31 the appropriate election officer of that constituency prior to its
32 circulation for signatures.

33 (5) "Benefit" means a commercial, proprietary, financial, economic,
34 or monetary advantage, or the avoidance of a commercial, proprietary,
35 financial, economic, or monetary disadvantage.

36 (6) "Bona fide political party" means:

1 (a) An organization that has filed a valid certificate of
2 nomination with the secretary of state under chapter 29A.20 RCW;

3 (b) The governing body of the state organization of a major
4 political party, as defined in RCW 29A.04.086, that is the body
5 authorized by the charter or bylaws of the party to exercise authority
6 on behalf of the state party; or

7 (c) The county central committee or legislative district committee
8 of a major political party. There may be only one legislative district
9 committee for each party in each legislative district.

10 (7) "Depository" means a bank designated by a candidate or
11 political committee pursuant to RCW 42.17.050.

12 (8) "Treasurer" and "deputy treasurer" mean the individuals
13 appointed by a candidate or political committee, pursuant to RCW
14 42.17.050, to perform the duties specified in that section.

15 (9) "Candidate" means any individual who seeks nomination for
16 election or election to public office. An individual seeks nomination
17 or election when he or she first:

18 (a) Receives contributions or makes expenditures or reserves space
19 or facilities with intent to promote his or her candidacy for office;

20 (b) Announces publicly or files for office;

21 (c) Purchases commercial advertising space or broadcast time to
22 promote his or her candidacy; or

23 (d) Gives his or her consent to another person to take on behalf of
24 the individual any of the actions in (a) or (c) of this subsection.

25 (10) "Caucus political committee" means a political committee
26 organized and maintained by the members of a major political party in
27 the state senate or state house of representatives.

28 (11) "Commercial advertiser" means any person who sells the service
29 of communicating messages or producing printed material for broadcast
30 or distribution to the general public or segments of the general public
31 whether through the use of newspapers, magazines, television and radio
32 stations, billboard companies, direct mail advertising companies,
33 printing companies, or otherwise.

34 (12) "Commission" means the agency established under RCW 42.17.350.

35 (13) "Compensation" unless the context requires a narrower meaning,
36 includes payment in any form for real or personal property or services
37 of any kind: PROVIDED, That for the purpose of compliance with RCW
38 42.17.241, the term "compensation" shall not include per diem

1 allowances or other payments made by a governmental entity to reimburse
2 a public official for expenses incurred while the official is engaged
3 in the official business of the governmental entity.

4 (14) "Continuing political committee" means a political committee
5 that is an organization of continuing existence not established in
6 anticipation of any particular election campaign.

7 (15)(a) "Contribution" includes:

8 (i) A loan, gift, deposit, subscription, forgiveness of
9 indebtedness, donation, advance, pledge, payment, transfer of funds
10 between political committees, or anything of value, including personal
11 and professional services for less than full consideration;

12 (ii) An expenditure made by a person in cooperation, consultation,
13 or concert with, or at the request or suggestion of, a candidate, a
14 political committee, the person or persons named on the candidate's or
15 committee's registration form who direct expenditures on behalf of the
16 candidate or committee, or their agents;

17 (iii) The financing by a person of the dissemination, distribution,
18 or republication, in whole or in part, of broadcast, written, graphic,
19 or other form of political advertising or electioneering communication
20 prepared by a candidate, a political committee, or its authorized
21 agent;

22 (iv) Sums paid for tickets to fund-raising events such as dinners
23 and parties, except for the actual cost of the consumables furnished at
24 the event.

