Chapter 390-12 WAC

ADMINISTRATIVE PROCEDURES

WAC 390-12-010 Public disclosure commission—Regular meetings. Pursuant to RCW 42.30.075, regular meetings of the public disclosure commission are scheduled to be held on the fourth Thursday of each month at 9:00 a.m. unless a different time is noted on an agenda, except November and December when a combined meeting is scheduled to be held during the first or second week of December. The meetings shall be held in the commission meeting room, second floor, Evergreen Plaza Building, 711 Capitol Way, Olympia, Washington, unless circumstances require relocating to another site. If relocating is required, the meeting shall be held at a place designated by the executive director of the commission.

WAC 390-12-020 Purpose. [Order 9, § 390-12-020, filed 4/24/73.] Repealed by 80-02-106 (Order 80-02), filed 1/24/80. Statutory Authority: RCW 42.17.370(1).

WAC 390-12-030 Definitions. [Order 9, § 390-12-030, filed 4/24/73.] Repealed by 80-02-106 (Order 80-02), filed 1/24/80. Statutory Authority: RCW 42.17.370(1).

WAC 390-12-060 Public records available. [Order 9, § 390-12-060, filed 4/24/73.] Repealed by 80-02-106 (Order 80-02), filed 1/24/80. Statutory Authority: RCW 42.17.370(1).

WAC 390-12-070 Public records officer. [Order 9, § 390-12-070, filed 4/24/73.] Repealed by 80-02-106 (Order 80-02), filed 1/24/80. Statutory Authority: RCW 42.17.370(1).

WAC 390-12-090 Requests for public records. [Order 9, § 390-12-090, filed 4/24/73.] Repealed by 80-02-106 (Order 80-02), filed 1/24/80. Statutory Authority: RCW 42.17.370(1).

WAC 390-12-100 Copying. [Order 9, § 390-12-100, filed 4/24/73.] Repealed by 80-02-106 (Order 80-02), filed 1/24/80. Statutory Authority: RCW 42.17.370(1).

WAC 390-12-110 Exemptions. [Order 9, § 390-12-110, filed 4/24/73.] Repealed by 80-02-106 (Order 80-02), filed 1/24/80. Statutory Authority: RCW 42.17.370(1).

WAC 390-12-120 Review of denial of public records requests. [Order 9, § 390-12-120, filed 4/24/73.] Repealed by 80-02-106 (Order 80-02), filed 1/24/80. Statutory Authority: RCW 42.17.370(1).

WAC 390-12-140 Records index. [Order 9, § 390-12-140, filed 4/24/73.] Repealed by 80-02-106 (Order 80-02), filed 1/24/80. Statutory Authority: RCW 42.17.370(1).

WAC 390-12-150 Public disclosure commission—Communications. [Order 62, § 390-12-150, filed 8/26/75; Order 42, § 390-12-150, filed 9/26/74; Order 9, § 390-12-150, filed 4/24/73; Repealed by 85-15-020 (Order 85-03), filed 7/9/85. Statutory Authority: RCW 42.17.370(1).]

WAC 390-12-160 Adoption of form. [Order 9, § 390-12-160 and Form, filed 4/24/73; Repealed by 80-02-106 (Order 80-02), filed 1/24/80. Statutory Authority: RCW 42.17.370(1).]

WAC 390-12-180 Public disclosure commission—Duties of officers. [Order 62, § 390-12-180, filed 8/26/75; Order 14, § 390-12-180, filed 7/31/73; Repealed by 85-15-020 (Order 85-03), filed 7/9/85. Statutory Authority: RCW 42.17.370(1).]

WAC 390-12-210 Public disclosure law—Duties of other agencies. [Order 62, § 390-12-210, filed 8/26/75; Order 14, § 390-12-210, filed 7/31/73; Repealed by 85-15-020 (Order 85-03), filed 7/9/85. Statutory Authority: RCW 42.17.370(1).]

WAC 390-12-250 Petitions for rule making, amendment or repeal—Form—Consideration—Disposition.

WAC 390-12-255 Petitions for rule making, amendment or repeal—Consideration—Disposition.

WAC 390-12-265 Petitions for review of denials of public records requests—Form—Consideration—Disposition.

WAC 390-12-270 Petitions for rule change, amendment or repeal—Form—Consideration—Disposition.

