

Chapter 390-13 WAC

GENERAL PROVISIONS RELATING TO PUBLIC RECORDS OF STATE AND LOCAL AGENCIES

WAC

390-13-010 Optional format for requests for lists of individuals.
390-13-100 Duties of elections officials receiving copies of campaign finance reports.

WAC 390-13-010 Optional format for requests for lists of individuals. The use of a list of individuals obtained from an agency for commercial purposes is prohibited by RCW 42.17.260. Therefore, the following format is adopted by the commission and authorized for use by agencies, at their option, to bring uniformity to the administration of that statute.

(Name of Agency) PUBLIC RECORDS ACCESS

STATE OF WASHINGTON }
 } ss. AFFIDAVIT TO
COUNTY OF _____ } RELEASE
 } PUBLIC RECORDS

(Name and Address)

having been duly sworn, deposes and says:

1. I have requested copies of the following public records:

2. I understand that Washington state law, RCW 42.17.-260, prohibits the use of lists of individuals for commercial purposes.

3. I understand that the use for commercial purposes of said records may also violate the rights of the individuals named therein and may subject me to liability for such commercial use.

4. I understand that section 2 or 3 herein apply when I use said records for commercial purposes and when others use said records or copies of same for commercial purposes. I understand that I may be liable in either case.

5. I understand that "commercial purposes" means that the person requesting the record intends that the list will be used to communicate with the individuals named in the record for the purpose of facilitating profit expecting activity.

6. Therefore, I do hereby swear and affirm on oath and under penalty of law that I will not use said records for commercial purposes and that further, it is my affirmative duty to prevent others from using said records for commercial purposes.

Signature _____

SUBSCRIBED AND SWORN to before me this _____ day of _____, 20 ____.

(9/24/10)

_____, Notary Public in and for the state of Washington residing at _____.

[Statutory Authority: RCW 42.17.370(1), 02-03-018, § 390-13-010, filed 1/4/02, effective 2/4/02; 00-22-057, § 390-13-010, filed 10/27/00, effective 11/27/00; 96-05-001, § 390-13-010, filed 2/7/96, effective 3/9/96; 83-11-004 (Order 83-01), § 390-13-010, filed 5/6/83.]

WAC 390-13-100 Duties of elections officials receiving copies of campaign finance reports. (1) Pursuant to RCW 42.17.375, when arranging, indexing, handling and providing access to reports filed with the county as required by chapter 42.17 RCW prior to June 10, 2010, county election officers shall adhere to the following:

(a) Each report on receipt shall be marked with the date (or some means of determining the date) the report was post-marked and/or the date on which it was received by the elections office.

(b) Files for these reports shall be maintained separate from all other reports and documents in the office and shall be arranged alphabetically by the name of the candidate or committee. Elections officers may segregate files into additional categories, if desired.

(c) Files may be maintained in paper or electronic form or on micrographics. If files are maintained in electronic form or on micrographics, equipment for viewing and reproducing reports on paper must be made available to the public.

(d) A separate, special index shall be maintained showing the name of each candidate or committee for whom reports are on file. The index need not list each report subsequently filed. The index shall be readily available for public inspection.

(e) Reports shall be placed in the files and available for public inspection by the end of the next business day following receipt.

(f) Mindful that the public's right to know of the financing of political campaigns is paramount, elections officials shall give priority attention to and promptly honor each request for public inspection of the campaign finance report files.

(2) Copies of reports must be maintained by elections officers for a period of at least six years, in accordance with RCW 42.17.450, and records retention schedules prepared pursuant to chapter 40.14 RCW.

(3) A description of the county's method of filing and indexing campaign finance reports shall be updated and sent to the public disclosure commission within thirty days of a revision to the filing and indexing system.

[Statutory Authority: RCW 42.17.370(1), 10-20-011, § 390-13-100, filed 9/24/10, effective 10/25/10; 02-03-018, § 390-13-100, filed 1/4/02, effective 2/4/02; 98-12-038, § 390-13-100, filed 5/28/98, effective 6/28/98; 85-15-020 (Order 85-03), § 390-13-100, filed 7/9/85; 83-17-138 (Order 83-02), § 390-13-100, filed 8/24/83.]