

**Chapter 417-06 WAC
THIRD-PARTY SUBMISSIONS**

Last Update: 8/24/21

WAC

| | |
|------------|--|
| 417-06-100 | Purpose. |
| 417-06-110 | Definitions. |
| 417-06-120 | Requirements applicable to all plans. |
| 417-06-130 | Format for formal or partial third-party plans. |
| 417-06-140 | Format for description of a community of interest. |
| 417-06-150 | Time and place of submissions. |
| 417-06-160 | Public access to third-party submissions. |
| 417-06-170 | Public rights in third-party submissions. |

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

| | |
|------------|--|
| 417-06-135 | Format for partial formal plans. [Statutory Authority: RCW 44.05.080(1). WSR 01-13-123, § 417-06-135, filed 6/20/01, effective 7/9/01.] Repealed by WSR 21-18-037, filed 8/24/21, effective 9/24/21. Statutory Authority: RCW 44.05.080(1), chapter 34.05 RCW, Article II, section 43 of the state Constitution and chapter 44.05 RCW. |
|------------|--|

WAC 417-06-100 Purpose. The commission encourages individuals and interest groups to submit proposed redistricting plans and descriptions of recognized communities of interest to the commission. The purpose of this chapter is to establish methods by which such plans and descriptions may be submitted to the commission.

[Statutory Authority: RCW 44.05.080(1), chapter 34.05 RCW, Article II, section 43 of the state Constitution and chapter 44.05 RCW. WSR 21-18-037, § 417-06-100, filed 8/24/21, effective 9/24/21. Statutory Authority: RCW 44.05.080(1). WSR 91-20-006, § 417-06-100, filed 9/19/91, effective 10/20/91.]

WAC 417-06-110 Definitions. As used in this chapter:

(1) All words and phrases defined in chapter one of this title (WAC 417-01-120) and RCW 44.05.020 shall have the same meaning for the purposes of this chapter.

(2) "Commission plan" means a proposed plan of redistricting, including any amendment to a proposed plan of redistricting, that is submitted to the commission by a commissioner, or by the chair or the staff of the commission. It also means a plan of redistricting, including any amendment to a proposed plan of redistricting, that is prepared by or at the direction of one or more of the commissioners.

(3) "Formal third-party plan" means a redistricting plan other than a commission plan that meets the requirements of WAC 417-06-130 and that covers all of the territory of the state, or that covers at least all of the territory of the state that lies to the east of, or to the west of, the crest of the Cascade range.

(4) "Partial third-party plan" means a plan other than a commission plan that would qualify as a formal third-party plan except that it covers a smaller geographical area than a formal third-party plan.

(5) "Description of a community of interest" means a written, graphic, audio or video file submitted by an individual or interest group other than the commission that explains or portrays an area or areas that make up a recognized community of interest.

(6) "Third-party comment" means a written, graphic, audio or video proposal for an amendment to a commission plan or a third-party plan, submitted to the commission by an individual or interest group other than the commissioners or the chair or staff of the commission.

A third-party comment may be a formal third-party plan, a partial third-party plan, or a description of a community of interest.

[Statutory Authority: RCW 44.05.080(1), chapter 34.05 RCW, Article II, section 43 of the state Constitution and chapter 44.05 RCW. WSR 21-18-037, § 417-06-110, filed 8/24/21, effective 9/24/21. Statutory Authority: RCW 44.05.080(1). WSR 01-13-123, § 417-06-110, filed 6/20/01, effective 7/9/01; WSR 91-20-006, § 417-06-110, filed 9/19/91, effective 10/20/91.]

WAC 417-06-120 Requirements applicable to all plans. The commission is required to adhere to the constitutional and statutory requirements applicable to redistricting plans. Therefore, any plan submitted to the commission must also adhere to the requirements applicable to commission plans, in art. 2, sec. 43 of the Constitution of the state of Washington and RCW 44.05.090. Copies of these constitutional and statutory provisions shall be made available from the commission.

[Statutory Authority: RCW 44.05.080(1). WSR 01-13-123, § 417-06-120, filed 6/20/01, effective 7/9/01; WSR 91-20-006, § 417-06-120, filed 9/19/91, effective 10/20/91.]

WAC 417-06-130 Format for formal or partial third-party plans.

(1) Any third-party plan submitted to the commission shall be submitted electronically in the following formats:

(a) A text file format containing polygon identification and polygon district assignment columns; or

(b) A shape file or geodatabase; or

(c) A submission from the MyDistricting tool on the website.

(2) Instructions to users for submission of formal or partial third-party plans, of descriptions of a community of interest, or of a third-party amendment shall be posted on the commission website (www.redistricting.wa.gov), and made available free of charge from the commission.

(3) The commission shall post census and geographic data on the commission website (www.redistricting.wa.gov).