25 (b) "Contribution" does not include:

26 (i) Standard interest on money deposited in a political committee's
27 account;

28 (ii) Ordinary home hospitality;

29 (iii) A contribution received by a candidate or political committee
30 that is returned to the contributor within five business days of the
31 date on which it is received by the candidate or political committee;

32 (iv) A news item, feature, commentary, or editorial in a regularly
33 scheduled news medium that is of primary interest to the general
34 public, that is in a news medium controlled by a person whose business
35 is that news medium, and that is not controlled by a candidate or a
36 political committee;

37 (v) An internal political communication primarily limited to the
38 members of or contributors to a political party organization or

1 political committee, or to the officers, management staff, or
2 stockholders of a corporation or similar enterprise, or to the members
3 of a labor organization or other membership organization;

4 (vi) The rendering of personal services of the sort commonly
5 performed by volunteer campaign workers, or incidental expenses
6 personally incurred by volunteer campaign workers not in excess of
7 fifty dollars personally paid for by the worker. "Volunteer services,"
8 for the purposes of this section, means services or labor for which the
9 individual is not compensated by any person;

10 (vii) Messages in the form of reader boards, banners, or yard or
11 window signs displayed on a person's own property or property occupied
12 by a person. However, a facility used for such political advertising
13 for which a rental charge is normally made must be reported as an in-
14 kind contribution and counts towards any applicable contribution limit
15 of the person providing the facility;

16 (viii) Legal or accounting services rendered to or on behalf of:

17 (A) A political party or caucus political committee if the person
18 paying for the services is the regular employer of the person rendering
19 such services; or

20 (B) A candidate or an authorized committee if the person paying for
21 the services is the regular employer of the individual rendering the
22 services and if the services are solely for the purpose of ensuring
23 compliance with state election or public disclosure laws; or

24 (ix) The performance of ministerial functions by a person on behalf
25 of two or more candidates or political committees either as volunteer
26 services defined in (b)(vi) of this subsection or for payment by the
27 candidate or political committee for whom the services are performed as
28 long as:

29 (A) The person performs solely ministerial functions;

30 (B) A person who is paid by two or more candidates or political
31 committees is identified by the candidates and political committees on
32 whose behalf services are performed as part of their respective
33 statements of organization under RCW 42.17.040; and

34 (C) The person does not disclose, except as required by law, any
35 information regarding a candidate's or committee's plans, projects,
36 activities, or needs, or regarding a candidate's or committee's
37 contributions or expenditures that is not already publicly available

1 from campaign reports filed with the commission, or otherwise engage in
2 activity that constitutes a contribution under (a)(ii) of this
3 subsection.

4 A person who performs ministerial functions under this subsection
5 (15)(b)(ix) is not considered an agent of the candidate or committee as
6 long as he or she has no authority to authorize expenditures or make
7 decisions on behalf of the candidate or committee.

8 (c) Contributions other than money or its equivalent are deemed to
9 have a monetary value equivalent to the fair market value of the
10 contribution. Services or property or rights furnished at less than
11 their fair market value for the purpose of assisting any candidate or
12 political committee are deemed a contribution. Such a contribution
13 must be reported as an in-kind contribution at its fair market value
14 and counts towards any applicable contribution limit of the provider.

15 (16) "Elected official" means any person elected at a general or
16 special election to any public office, and any person appointed to fill
17 a vacancy in any such office.

18 (17) "Election" includes any primary, general, or special election
19 for public office and any election in which a ballot proposition is
20 submitted to the voters: PROVIDED, That an election in which the
21 qualifications for voting include other than those requirements set
22 forth in Article VI, section 1 (Amendment 63) of the Constitution of
23 the state of Washington shall not be considered an election for
24 purposes of this chapter.

25 (18) "Election campaign" means any campaign in support of or in
26 opposition to a candidate for election to public office and any
27 campaign in support of, or in opposition to, a ballot proposition.

28 (19) "Election cycle" means the period beginning on the first day
29 of January after the date of the last previous general election for the
30 office that the candidate seeks and ending on December 31st after the
31 next election for the office. In the case of a special election to
32 fill a vacancy in an office, "election cycle" means the period
33 beginning on the day the vacancy occurs and ending on December 31st
34 after the special election.

