

**Chapter 133-20 WAC
PUBLIC RECORDS**

Last Update: 3/16/20

WAC

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DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

133-20-120 Adoption of form. [Statutory Authority: Chapter 43.160 RCW. WSR 95-24-086, § 133-20-120, filed 12/5/95, effective 1/5/96. Statutory Authority: RCW 43.116.050(8) [43.160.050(8)]. WSR 83-10-041 (Order 83-1), § 133-20-120, filed 5/2/83.] Repealed by WSR 20-07-074, filed 3/16/20, effective 4/16/20. Statutory Authority: RCW 43.160.050(8).

WAC 133-20-010 Purpose. The purpose of this chapter shall be to insure the compliance by the community economic revitalization board with state public records law chapter 42.56 RCW et seq.

[Statutory Authority: RCW 43.160.050(8). WSR 20-07-074, § 133-20-010, filed 3/16/20, effective 4/16/20. Statutory Authority: Chapter 43.160 RCW. WSR 95-24-086, § 133-20-010, filed 12/5/95, effective 1/5/96. Statutory Authority: RCW 43.116.050(8) [43.160.050(8)]. WSR 83-10-041 (Order 83-1), § 133-20-010, filed 5/2/83.]

WAC 133-20-020 Definitions. The following definitions shall apply to this chapter:

(1) "Board" means the community economic revitalization board, created pursuant to chapter 43.160 RCW, and shall also refer to the board's officers and staff, where appropriate.

(2) "Department" means the department of commerce.

[Statutory Authority: RCW 43.160.050(8). WSR 20-07-074, § 133-20-020, filed 3/16/20, effective 4/16/20. Statutory Authority: Chapter 43.160 RCW. WSR 95-24-086, § 133-20-020, filed 12/5/95, effective 1/5/96. Statutory Authority: RCW 43.116.050(8) [43.160.050(8)]. WSR 83-10-041 (Order 83-1), § 133-20-020, filed 5/2/83.]

WAC 133-20-030 Public records available. All public records of the board are deemed to be available for public inspection and copying, except as otherwise provided by RCW 42.56.070 and 42.56.210, as now or may hereafter be amended by WAC 133-20-090.

[Statutory Authority: RCW 43.160.050(8). WSR 20-07-074, § 133-20-030, filed 3/16/20, effective 4/16/20; WSR 83-10-041 (Order 83-1), § 133-20-030, filed 5/2/83.]

WAC 133-20-040 Public records officer. The board shall appoint a public records officer who shall be responsible for implementing the board's rules regarding disclosure of public records, coordination of

staff in this regard, and generally coordinating compliance by the staff and board with public records disclosure requirements per RCW 42.56.580.

[Statutory Authority: RCW 43.160.050(8). WSR 20-07-074, § 133-20-040, filed 3/16/20, effective 4/16/20. Statutory Authority: Chapter 43.160 RCW. WSR 95-24-086, § 133-20-040, filed 12/5/95, effective 1/5/96. Statutory Authority: RCW 43.116.050(8) [43.160.050(8)]. WSR 83-10-041 (Order 83-1), § 133-20-040, filed 5/2/83.]

WAC 133-20-050 Records index. The board will maintain and make available for public inspection and copying an index in accordance with RCW 42.56.070(5).

[Statutory Authority: RCW 43.160.050(8). WSR 20-07-074, § 133-20-050, filed 3/16/20, effective 4/16/20; WSR 83-10-041 (Order 83-1), § 133-20-050, filed 5/2/83.]

WAC 133-20-060 Office hours. Public records shall be available for inspection and copying during the department's normal office hours. For purposes of this chapter, normal office hours shall be from 8:00 a.m. to noon and from 1:00 p.m. to 5:00 p.m., Monday through Friday, excluding legal holidays.

[Statutory Authority: Chapter 43.160 RCW. WSR 95-24-086, § 133-20-060, filed 12/5/95, effective 1/5/96. Statutory Authority: RCW 43.116.050(8) [43.160.050(8)]. WSR 83-10-041 (Order 83-1), § 133-20-060, filed 5/2/83.]

