

Title 390 WAC

PUBLIC DISCLOSURE COMMISSION

Chapters

- 390-05** General policies and definitions.
- 390-12** Administrative procedures.
- 390-14** Access to public records.
- 390-16** Forms for campaign financing reporting—Contributions.
- 390-20** Forms for lobbying reports, elected officials and legislators.
- 390-24** Forms for reports of financial affairs.
- 390-28** Hardship exemptions—Hearing examiner system.
- 390-32** Fair campaign practices code.
- 390-37** Enforcement procedures—Investigative hearings.

DISPOSITION OF CHAPTERS FORMERLY CODIFIED IN THIS TITLE

Chapter 390-04

POLICY AND ENFORCEMENT REGULATIONS

- | | |
|---|---|
| <p>390-04-010 Purpose. [Order 9, § 390-04-010, filed 4/24/73.] Repealed by 78-09-076 (Order 101), filed 8/28/78. Statutory Authority: RCW 42.17.370(1).</p> <p>390-04-020 General administrative policy. [Order 9, § 390-04-020, filed 4/24/73.] Repealed by 78-09-076 (Order 101), filed 8/28/78. Statutory Authority: RCW 42.17.370(1).</p> <p>390-04-030 Definitions. [Order 9, § 390-04-030, filed 4/24/73.] Repealed by 78-09-076 (Order 101), filed 8/28/78. Statutory Authority: RCW 42.17.370(1).</p> <p>390-04-031 Definition of term "other expenses." [Order 19, § 390-04-031, filed 10/29/73.] Repealed by 78-09-076 (Order 101), filed 8/28/78. Statutory Authority: RCW 42.17.370(1).</p> <p>390-04-035 Definition of direct financial interest. [Order 19, § 390-04-035, filed 10/29/73.] Repealed by 78-09-076 (Order 101), filed 8/28/78. Statutory Authority: RCW 42.17.370(1).</p> <p>390-04-036 Definition of debt. [Order 26, § 390-04-036, filed 2/21/74.] Repealed by 78-09-076 (Order 101), filed 8/28/78. Statutory Authority: RCW 42.17.370(1).</p> <p>390-04-037 Contribution—Defined. [Order 34, § 390-04-037, filed 8/28/74.] Repealed by 78-09-076 (Order 101), filed 8/28/78. Statutory Authority: RCW 42.17.370(1).</p> <p>390-04-038 "Aggregate" defined. [Order 61, § 390-04-038, filed 7/16/75.] Repealed by 78-09-076 (Order 101), filed 8/28/78. Statutory Authority: RCW 42.17.370(1).</p> <p>390-04-040 Use of office facilities. [Order 9, § 390-04-040, filed 4/24/73.] Repealed by 78-09-076 (Order 101), filed 8/28/78. Statutory Authority: RCW 42.17.370(1).</p> <p>390-04-050 Enforcement policy. [Order 9, § 390-04-050, filed 4/24/73.] Repealed by 78-09-076 (Order 101), filed 8/28/78. Statutory Authority: RCW 42.17.370(1).</p> <p>390-04-060 Lobbyist's employer—Meaning—Examples. [Order 9, § 390-04-060, filed 4/24/73.] Repealed by 78-09-076 (Order 101), filed 8/28/78. Statutory Authority: RCW 42.17.370(1).</p> <p>390-04-070 Effect of Public Disclosure Act—Freedom of communication—Employer interference. [Order 9, §</p> | <p>390-04-070, filed 4/24/73.] Repealed by 78-09-076 (Order 101), filed 8/28/78. Statutory Authority: RCW 42.17.370(1).</p> <p>390-04-080 List of elected public officials. [Order 9, § 390-04-080, filed 4/24/73.] Repealed by 78-09-076 (Order 101), filed 8/28/78. Statutory Authority: RCW 42.17.370(1).</p> <p>390-04-090 List of elected public officials—Responsibility for developing. [Order 9, § 390-04-090, filed 4/24/73.] Repealed by 78-09-076 (Order 101), filed 8/28/78. Statutory Authority: RCW 42.17.370(1).</p> <p>390-04-100 List of elected public officials—Name not on list, impact. [Order 9, § 390-04-100, filed 4/24/73.] Repealed by 78-09-076 (Order 101), filed 8/28/78. Statutory Authority: RCW 42.17.370(1).</p> <p>390-04-110 Public Disclosure Act—Violation of other law. [Order 13, § 390-04-110, filed 7/31/73.] Repealed by 78-09-076 (Order 101), filed 8/28/78. Statutory Authority: RCW 42.17.370(1).</p> <p>390-04-120 Hearing to suspend reporting requirements. [Order 13, § 390-04-120, filed 7/31/73.] Repealed by Order 24, filed 2/21/74.</p> <p>390-04-130 Hearing to suspend reporting requirements—Application for exemption—Hearing. [Order 20, § 390-04-130, filed 10/29/73; Order 13, § 390-04-130, filed 7/31/73.] Repealed by Order 24, filed 2/21/74.</p> <p>390-04-140 Public Disclosure Act—Required findings. [Order 13, § 390-04-140, filed 7/31/73.] Repealed by 78-09-076 (Order 101), filed 8/28/78. Statutory Authority: RCW 42.17.370(1).</p> <p>390-04-150 Public Disclosure Act—Prima facie qualifications. [Order 13, § 390-04-150, filed 7/31/73.] Repealed by 78-09-076 (Order 101), filed 8/28/78. Statutory Authority: RCW 42.17.370(1).</p> <p>390-04-160 Written sworn statement. [Order 13, § 390-04-160, filed 7/31/73.] Repealed by 78-09-076 (Order 101), filed 8/28/78. Statutory Authority: RCW 42.17.370(1).</p> <p>390-04-170 Campaign financing—Special reports. [Order 13, § 390-04-170, filed 7/31/73.] Repealed by 78-09-076 (Order 101), filed 8/28/78. Statutory Authority: RCW 42.17.370(1).</p> <p>390-04-180 Campaign financing—Time for filing. [Order 13, § 390-04-180, filed 7/31/73.] Repealed by 78-09-076 (Order 101), filed 8/28/78. Statutory Authority: RCW 42.17.370(1).</p> <p>390-04-190 Campaign financing—Encouraging expenditures to avoid contributions—Result. [Order 13, § 390-04-190, filed 7/31/73.] Repealed by 78-09-076 (Order 101), filed 8/28/78. Statutory Authority: RCW 42.17.370(1).</p> <p>390-04-200 Abbreviated campaign reporting—Campaigns for public office involving \$1,000 or less. [Order 61, § 390-04-200, filed 7/16/75; Order 13, § 390-04-200, filed 7/31/73.] Repealed by 78-09-076 (Order 101), filed 8/28/78. Statutory Authority: RCW 42.17.370(1).</p> <p>390-04-210 Abbreviated campaign reporting—Ballot propositions. [Order 61, § 390-04-210, filed 7/16/75; Order 13, § 390-04-210, filed 7/31/73.] Repealed by 78-09-076 (Order 101), filed 8/28/78. Statutory Authority: RCW 42.17.370(1).</p> <p>390-04-215 Abbreviated campaign reporting—Conditions for granting use. [Order 61, § 390-04-215, filed</p> |
|---|---|