35 (20) "Electioneering communication" means any broadcast, cable, or
36 satellite television or radio transmission, United States postal
37 service mailing, billboard, newspaper, or periodical that:

1 (a) Clearly identifies a candidate for a state, local, or judicial
2 office either by specifically naming the candidate, or identifying the
3 candidate without using the candidate's name;

4 (b) Is broadcast, transmitted, mailed, erected, distributed, or
5 otherwise published within sixty days before any election for that
6 office in the jurisdiction in which the candidate is seeking election;
7 and

8 (c) Either alone, or in combination with one or more communications
9 identifying the candidate by the same sponsor during the sixty days
10 before an election, has a fair market value of five thousand dollars or
11 more.

12 (21) "Electioneering communication" does not include:

13 (a) Usual and customary advertising of a business owned by a
14 candidate, even if the candidate is mentioned in the advertising when
15 the candidate has been regularly mentioned in that advertising
16 appearing at least twelve months preceding his or her becoming a
17 candidate;

18 (b) Advertising for candidate debates or forums when the
19 advertising is paid for by or on behalf of the debate or forum sponsor,
20 so long as two or more candidates for the same position have been
21 invited to participate in the debate or forum;

22 (c) A news item, feature, commentary, or editorial in a regularly
23 scheduled news medium that is:

24 (i) Of primary interest to the general public;

25 (ii) In a news medium controlled by a person whose business is that
26 news medium; and

27 (iii) Not a medium controlled by a candidate or a political
28 committee;

29 (d) Slate cards and sample ballots;

30 (e) Advertising for books, films, dissertations, or similar works
31 (i) written by a candidate when the candidate entered into a contract
32 for such publications or media at least twelve months before becoming
33 a candidate, or (ii) written about a candidate;

34 (f) Public service announcements;

35 (g) A mailed internal political communication primarily limited to
36 the members of or contributors to a political party organization or
37 political committee, or to the officers, management staff, or

1 stockholders of a corporation or similar enterprise, or to the members
2 of a labor organization or other membership organization;

3 (h) An expenditure by or contribution to the authorized committee
4 of a candidate for state, local, or judicial office; or

5 (i) Any other communication exempted by the commission through rule
6 consistent with the intent of this chapter.

7 (22) "Expenditure" includes a payment, contribution, subscription,
8 distribution, loan, advance, deposit, or gift of money or anything of
9 value, and includes a contract, promise, or agreement, whether or not
10 legally enforceable, to make an expenditure. The term "expenditure"
11 also includes a promise to pay, a payment, or a transfer of anything of
12 value in exchange for goods, services, property, facilities, or
13 anything of value for the purpose of assisting, benefiting, or honoring
14 any public official or candidate, or assisting in furthering or
15 opposing any election campaign. For the purposes of this chapter,
16 agreements to make expenditures, contracts, and promises to pay may be
17 reported as estimated obligations until actual payment is made. The
18 term "expenditure" shall not include the partial or complete repayment
19 by a candidate or political committee of the principal of a loan, the
20 receipt of which loan has been properly reported.

21 (23) "Final report" means the report described as a final report in
22 RCW 42.17.080(2).

23 (24) "General election" for the purposes of RCW 42.17.640 means the
24 election that results in the election of a person to a state office.
25 It does not include a primary.

26 (25) "Gift," is as defined in RCW 42.52.010.

27 (26) "Immediate family" includes the spouse or domestic partner,
28 dependent children, and other dependent relatives, if living in the
29 household. For the purposes of RCW 42.17.640 through 42.17.790,
30 "immediate family" means an individual's spouse or domestic partner,
31 and child, stepchild, grandchild, parent, stepparent, grandparent,
32 brother, half brother, sister, or half sister of the individual and the
33 spouse or the domestic partner of any such person and a child,
34 stepchild, grandchild, parent, stepparent, grandparent, brother, half
35 brother, sister, or half sister of the individual's spouse or domestic
36 partner and the spouse or the domestic partner of any such person.

37 (27) "Incumbent" means a person who is in present possession of an
38 elected office.