WAC 133-20-070 Requests for public records. (1) Any person wishing to inspect or copy public records of the board may submit the request in writing to the board, attn: Public Disclosure Officer or via email at ChairCERBBoard@commerce.wa.gov. The request should include the following information:

- (a) Name of requestor;
- (b) Address of requestor;
- (c) Other contact information, including telephone number and email address;
- (d) Identification of the public records sought adequate for the public disclosure officer to locate the records; and
- (e) The date and time of day of the request.

(2) The public disclosure officer may accept public records requests by telephone or in person during the board's normal business hours. However, the requesting party may be asked to submit the request in writing or the public disclosure officer may confirm receipt of the request and restate the substance of the request in writing.

(3) Nothing in this chapter shall be construed to require the board to compile statistics or other information from material contained in public records where doing so would unduly interfere with other essential functions of the board and is not required for litigation by rules of pretrial discovery.

(4) Requests must be for identifiable records. A request for all, or substantially all, of the board's public records is not a valid request.

[Statutory Authority: RCW 43.160.050(8). WSR 20-07-074, § 133-20-070, filed 3/16/20, effective 4/16/20; WSR 83-10-041 (Order 83-1), § 133-20-070, filed 5/2/83.]

WAC 133-20-080 Copying. No fee shall be charged for the inspection of public records. The board may charge a fee of \$.15 per page for providing copies of public records, when copies of more than ten pages are provided, and for use of the department's copy equipment. This charge is the amount necessary to reimburse the department for its actual costs incident to such copying.

[Statutory Authority: RCW 43.160.050(8). WSR 20-07-074, § 133-20-080, filed 3/16/20, effective 4/16/20; WSR 83-10-041 (Order 83-1), § 133-20-080, filed 5/2/83.]

WAC 133-20-090 Exemptions. (1) The board reserves the right to determine that a public record requested is exempt, in whole or in part, under the provisions of chapter 42.56 RCW or other applicable provisions of law.

(2) In addition, there are exemptions outside the Public Records Act that restrict the availability of some documents held by the department for inspection and copying.

(3) All denials of requests for public records shall be accompanied by a written statement specifying the reason for the denial.

[Statutory Authority: RCW 43.160.050(8). WSR 20-07-074, § 133-20-090, filed 3/16/20, effective 4/16/20; WSR 83-10-041 (Order 83-1), § 133-20-090, filed 5/2/83.]

WAC 133-20-100 Review of denials of public records requests.

(1) Any person who objects to the denial of a request for public records may petition for prompt review of such decision by submitting 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) Following receipt of a written request for review of a decision denying a request for public records, the public records officer or other authorized staff member denying the request shall refer it to the executive committee. The executive committee shall immediately consider the matter and either affirm or reverse such denial. The request shall be returned with the final decision within two business days following receipt of the request for review.

[Statutory Authority: RCW 43.160.050(8). WSR 20-07-074, § 133-20-100, filed 3/16/20, effective 4/16/20. Statutory Authority: Chapter 43.160 RCW. WSR 95-24-086, § 133-20-100, filed 12/5/95, effective 1/5/96. Statutory Authority: RCW 43.116.050(8) [43.160.050(8)]. WSR 83-10-041 (Order 83-1), § 133-20-100, filed 5/2/83.]

WAC 133-20-110 Protection of public records. (1) No person shall knowingly alter, deface, or destroy public records of the board.

(2) Original copies of public records of the board shall not be removed from the premises where maintained.

(3) Care and safekeeping of public records furnished pursuant to a request for inspection or copying shall be the sole responsibility of the requestor.

(4) Records furnished for public inspection or copying shall be returned in good condition and in the same file sequence or organization as when furnished.

[Statutory Authority: RCW 43.160.050(8). WSR 20-07-074, § 133-20-110, filed 3/16/20, effective 4/16/20; WSR 83-10-041 (Order 83-1), § 133-20-110, filed 5/2/83.]