- 7/16/75.] Repealed by 78-09-076 (Order 101), filed 8/28/78. Statutory Authority: RCW 42.17.370(1).
- 390-04-220 Exemptions—Conditions for granting. [Order 13, § 390-04-220, filed 7/31/73.] Repealed by 78-09-076 (Order 101), filed 8/28/78. Statutory Authority: RCW 42.17.370(1).
- 390-04-225 Abbreviated campaign reporting—Times and place for filing reports C-1 and C-4 under \$1,000 exemption. [Order 61, § 390-04-225, filed 7/16/75.] Repealed by 78-09-076 (Order 101), filed 8/28/78. Statutory Authority: RCW 42.17.370(1).
- 390-04-230 Abbreviated campaign reporting—Exceeding limitations. [Order 61, § 390-04-230, filed 7/16/75; Order 13, § 390-04-230, filed 7/31/73.] Repealed by 78-09-076 (Order 101), filed 8/28/78. Statutory Authority: RCW 42.17.370(1).
- 390-04-240 Minimum limit on campaign expenditures. [Order 13, § 390-04-240, filed 7/31/73.] Repealed by 78-09-076 (Order 101), filed 8/28/78. Statutory Authority: RCW 42.17.370(1).
- 390-04-250 Expenditures—Aggregate totals. [Order 13, § 390-04-250, filed 7/31/73.] Repealed by 78-09-076 (Order 101), filed 8/28/78. Statutory Authority: RCW 42.17.370(1).
- 390-04-260 Lobbyists registration and reporting—Timing. [Order 25, § 390-04-260, filed 2/21/74.] Repealed by 78-09-076 (Order 101), filed 8/28/78. Statutory Authority: RCW 42.17.370(1).
- 390-04-270 Report of contributions and expenditures—C-4—Reporting requirement. [Order 25, § 390-04-270, filed 2/21/74.] Repealed by 78-09-076 (Order 101), filed 8/28/78. Statutory Authority: RCW 42.17.370(1).
- 390-04-280 Time of filing F-1—RCW 42.17.240. [Order 26, § 390-04-280, filed 2/21/74.] Repealed by 78-09-076 (Order 101), filed 8/28/78. Statutory Authority: RCW 42.17.370(1).
- 390-04-290 Candidates for public office—Time of filing. [Order 32, § 390-04-290, filed 7/19/74.] Repealed by 78-09-076 (Order 101), filed 8/28/78. Statutory Authority: RCW 42.17.370(1).