WAC 390-12-275 Petitions for review of rule making, amendment or repeal—Form—Consideration—Disposition.

WAC 390-12-300 Public disclosure commission—Executive director.

WAC 390-12-310 Public disclosure commission—Organization and structure—Officers—Terms.

WAC 390-12-340 Public disclosure commission—Elections—Vacancies.

WAC 390-12-350 Public disclosure commission—Communications.

WAC 390-12-370 Public disclosure commission—Review of denials of public records requests.

WAC 390-12-380 Public disclosure commission—Operations and procedures.
and on enforcement cases. All meetings are conducted in accordance with the Open Public Meetings Act (chapter 42.30 RCW) and the Administrative Procedure Act (chapter 34.05 RCW), and Sturgis Standard Code of Parliamentary Procedure. The passage of any motion adopting, amending or repealing any rule, or recommending changes to the act shall require a majority vote of the members of the commission as distinguished from a quorum of the commissioners.

4) The staff prepares and distributes reporting forms and instructions in the most practical manner to persons subject to the law. The instructions are intended to satisfy the requirement of RCW 42.17.360 to publish bookkeeping manuals. The staff also provides personal instruction and technical assistance to persons with specific problems and questions.

5) Between 45,000 and 55,000 reports are received during a calendar year from an average of 9,500 reporting "clients." The staff receives these reports, records their receipt, and microfilms and files them. Every effort is made to have reports filmed and available for public inspection and copying within twenty-four hours of their receipt.

6) Procedures for accessing the files of the agency are given in chapter 390-14 WAC. The staff will provide microfiche copies of reports when requested by mail or telephone. Reports are generally sent the same day the request is received. Answers to telephone inquiries seeking information from particular reports will be limited to (a) verification that a report is on file and (b), if regarding a campaign financing report, the most recent totals for contributions and expenditures.

7) While some citizens will benefit from the reports by personally reviewing them, most will look to the news media for information. The staff compiles occasional summaries and studies for distribution to news outlets. Known as "Reports to the Public," they provide a condensed mirror image of the information in reports filed with the commission.

8) The act demands complete, accurate and timely reporting. The commission, as a vehicle of communication between those engaged in political life and the general public, is expected to take whatever actions are necessary to assure the public of having the information it is entitled to; that the flow of communication is not interrupted by those responsible for providing the information. Within the resources provided the commission, reports are reviewed, field audits are conducted and complaints are investigated. The staff concentrates on assisting people in meeting their obligations under the law in hopes of fulfilling the purpose of the act without having to resort to enforcement actions resulting in embarrassment and monetary penalties. Gross negligence and evasions of the act will not be tolerated, however. Acting without fear or favor, the staff will bring to the commissioners for appropriate action all matters where there is evidence of a material violation of chapter 42.17 RCW and/or lack of substantial compliance.

[Statutory Authority: RCW 42.17.370. 93-19-034, § 390-12-170, filed 9/7/93, effective 10/8/93. Statutory Authority: RCW 42.17.370(1). 85-15-020 (Order 85-03), § 390-12-050, filed 7/9/85; 79-10-017 (Order 79-05), § 390-12-050, filed 9/7/79.]

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least five days notice of such meeting shall be provided to the petitioner.

(7) If an order is to be issued, the petitioner shall be provided a copy of the proposed order and invited to comment.

(8) The declaratory order cannot be a substitute for a compliance action and is intended to be prospective in effect.

(9) The commission will decline to consider a petition for a declaratory or to issue an order when (a) the petition requests advice regarding a factual situation which has actually taken place, or (b) when a pending investigation or compliance action involves a similar factual situation.

[Statutory Authority: RCW 42.17.370. 90-16-083, § 390-12-250, filed 7/31/90, effective 8/31/90. Statutory Authority: RCW 42.17.370(1). 85-15-020 (Order 85-03), § 390-12-250, filed 7/9/85; 81-18-043 (Order 81-03), § 390-12-250, filed 8/28/81.]

WAC 390-12-255 Petitions for rule making, amendment or repeal—Form—Consideration—Disposition.

Any person may submit a petition requesting the adoption, amendment or repeal of any rule by the commission, pursuant to RCW 34.05.330 and the uniform rules adopted by the office of financial management that are set forth in chapter 82-05 WAC.