1 (28) "Independent expenditure" means an expenditure that has each
2 of the following elements:

3 (a) It is made in support of or in opposition to a candidate for
4 office by a person who is not (i) a candidate for that office, (ii) an
5 authorized committee of that candidate for that office, (iii) a person
6 who has received the candidate's encouragement or approval to make the
7 expenditure, if the expenditure pays in whole or in part for political
8 advertising supporting that candidate or promoting the defeat of any
9 other candidate or candidates for that office, or (iv) a person with
10 whom the candidate has collaborated for the purpose of making the
11 expenditure, if the expenditure pays in whole or in part for political
12 advertising supporting that candidate or promoting the defeat of any
13 other candidate or candidates for that office;

14 (b) The expenditure pays in whole or in part for political
15 advertising that either specifically names the candidate supported or
16 opposed, or clearly and beyond any doubt identifies the candidate
17 without using the candidate's name; and

18 (c) The expenditure, alone or in conjunction with another
19 expenditure or other expenditures of the same person in support of or
20 opposition to that candidate, has a value of five hundred dollars or
21 more. A series of expenditures, each of which is under five hundred
22 dollars, constitutes one independent expenditure if their cumulative
23 value is five hundred dollars or more.

24 (29)(a) "Intermediary" means an individual who transmits a
25 contribution to a candidate or committee from another person unless the
26 contribution is from the individual's employer, immediate family as
27 defined for purposes of RCW 42.17.640 through 42.17.790, or an
28 association to which the individual belongs.

29 (b) A treasurer or a candidate is not an intermediary for purposes
30 of the committee that the treasurer or candidate serves.

31 (c) A professional fund-raiser is not an intermediary if the fund-
32 raiser is compensated for fund-raising services at the usual and
33 customary rate.

34 (d) A volunteer hosting a fund-raising event at the individual's
35 home is not an intermediary for purposes of that event.

36 (30) "Legislation" means bills, resolutions, motions, amendments,
37 nominations, and other matters pending or proposed in either house of
38 the state legislature, and includes any other matter that may be the

1 subject of action by either house or any committee of the legislature
2 and all bills and resolutions that, having passed both houses, are
3 pending approval by the governor.

4 (31) "Lobby" and "lobbying" each mean attempting to influence the
5 passage or defeat of any legislation by the legislature of the state of
6 Washington, or the adoption or rejection of any rule, standard, rate,
7 or other legislative enactment of any state agency under the state
8 Administrative Procedure Act, chapter 34.05 RCW. Neither "lobby" nor
9 "lobbying" includes an association's or other organization's act of
10 communicating with the members of that association or organization.

11 (32) "Lobbyist" includes any person who lobbies either in his or
12 her own or another's behalf.

13 (33) "Lobbyist's employer" means the person or persons by whom a
14 lobbyist is employed and all persons by whom he or she is compensated
15 for acting as a lobbyist.

16 (34) "Ministerial functions" means an act or duty carried out as
17 part of the duties of an administrative office without exercise of
18 personal judgment or discretion.

19 (35) "Participate" means that, with respect to a particular
20 election, an entity:

21 (a) Makes either a monetary or in-kind contribution to a candidate;

22 (b) Makes an independent expenditure or electioneering
23 communication in support of or opposition to a candidate;

24 (c) Endorses a candidate prior to contributions being made by a
25 subsidiary corporation or local unit with respect to that candidate or
26 that candidate's opponent;

27 (d) Makes a recommendation regarding whether a candidate should be
28 supported or opposed prior to a contribution being made by a subsidiary
29 corporation or local unit with respect to that candidate or that
30 candidate's opponent; or

31 (e) Directly or indirectly collaborates or consults with a
32 subsidiary corporation or local unit on matters relating to the support
33 of or opposition to a candidate, including, but not limited to, the
34 amount of a contribution, when a contribution should be given, and what
35 assistance, services or independent expenditures, or electioneering
36 communications, if any, will be made or should be made in support of or
37 opposition to a candidate.

1 (36) "Person" includes an individual, partnership, joint venture,
2 public or private corporation, association, federal, state, or local
3 governmental entity or agency however constituted, candidate,
4 committee, political committee, political party, executive committee
5 thereof, or any other organization or group of persons, however
6 organized.