Chapter 390-36

COMPLIANCE HEARING PROCEDURES

- 390-36-010 Compliance hearings—Findings of fact, alleged violations, public disclosure commission policy. [Order 62, § 390-36-010, filed 8/26/75; Order 58, § 390-36-010, filed 7/16/75.] Repealed by Order 81, filed 7/22/76 and by Order 84, filed 8/18/76.
- 390-36-020 Compliance hearings policy. [Order 62, § 390-36-020, filed 8/26/75; Order 58, § 390-36-020, filed 7/16/75.] Repealed by Order 81, filed 7/22/76 and by Order 84, filed 8/18/76.
- 390-36-024 Definition—Compliance hearing officer. [Order 67, § 390-36-024, filed 1/16/76.] Repealed by Order 81, filed 7/22/76 and by Order 84, filed 8/18/76.
- 390-36-030 Compliance hearings—Invitation to appear, representative notice. [Order 62, § 390-36-030, filed 8/26/75; Order 58, § 390-36-030, filed 7/16/75.] Repealed by Order 81, filed 7/22/76 and by Order 84, filed 8/18/76.
- 390-36-040 Compliance hearings—Alleged violations—Subpoenas. [Order 62, § 390-36-040, filed 8/26/75; Order 58, § 390-36-040, filed 7/16/75.] Repealed by Order 81, filed 7/22/76 and by Order 84, filed 8/18/76.
- 390-36-050 Compliance hearings—Procedures. [Order 62, § 390-36-050, filed 8/26/75; Order 58, § 390-36-050, filed 7/16/75.] Repealed by Order 81, filed 7/22/76 and by Order 84, filed 8/18/76.
- 390-36-055 Compliance hearings—Hearing officer. [Order 67, § 390-36-055, filed 1/16/76.] Repealed by Order 81, filed 7/22/76 and by Order 84, filed 8/18/76.
- 390-36-060 Compliance hearings—Continuances. [Order 62, § 390-36-060, filed 8/26/75; Order 58, § 390-36-060,

- filed 7/16/75.] Repealed by Order 81, filed 7/22/76 and by Order 84, filed 8/18/76.
- 390-36-070 Compliance hearings—Disposition—Findings. [Order 62, § 390-36-070, filed 8/26/75; Order 58, § 390-36-070, filed 7/16/75.] Repealed by Order 81, filed 7/22/76 and by Order 84, filed 8/18/76.

Chapter 390-05 WAC

GENERAL POLICIES AND DEFINITIONS

WAC

- 390-05-010 Purpose.
- 390-05-020 General administrative policy.
- 390-05-040 Public Disclosure Act—Violation of other law.
- 390-05-050 Commission status under SEPA.
- 390-05-200 Definition—Candidates for public office—Time of filing.
- 390-05-205 Definition of term "consumable".
- 390-05-210 Definition—Contribution.
- 390-05-220 Definition—Consideration.
- 390-05-230 Definition—Elected official.
- 390-05-235 Definition—Fair market value.
- 390-05-240 Definition—Person.
- 390-05-250 Definition—Public Disclosure Commission.
- 390-05-260 Definition—Public record.
- 390-05-271 General applications of RCW 42.17.130.
- 390-05-273 Definition of normal and regular conduct.
- 390-05-280 Definition—Writing.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

- 390-05-030 Enforcement policy. [Order 62, § 390-05-030, filed 8/26/75.] Repealed by Order 72, filed 4/26/76.
- 390-05-270 Definition—Use of facilities. [Order 62, § 390-05-270, filed 8/26/75.] Repealed by 79-02-056 (Order 79-01), filed 1/31/79. Statutory Authority: RCW 42.17.370(1).

WAC 390-05-010 Purpose. The purpose of these regulations is to implement the provisions of chapter 42-17 RCW (Initiative 276), hereinafter referred to as the Public Disclosure Act or Act, by declaring the policies of the commission, particularly with regard to the interpretation and enforcement of the act by the commission. [Order 62, § 390-05-010, filed 8/26/75.]

WAC 390-05-020 General administrative policy. Whereas the Public Disclosure Act was adopted by the people for the general betterment of local and state government, it shall be the policy of the Public Disclosure Commission to carry out and effectuate that policy to the full extent of its delegated powers, through efficient administration, appropriate regulations and rulings, and through strict, vigorous, uniform and fair enforcement of the provisions of the Act. [Order 62, § 390-05-020, filed 8/26/75.]

WAC 390-05-040 Public Disclosure Act—Violation of other law. No provision of chapter 42.17 RCW (Initiative 276) shall be construed in such a manner as to require any person to act or refrain from acting where such action or nonaction would violate any provision of the state or federal constitution or any federal law. [Order 62, § 390-05-040, filed 8/26/75.]

WAC 390-05-050 Commission status under SEPA.