(4) A formal or partial third-party plan submission shall be based upon current and official Census Bureau geography and Public Law 94-171 file unique block identity code of state, county, tract, and block.

(5) Individuals and groups submitting formal or partial third-party plans shall supplement their submissions with the following information: Name, address, and email address (if available) of a contact person; a narrative explanation of the plan's conformity with the constitutional and statutory requirements identified in WAC 417-06-120; and a description of the original source materials and data used for the submission. They may also include with the formal or partial third-party plan such other supporting materials and data as they deem appropriate.

[Statutory Authority: RCW 44.05.080(1), chapter 34.05 RCW, Article II, section 43 of the state Constitution and chapter 44.05 RCW. WSR 21-18-037, § 417-06-130, filed 8/24/21, effective 9/24/21. Statutory Authority: RCW 44.05.080(2). WSR 11-15-010, § 417-06-130, filed 7/7/11, effective 8/7/11. Statutory Authority: RCW 44.05.080(1). WSR

01-13-123, § 417-06-130, filed 6/20/01, effective 7/9/01; WSR 91-20-006, § 417-06-130, filed 9/19/91, effective 10/20/91.]

WAC 417-06-140 Format for description of a community of interest. Individuals and interest groups submitting description of a community of interest to the commission may use the following formats:

(1) By sending through the commission website (www.redistricting.wa.gov) a video file, a written comment, or map drawn using the MyDistricting tool; or

(2) By sending an email to the commission's comment box, comment@redistricting.wa.gov; or

(3) By leaving a voicemail message on the commission's comment telephone line, 360-524-4390; or

(4) By sending a written comment, drawn map, or video or audio file to P.O. Box 40948, Olympia, Washington 98504-0948.

[Statutory Authority: RCW 44.05.080(1), chapter 34.05 RCW, Article II, section 43 of the state Constitution and chapter 44.05 RCW. WSR 21-18-037, § 417-06-140, filed 8/24/21, effective 9/24/21. Statutory Authority: RCW 44.05.080(1). WSR 01-13-123, § 417-06-140, filed 6/20/01, effective 7/9/01; WSR 91-20-006, § 417-06-140, filed 9/19/91, effective 10/20/91.]

WAC 417-06-150 Time and place of submissions. Early submission of description of communities of interest is encouraged. All submissions and supporting materials should be mailed to the commission's office in Olympia, electronically mailed to the commission's comment inbox (comment@redistricting.wa.gov) or posted on the website, or left as a voicemail message at the commission's comment line at 360-524-4390. Submissions made to a specific commissioner or staff member may not reach the entire commission.

[Statutory Authority: RCW 44.05.080(1), chapter 34.05 RCW, Article II, section 43 of the state Constitution and chapter 44.05 RCW. WSR 21-18-037, § 417-06-150, filed 8/24/21, effective 9/24/21. Statutory Authority: RCW 44.05.080(2). WSR 11-15-010, § 417-06-150, filed 7/7/11, effective 8/7/11. Statutory Authority: RCW 44.05.080(1). WSR 01-13-123, § 417-06-150, filed 6/20/01, effective 7/9/01; WSR 91-20-006, § 417-06-150, filed 9/19/91, effective 10/20/91.]

WAC 417-06-160 Public access to third-party submissions. Any third-party submission to the commission, together with any supporting materials or data submitted in connection therewith, will be a public document, subject to inspection and copying in compliance with the commission's rules with respect to public records (chapter 417-02 WAC).

[Statutory Authority: RCW 44.05.080(1), chapter 34.05 RCW, Article II, section 43 of the state Constitution and chapter 44.05 RCW. WSR 21-18-037, § 417-06-160, filed 8/24/21, effective 9/24/21. Statutory Authority: RCW 44.05.080(1). WSR 91-20-006, § 417-06-160, filed 9/19/91, effective 10/20/91.]

WAC 417-06-170 Public rights in third-party submissions. Any third-party submission to the commission shall be deemed for all purposes a release and waiver, and an unconditional assignment to the state, of any proprietary or ownership rights therein, and in any materials or data submitted in connection therewith. The commission, the state supreme court, and any other person or entity shall have the free and unrestricted right to make any use whatever, without any charge (except for copying charges that may be assessed by the commission in response to public records requests for plans, under WAC 417-06-160 and chapter 417-02 WAC) and free of any trademark, copyright or similar restriction, of all or any part of any such third-party plan, and any such materials or data.

[Statutory Authority: RCW 44.05.080(1), chapter 34.05 RCW, Article II, section 43 of the state Constitution and chapter 44.05 RCW. WSR 21-18-037, § 417-06-170, filed 8/24/21, effective 9/24/21. Statutory Authority: RCW 44.05.080(1). WSR 01-13-123, § 417-06-170, filed 6/20/01, effective 7/9/01; WSR 91-20-006, § 417-06-170, filed 9/19/91, effective 10/20/91.]