7 (37) "Person in interest" means the person who is the subject of a
8 record or any representative designated by that person, except that if
9 that person is under a legal disability, the term "person in interest"
10 means and includes the parent or duly appointed legal representative.

11 (38) "Political advertising" includes any advertising displays,
12 newspaper ads, billboards, signs, brochures, articles, tabloids,
13 flyers, letters, radio or television presentations, or other means of
14 mass communication, used for the purpose of appealing, directly or
15 indirectly, for votes or for financial or other support or opposition
16 in any election campaign.

17 (39) "Political committee" means any person (except a candidate or
18 an individual dealing with his or her own funds or property) having the
19 expectation of receiving contributions or making expenditures in
20 support of, or opposition to, any candidate or any ballot proposition.

21 (40) "Primary" for the purposes of RCW 42.17.640 means the
22 procedure for nominating a candidate to state office under chapter
23 29A.52 RCW or any other primary for an election that uses, in large
24 measure, the procedures established in chapter 29A.52 RCW.

25 (41) "Public office" means any federal, state, judicial, county,
26 city, town, school district, port district, special district, or other
27 state political subdivision elective office.

28 (42) "Public record" includes any writing containing information
29 relating to the conduct of government or the performance of any
30 governmental or proprietary function prepared, owned, used, or retained
31 by any state or local agency regardless of physical form or
32 characteristics. For the office of the secretary of the senate and the
33 office of the chief clerk of the house of representatives, public
34 records means legislative records as defined in ((RCW 40.14.100))
35 section 2 of this act and also means the following: All budget and
36 financial records; personnel leave, travel, and payroll records;
37 records of legislative sessions; reports submitted to the legislature;

1 and any other record designated a public record by any official action
2 of the senate or the house of representatives.

3 (43) "Recall campaign" means the period of time beginning on the
4 date of the filing of recall charges under RCW 29A.56.120 and ending
5 thirty days after the recall election.

6 (44) "Sponsor of an electioneering communications, independent
7 expenditures, or political advertising" means the person paying for the
8 electioneering communication, independent expenditure, or political
9 advertising. If a person acts as an agent for another or is reimbursed
10 by another for the payment, the original source of the payment is the
11 sponsor.

12 (45) "State legislative office" means the office of a member of the
13 state house of representatives or the office of a member of the state
14 senate.

15 (46) "State office" means state legislative office or the office of
16 governor, lieutenant governor, secretary of state, attorney general,
17 commissioner of public lands, insurance commissioner, superintendent of
18 public instruction, state auditor, or state treasurer.

19 (47) "State official" means a person who holds a state office.

20 (48) "Surplus funds" mean, in the case of a political committee or
21 candidate, the balance of contributions that remain in the possession
22 or control of that committee or candidate subsequent to the election
23 for which the contributions were received, and that are in excess of
24 the amount necessary to pay remaining debts incurred by the committee
25 or candidate prior to that election. In the case of a continuing
26 political committee, "surplus funds" mean those contributions remaining
27 in the possession or control of the committee that are in excess of the
28 amount necessary to pay all remaining debts when it makes its final
29 report under RCW 42.17.065.

30 (49) "Writing" means handwriting, typewriting, printing,
31 photostating, photographing, and every other means of recording any
32 form of communication or representation, including, but not limited to,
33 letters, words, pictures, sounds, or symbols, or combination thereof,
34 and all papers, maps, magnetic or paper tapes, photographic films and
35 prints, motion picture, film and video recordings, magnetic or punched
36 cards, discs, drums, diskettes, sound recordings, and other documents
37 including existing data compilations from which information may be
38 obtained or translated.

1 As used in this chapter, the singular shall take the plural and any
2 gender, the other, as the context requires.

3 **Sec. 21.** RCW 10.97.140 and 2005 c 274 s 207 are each amended to
4 read as follows:

5 Nothing in ((~~RCW 40.14.060 or 40.14.070~~)) section 4 of this act or
6 chapter 42.56 RCW precludes dissemination of criminal history record
7 information, including nonconviction data, for the purposes of this
8 chapter.