(1) The Public Disclosure Commission recognizes its responsibilities under RCW 43.21C.120 to adopt rules pertaining to the State Environmental Policy Act (SEPA) as that act relates to activities under the commission's jurisdiction. The commission has reviewed SEPA and its own programs and concludes that all actions which the commission is authorized to undertake are exempt by virtue of WAC 197-10-040(2), WAC 197-10-150 through 197-10-190. The commission, as an administrative agency, has statutory authority for information gathering, recordkeeping, and investigative and hearing procedures with respect to elected officials, candidates, political committees, and persons and entities involved in lobbying activities. None of these activities are potentially subject to the environmental impact statement requirements of RCW 43.21C.030.

(2) In accordance with WAC 197-10-800(4), the commission adopts this statement in compliance with the requirements of chapter 43.21C RCW. [Order 77, § 390-05-050, filed 6/2/76.]

WAC 390-05-200 Definition--Candidates for public office--Time of filing. The following circumstances shall give rise to presumption that an individual is a "candidate" as that term is defined in RCW 42.17.020(5):

(a) The existence of a political committee promoting the election of such individual for public office with the knowledge of that individual; or,

(b) A public declaration of candidacy by an individual even if the candidacy is conditioned on a future occurrence. [Order 62, § 390-05-200, filed 8/26/75.]

WAC 390-05-205 Definition of term "consumable". For the purpose of RCW 42.17.020(8) the term "consumables" includes the amount paid for food, beverages, preparation or catering, entertainment cost or fair market value of items sold, raffled, or given as prizes. [Order 63, § 390-05-205, filed 9/10/75.]

WAC 390-05-210 Definition--Contribution. The term "contribution" as defined in RCW 42.17.020(8) shall be deemed to include, amount other things, furnishing services or property or rights on a discriminatory basis or at less than their fair market value, for the purpose of assisting any candidate or political committee. In the case of services or property or rights having no other fixed or determinable market value, the value of such contribution shall be determined by estimating if possible, the difference in cost of achieving the same result with or without the use of such services or property. If no reasonable estimate of the value of such services, property or rights is practicable, it shall be sufficient to report instead a precise description of such services, property or rights so furnished. [Order 62, § 390-05-210, filed 8/26/75.]

WAC 390-05-220 Definition--Consideration. The term "consideration" as used in the Act and in these regulations shall be deemed to include anything of value

promised or paid or transferred in return for a person's services rendered or to be rendered, including but not limited to reimbursement for traveling or other expenses. [Order 62, § 390-05-220, filed 8/26/75.]

WAC 390-05-230 Definition--Elected official. "Elected official" means any person elected at a general or special election for public office, and any person appointed to fill a vacancy in any such office. [Order 62, § 390-05-230, filed 8/26/75.]

WAC 390-05-235 Definition--Fair market value. "Fair market value" or "value" when used in the act or regulation is the amount in cash which a well-informed buyer or lessee, willing but not obligated to buy or lease that property, would pay, and which a well-informed seller, or lessor, willing but not obligated to sell or lease it, would accept, taking into consideration all uses to which the property is adapted and might in reason be applied. [Statutory Authority: RCW 42.17.370(1). 79-08-046 (Order 79-03), § 390-05-235, filed 7/19/79.]

WAC 390-05-240 Definition--Person. The term "person", for the purposes of these regulations, shall include but shall not be limited to individuals, partnerships, public and private corporations, associations, and other governmental and business or legal entities. [Order 62, § 390-05-240, filed 8/26/75.]

WAC 390-05-250 Definition--Public Disclosure Commission. The "Public Disclosure Commission" is the commission appointed by the Governor pursuant to RCW 42.17.350. The Public Disclosure Commission shall hereinafter be referred to as the commission. Where appropriate, the term "commission" also refers to the staff and employees of the commission. [Order 62, § 390-05-250, filed 8/26/75.]

WAC 390-05-260 Definition--Public record. "Public record" includes any writing containing information relating to the conduct of governmental or the performance of any governmental or proprietary function prepared, owned, used or retained by any state or local agency regardless of physical form or characteristics. [Order 62, § 390-05-260, filed 8/26/75.]

WAC 390-05-271 General applications of RCW 42.17.130. (1) RCW 42.17.130 does not restrict the right of any individual to express his or her own personal views concerning, supporting, or opposing any candidate or ballot proposition, if such expression does not involve a use of the facilities of a public office or agency.

(2) RCW 42.17.130 does not prevent a public office or agency from (a) making facilities available on a non-discriminatory, equal access basis for political uses or (b) making an objective and fair presentation of facts relevant to a ballot proposition, if such action is part of the normal and regular conduct of the office or agency. [Statutory Authority: RCW 42.17.370(1). 80-02-055 (Order 80-01), § 390-05-271, filed 1/17/80; 79-02-056 (Order 79-01), § 390-05-271, filed 1/31/79.]

WAC 390-05-273 Definition of normal and regular conduct. Normal and regular conduct of a public office or agency, as that term is used in the proviso to RCW 42.17.130, means conduct which is (1) lawful, i.e., specifically authorized, either expressly or by necessary implication, in an appropriate enactment, and (2) usual, i.e., not effected or authorized in or by some extraordinary means or manner. No local office or agency may authorize a use of public facilities for the purpose of assisting a candidate's campaign or promoting or opposing a ballot proposition, in the absence of a constitutional, charter, or statutory provision separately authorizing such use. [Statutory Authority: RCW 42.17.370(1). 79-02-056 (Order 79-01), § 390-05-273, filed 1/31/79.]

WAC 390-05-280 Definition—Writing. "Writing" means handwriting, typewriting, printing, photostating, photographing, and every other means of recording any form of communication or representation, including letters, words, pictures, sounds, or symbols, or combination thereof, and all papers, maps, magnetic or paper tapes, photographic films and prints, magnetic or punched cards, discs, drums, and other documents. [Order 62, § 390-05-280, filed 8/26/75.]

Chapter 390-12 WAC ADMINISTRATIVE PROCEDURES

WAC

390-12-010	Public Disclosure Commission—Regular meetings.
390-12-040	Public Disclosure Commission—Description of central and field organization.
390-12-050	Operations and procedures.
390-12-150	Public Disclosure Commission—Communications.
390-12-170	Public Disclosure Commission—Organization and structure—Officers—Terms.
390-12-180	Public Disclosure Commission—Duties of officers.
390-12-190	Public Disclosure Commission—Elections—Vacancies.
390-12-200	Public Disclosure Commission—Administrator.
390-12-210	Public Disclosure Law—Duties of other agencies.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

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).
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).
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).
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).
390-12-080	Office hours. [Order 9, § 390-12-080, filed 4/24/73.] Repealed by 80-02-106 (Order 80-02), filed 1/24/80. Statutory Authority: RCW 42.17.370(1).
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).

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).
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).
390-12-120	Review of denials 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).
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).
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 390-12-010 Public Disclosure Commission—Regular meetings. Pursuant to section 7, chapter 250, Laws of 1971 ex. sess. and RCW 42.30.070, regular meetings of the Public Disclosure Commission shall be held on the fourth Tuesday of each calendar month beginning at 9:00 a.m. Such meeting shall be held at a place designated by the chairman of the commission. If the fourth Tuesday falls on a legal holiday, the regular meeting shall be held on the third Tuesday of that month. [Statutory Authority: RCW 42.17.370(1). 80-06-119 (Order 80-06), § 390-12-010, filed 5/30/80; 79-10-070 (Order 79-06), § 390-12-010, filed 9/19/79; Order 62, § 390-12-010, filed 8/26/75; Order 14, § 390-12-010, filed 7/31/73.]

WAC 390-12-040 Public Disclosure Commission—Description of central and field organization. (1) The Public Disclosure Commission is a five member commission appointed by the Governor with the consent of the Senate. The Administrative Office of the Commission and its staff are located at Public Disclosure Commission, Room 403, Evergreen Plaza Building, Olympia, Washington. [Order 62, § 390-12-040, filed 8/26/75; Order 42, § 390-12-040, filed 9/26/74; Order 9, § 390-12-040, filed 4/24/73.]

WAC 390-12-050 Operations and procedures. (1) The Public Disclosure Commission was created by the passage of Initiative 276 in 1972 for the principal purpose of providing the public with accurate information about certain financial affairs of candidates and elected officials, about the financing of election campaigns, and about expenditures made in the course of lobbying. The initiative also contains provisions guaranteeing citizen access to most records of most elements of state and local government.

(2) The duties, responsibilities and powers of the commission are set forth in RCW 42.17.360, 42.17.370, 42.17.395 and 42.17.397. Provisions for establishing the commission and appointing the members thereof are stated in RCW 42.17.350.

(3) Commissioners meet monthly to consider and act on major policy matters, on requests for reporting modifications 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 34.04 RCW and chapter 1.08 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. They provide personal instruction and technical assistance to persons with specific problems and questions.

(5) Between 35,000 and 45,000 reports are received during a calendar year from approximately 11,000 reporting "clients." The staff receives these reports, records their receipt, microfilms and files them. Every effort is made to have reports filed 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 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 limited 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 negligence and/or evasion is indicated. [Statutory Authority: RCW 42.17.370(1). 79-10-017 (Order 79-05), § 390-12-050, filed 9/7/79.]

WAC 390-12-150 Public Disclosure Commission--Communications. All communications with the commission including but not limited to the submission of materials pertaining to its operations and/or the

administration or enforcement of chapter 42.17 RCW and these rules; requests for copies of the commission's decisions and other matters, shall be addressed as follows: c/o Public Records Officer, Room 403, Evergreen Plaza Building, Olympia, Washington. [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.]