9 **Sec. 22.** RCW 42.56.240 and 2008 c 276 s 202 are each amended to
10 read as follows:

11 The following investigative, law enforcement, and crime victim
12 information is exempt from public inspection and copying under this
13 chapter:

14 (1) Specific intelligence information and specific investigative
15 records compiled by investigative, law enforcement, and penology
16 agencies, and state agencies vested with the responsibility to
17 discipline members of any profession, the nondisclosure of which is
18 essential to effective law enforcement or for the protection of any
19 person's right to privacy;

20 (2) Information revealing the identity of persons who are witnesses
21 to or victims of crime or who file complaints with investigative, law
22 enforcement, or penology agencies, other than the commission, if
23 disclosure would endanger any person's life, physical safety, or
24 property. If at the time a complaint is filed the complainant, victim,
25 or witness indicates a desire for disclosure or nondisclosure, such
26 desire shall govern. However, all complaints filed with the commission
27 about any elected official or candidate for public office must be made
28 in writing and signed by the complainant under oath;

29 (3) Any records of investigative reports prepared by any state,
30 county, municipal, or other law enforcement agency pertaining to sex
31 offenses contained in chapter 9A.44 RCW or sexually violent offenses as
32 defined in RCW 71.09.020, which have been transferred to the Washington
33 association of sheriffs and police chiefs for permanent electronic
34 retention and retrieval pursuant to ((~~RCW 40.14.070~~)) section 4(2)(b)
35 of this act;

1 (4) License applications under RCW 9.41.070; copies of license
2 applications or information on the applications may be released to law
3 enforcement or corrections agencies;

4 (5) Information revealing the identity of child victims of sexual
5 assault who are under age eighteen. Identifying information means the
6 child victim's name, address, location, photograph, and in cases in
7 which the child victim is a relative or stepchild of the alleged
8 perpetrator, identification of the relationship between the child and
9 the alleged perpetrator; and

10 (6) The statewide gang database referenced in RCW 43.43.762.

11 **Sec. 23.** RCW 42.56.320 and 2005 c 274 s 412 are each amended to
12 read as follows:

13 The following educational information is exempt from disclosure
14 under this chapter:

15 (1) Financial disclosures filed by private vocational schools under
16 chapters 28B.85 and 28C.10 RCW;

17 (2) Financial and commercial information supplied by or on behalf
18 of a person, firm, corporation, or entity under chapter 28B.95 RCW
19 relating to the purchase or sale of tuition units and contracts for the
20 purchase of multiple tuition units;

21 (3) Individually identifiable information received by the work
22 force training and education coordinating board for research or
23 evaluation purposes; and

24 (4) Except for public records as defined in (~~RCW 40.14.040~~)
25 section 2 of this act, any records or documents obtained by a state
26 college, university, library, or archive through or concerning any
27 gift, grant, conveyance, bequest, or devise, the terms of which
28 restrict or regulate public access to those records or documents.

29 **Sec. 24.** RCW 43.07.380 and 2008 c 222 s 13 are each amended to
30 read as follows:

31 The Washington state legacy project, state library, and archives
32 account is created in the custody of the state treasurer. All moneys
33 received under RCW 43.07.370 must be deposited in the account.
34 Expenditures from the account may be made only for the purposes of the
35 Washington state legacy project under RCW 43.07.363, archives program
36 under (~~RCW 40.14.020~~) chapter 40.14 RCW, and the state library

1 program under chapter 27.04 RCW. Only the secretary of state or the
2 secretary of state's designee may authorize expenditures from the
3 account. An appropriation is not required for expenditures, but the
4 account is subject to allotment procedures under chapter 43.88 RCW.