WAC 390-12-170 Public Disclosure Commission--Organization and structure--Officers--Terms. The officers of the Public Disclosure Commission for administrative purposes shall be chairman, vice-chairman and secretary. Their terms shall be one year and until a successor is elected and qualified. [Order 62, § 390-12-170, filed 8/26/75; Order 14, § 390-12-170, filed 7/31/73.]

WAC 390-12-180 Public Disclosure Commission--Duties of officers. The chairman shall be nominal head of the commission, and shall preside at all of the commission's meetings. In addition, the chairman shall coordinate the activities of all employees and assistants of the commission in interims between meetings. The vice-chairman shall act as chairman in the chairman's absence. The secretary shall see that all minutes and other records of the commission are properly and accurately made and kept. [Order 62, § 390-12-180, filed 8/26/75; Order 14, § 390-12-180, filed 7/31/73.]

WAC 390-12-190 Public Disclosure Commission--Elections--Vacancies. Elections to fill commission offices shall be held annually at the regular June meeting of the commission, or at a special election called for that purpose between May 1 and June 30 of the calendar year in which the new terms will commence. Vacancies in said offices may be filled by a vote of the commission at any regular meeting or any special meeting called for that purpose. [Order 62, § 390-12-190, filed 8/26/75; Order 14, § 390-12-190, filed 7/31/73.]

WAC 390-12-200 Public Disclosure Commission--Administrator. The commission shall employ and fix the compensation of an administrator who shall perform the following duties under the general authority and supervision of the commission:

(1) Act as records officer and administrative arm of the commission.

(2) Coordinate the policies of the commission and the activities of all commission employees and other persons who perform ministerial functions for the commission.

(3) Act as liaison between the commission and other public agencies. [Order 62, § 390-12-200, filed 8/26/75; Order 14, § 390-12-200, filed 7/31/73.]

WAC 390-12-210 Public Disclosure Law--Duties of other agencies. The Attorney General through his office shall supply such legal assistance as the commission may require in order to carry out its responsibilities. However, the commission reserves the right to employ attorneys who are neither the Attorney General nor an Assistant Attorney General to carry out any function of the Attorney General prescribed in RCW 42.17.380.

[Order 62, § 390-12-210, filed 8/26/75; Order 14, § 390-12-210, filed 7/31/73.]

Chapter 390-14 WAC ACCESS TO PUBLIC RECORDS

WAC

390-14-010	Public records available.
390-14-015	Public Records Officer.
390-14-020	Hours for records inspection and copying.
390-14-025	Requests for public records.
390-14-030	Copying of public records.
390-14-035	Exempting records from public inspection.
390-14-040	Review of denials of public records requests.
390-14-045	Records index.
390-14-055	Record request form.
390-14-100	List of elected public officials.
390-14-105	List of elected public officials—Responsibility for developing.
390-14-110	List of elected public officials—Name not on list, impact.

WAC 390-14-010 Public records available. All public records of the Commission, as defined in WAC 390-05-260 and WAC 390-05-280 are deemed to be available for public inspection and copying pursuant to these rules, except as otherwise provided by RCW 42.17.310 and WAC 390-14-035. [Order 62, § 390-14-010, filed 8/26/75.]

WAC 390-14-015 Public Records Officer. The Commission's public records shall be in charge of the Public Records Officer designated by the Commission. The person so designated shall be located in the Administrative Office of the Commission. The Public Records Officer shall be responsible for the following: the implementation of the Commission's rules and regulations regarding release of public records, coordinating the staff of the Commission in this regard, and generally insuring compliance by the staff with the public records disclosure requirements of chapter 42.17 RCW. [Order 62, § 390-14-015, filed 8/26/75.]

WAC 390-14-020 Hours for records inspection and copying. Public records shall be available for inspection and copying during the customary office hours of the Commission. For the purposes of this chapter, the customary office hours shall be from 9:00 A.M. to noon and from 1:00 P.M. to 4:00 P.M., Monday through Friday, excluding legal holidays. [Order 62, § 390-14-020, filed 8/26/75.]

WAC 390-14-025 Requests for public records. (1) In accordance with requirements of chapter 42.17 RCW that agencies prevent unreasonable invasions of privacy, protect public records from damage or disorganization, and prevent excessive interference with essential functions of the agency, public records may be inspected or copied or copies of such records may be inspected or copied or copies of such records may be obtained, by members of the public, upon compliance with the following procedures: (1) a request shall be made in writing upon a form prescribed by the Commission which shall

be available at its administrative office. The form shall be presented to the public records officer or to any member of the Commission's staff, if the public records officer is not available, at the administrative office of the Commission during customary office hours. The request shall include the following information:

- (a) The name of the person requesting the record;
- (b) The time of day and calendar date on which the request was made;
- (c) The nature of the request;
- (d) If the matter requested is referenced within the current index maintained by the records officer, a reference to the requested record as it is described in such current index;
- (e) If the request matter is not identifiable by reference to the Commission's current index, an appropriate description of the record requested.

(2) In all cases in which a member of the public is making a request, it shall be the obligation of the public records officer or staff member to whom the request is made to assist the member of the public in appropriately identifying the public record requested. [Order 64, § 390-14-025, filed 11/25/75; Order 62, § 390-14-025, filed 8/26/75.]

WAC 390-14-030 Copying of public records. No fee shall be charged for the inspection of public records. The Commission shall charge a fee of ten cents per page of copy for providing copies of public records and for use of the Commission's copy equipment. This charge is the amount necessary to reimburse the Commission for its actual costs incident to such copying. [Order 62, § 390-14-030, filed 8/26/75.]

WAC 390-14-035 Exempting records from public inspection. (1) The Commission reserves the right to determine that a public record requested in accordance with the procedures outlined in WAC 390-14-025 is exempt under the provisions of RCW 42.17.310;

(2) In addition, pursuant to RCW 42.17.260, the Commission reserves the right to delete identifying details when it makes available or publishes any public record, in any cases when there is reason to believe that disclosure of such details would be an invasion of personal privacy protected by chapter 42.17 RCW. The public records officer will fully justify such deletion in writing.

(3) All denials of requests for public records must be accompanied by a written statement specifying the reason for the denial, including a statement of the specific exemption authorizing the withholding of the record and a brief explanation of how the exemption applies to the record withheld. [Order 62, § 390-14-035, filed 8/26/75.]

WAC 390-14-040 Review of denials of public records requests. (1) Any person who objects to the denial of a request for a public record may petition for prompt review of such decision by tendering 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) Immediately after receiving a written request for review of a decision denying a public record, the public records officer or other staff member denying the request shall refer it to the chairman of the Commission. The chairman shall immediately consider the matter and either affirm or reverse such denial or call a special meeting of the Commission as soon as legally possible to review the denial. In any case, the request shall be returned with a final decision within two business days following the original denial.

(3) Administrative remedies shall not be considered exhausted until the Commission has returned the petition with a decision or until the close of the second business day following denial of inspection, whichever occurs first. [Order 62, § 390-14-040, filed 8/26/75.]

WAC 390-14-045 Records index. (1) The Commission has available to all persons a current index which provides identifying information as to the following records issued, adopted or promulgated since its inception: (a) final opinions, including concurring and dissenting opinions, as well as orders, made in the adjudication of cases; (b) those statements of policy and interpretation of policy, statute and the Constitution which have been adopted by the agency; (c) administrative staff manuals and instructions to staff that affect a member of the public; (d) planning policies and goals, and interim and final planning decisions; (e) factual staff reports and studies, factual consultant's reports and studies, scientific reports and studies, and any other factual information derived from tests, studies, reports or surveys, whether conducted by public employees or others; and (f) correspondence, and materials referred to therein, by and with the agency relating to any regulatory, supervisory or enforcement responsibilities of the agency, whereby the agency determines, or opines upon, or is asked to determine or opine upon, the rights of the state, the public, a subdivision of state government, or of any private party.

(2) The current index promulgated by the Commission shall be available to all persons under the same rules and on the same conditions as are applied to public records available for inspection. [Order 62, § 390-14-045, filed 8/26/75.]

WAC 390-14-055 Record request form. The Public Disclosure Commission hereby adopts for use by all persons requesting inspection and/or copies of records entitled "Request for Public Records". [Order 62, § 390-14-055, filed 8/26/75.]

WAC 390-14-100 List of elected public officials. (1) The public disclosure commission shall prepare, collate and make available for public distribution a list of all state elected officials of the state of Washington. The list shall be published by the commission and updated annually.

(2) In addition, the list shall contain those entities which are reported by those state elected officials pursuant to RCW 42.17.240(1)(g).

(3) This list shall contain the most recent information on file with the commission as of February 15 each year. [Statutory Authority: RCW 42.17.370(1). 80-05-097 (Order 80-05), § 390-14-100, filed 5/2/80; 79-10-017 (Order 79-05), § 390-14-100, filed 9/7/79; Order 62, § 390-14-100, filed 8/26/75.]

WAC 390-14-105 List of elected public officials—Responsibility for developing. The Administrator of the Public Disclosure Commission shall be responsible for keeping the list on a current basis and shall develop all procedures necessary for performing that responsibility. [Order 62, § 390-14-105, filed 8/26/75.]

WAC 390-14-110 List of elected public officials—Name not on list, impact. (1) The commission has as part of its authority the power to suspend or modify reporting requirements of chapter 42.17 RCW, if it finds after hearing that literal application of the act would work a manifest hardship, and if it finds that suspension or modification will not frustrate the purpose of the act.