5 NEW SECTION. **Sec. 25.** The following acts or parts of acts are
6 each repealed:

7 (1) RCW 40.14.010 (Definition and classification of public records)
8 and 1996 c 71 s 1, 1982 c 36 s 3, 1981 c 32 s 4, 1971 ex.s. c 102 s 1,
9 & 1957 c 246 s 1;

10 (2) RCW 40.14.020 (Division of archives and records management--
11 State archivist--Powers and duties--Duties of public officials) and
12 2002 c 358 s 4 & 1995 c 326 s 1;

13 (3) RCW 40.14.022 (Division of archives and records management--
14 Imaging account) and 2003 c 163 s 2;

15 (4) RCW 40.14.024 (Division of archives and records management--
16 Local government archives account) and 2008 c 328 s 6005;

17 (5) RCW 40.14.025 (Division of archives and records management--
18 Allocation of costs of services--Archives and records management
19 account) and 2003 c 163 s 1, 1996 c 245 s 3, 1991 sp.s. c 13 s 5, 1985
20 c 57 s 22, & 1981 c 115 s 4;

21 (6) RCW 40.14.027 (Public archives and records management
22 services--Judgment debtor surcharge) and 2003 c 163 s 4, 2001 c 146 s
23 4, 1996 c 245 s 4, 1995 c 292 s 17, & 1994 c 193 s 2;

24 (7) RCW 40.14.030 (Transfer to state archives--Certified copies,
25 cost--Public disclosure) and 2003 c 305 s 1 & 1957 c 246 s 3;

26 (8) RCW 40.14.040 (Records officers--Designation--Powers and
27 duties) and 1982 c 36 s 4, 1979 c 151 s 51, 1973 c 54 s 3, & 1957 c 246
28 s 4;

29 (9) RCW 40.14.050 (Records committee--Composition, travel expenses,
30 meetings, powers and duties--Retention schedules) and 1985 c 192 s 1,
31 1975-'76 2nd ex.s. c 34 s 83, & 1957 c 246 s 5;

32 (10) RCW 40.14.060 (Destruction, disposition of official public
33 records or office files and memoranda--Record retention schedules) and
34 1999 c 326 s 1, 1982 c 36 s 5, 1979 c 151 s 52, 1973 c 54 s 4, & 1957
35 c 246 s 6;

36 (11) RCW 40.14.070 (Destruction, disposition, donation of local
37 government records--Preservation for historical interest--Local records

1 committee, duties--Record retention schedules--Sealed records) and 2005
2 c 227 s 1, 2003 c 240 s 1, 1999 c 326 s 2, 1995 c 301 s 71, 1982 c 36
3 s 6, 1973 c 54 s 5, 1971 ex.s. c 10 s 1, & 1957 c 246 s 7;

4 (12) RCW 40.14.080 (Chapter not to affect other laws) and 1983 c 3
5 s 84 & 1957 c 246 s 8;

6 (13) RCW 40.14.100 (Legislative records--Defined) and 1971 ex.s. c
7 102 s 2;

8 (14) RCW 40.14.110 (Legislative records--Contribution of papers by
9 legislators and employees) and 1971 ex.s. c 102 s 3;

10 (15) RCW 40.14.120 (Legislative records--"Clerk," "secretary"
11 defined) and 1971 ex.s. c 102 s 4;

12 (16) RCW 40.14.130 (Legislative records--Duties of legislative
13 officials, employees and state archivist--Delivery of records--
14 Custody--Availability) and 1971 ex.s. c 102 s 5;

15 (17) RCW 40.14.140 (Legislative records--Party caucuses to be
16 advised--Information and instructions) and 1971 ex.s. c 102 s 6;

17 (18) RCW 40.14.150 (Legislative records--Use for research) and 1971
18 ex.s. c 102 s 7;

19 (19) RCW 40.14.160 (Legislative records--Rules for access to
20 records) and 1971 ex.s. c 102 s 8;

21 (20) RCW 40.14.170 (Legislative records--Sound recordings) and 1971
22 ex.s. c 102 s 9; and

23 (21) RCW 40.14.180 (Legislative records--Construction--
24 Confidentiality of bill drafting records) and 1983 c 3 s 85 & 1971
25 ex.s. c 102 s 10.

26 NEW SECTION. **Sec. 26.** Part headings used in this act are not any
27 part of the law.

--- END ---