(2) Upon a hearing of this nature, the commission shall presume the reporting of the name of any elected official as required by the act to be an unreasonable hardship, if the name of that elected official does not appear on the list compiled pursuant to this chapter.

(3) The commission shall presume it is a manifestly unreasonable hardship for a lobbyist employer to report the compensation paid to a corporation, partnership, joint venture, association, union or other entity in which a state elected official or member of his immediate family holds any office, directorship, general partnership interest, or an ownership interest of ten percent or more, if:

(a) The name of such entity does not appear on the most recent list of state elected officials published by the commission pursuant to WAC 390-14-100; and

(b) The lobbyist employer does not have actual knowledge of such compensation being paid to such entity. [Statutory Authority: RCW 42.17.370(1). 80-05-097 (Order 80-05), § 390-14-110, filed 5/2/80; Order 62, § 390-14-110, filed 8/26/75.]

Chapter 390-16 WAC

FORMS FOR CAMPAIGN FINANCING REPORTING—CONTRIBUTIONS

WAC

390-16-011	Forms for use by political committees and candidates.
390-16-031	Forms for statement of contributions deposit.
390-16-035	Form C-3—Time for filing.
390-16-036	Form for reporting fund raising events.
390-16-038	Definition—Aggregate.
390-16-039	Total contributions and expenditures—Reporting.
390-16-041	Forms for reports of contributions and expenditures by candidates and political committees.
390-16-050	Forms for contributions and expenditures of political committees not domiciled in Washington State.
390-16-055	Filing reports for out-of-state committees.
390-16-060	Forms for campaign financing—Special reports.

- 390-16-061 Campaign financing—Special reports.
- 390-16-062 Campaign financing—Special reports—Time for filing.
- 390-16-105 Abbreviated campaign reporting—Campaigns for public office involving \$1,000 or less.
- 390-16-110 Abbreviated campaign reporting—Ballot propositions.
- 390-16-111 Abbreviated campaign reporting—Special fund raising events.
- 390-16-115 Abbreviated campaign reporting—Conditions for granting use.
- 390-16-120 Abbreviated campaign reporting—Times and place for filing reports C-1 and C-4 under \$1,000 exemption.
- 390-16-125 Abbreviated campaign reporting—Exceeding limitations.
- 390-16-150 Mini campaign reporting.
- 390-16-155 Mini campaign reporting—Exceeding limitations.
- 390-16-200 Encouraging expenditures to avoid contributions—Result.
- 390-16-205 Expenditures by agents, employees—Reporting.
- 390-16-206 Ratings and endorsements.
- 390-16-207 In-kind contributions and expenditures—Reporting.
- 390-16-220 Surplus campaign funds—Definition.
- 390-16-225 Surplus campaign funds—Disposition.
- 390-16-230 Surplus campaign funds—Use in future.
- 390-16-300 Fund raising events—Time and place of filing form C-3A.
- 390-16-302 Reporting fund raising events—Incidental activities.
- 390-16-306 Volunteer workers, fund raising activities.

Reviser's note: Forms for campaign finance reporting were duly filed by Order 5 on March 2, 1973, Order 6 filed on March 23, 1973 and Order 60, filed July 16, 1975 in the Code Reviser's Office by the Public Disclosure Commission in accordance with the provisions of the Administrative Procedure Act. The reviser has deemed it inexpedient to convert these forms to the prescribed style of WAC. Copies of such forms may be obtained by writing to the Public Disclosure Commission, Insurance Building Room 403, Evergreen Plaza Building, Olympia, Washington 98504.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

- 390-16-010 Forms—For statement of organization by political committees. [Order 5, § 390-16-010, filed 3/2/73.] Repealed by Order 60, filed 7/16/75.
- 390-16-020 Forms—For report of campaign treasurer and depository. [Order 5, § 390-16-020, filed 3/2/73.] Repealed by Order 60, filed 7/16/75.
- 390-16-030 Forms—For statement of contributions deposit. [Order 5, § 390-16-030, filed 3/2/73.] Repealed by Order 60, filed 7/16/75.
- 390-16-040 Forms—For report of contributions and expenditures by candidates and political committees. [Order 5, § 390-16-040, filed 3/2/73.] Repealed by Order 60, filed 7/16/75.
- 390-16-070 Form for report by commercial advertisers. [Order 62, § 390-16-070, filed 8/26/75; Order 41, § 390-16-070, filed 9/26/74; Order 6, § 390-16-070, filed 3/23/73.] Repealed by Order 73, filed 4/26/76.
- 390-16-080 Reports by nondomiciled committee—For report by candidates/committees less than \$1,000 expenditures—Contributions. [Order 41, § 390-16-080, filed 9/26/74; Order 19, § 390-16-080, filed 10/29/73.] Repealed by 80-02-106 (Order 80-02), filed 1/24/80. Statutory Authority: RCW 42.17.370(1).
- 390-16-085 Candidates and committees—Surplus funds—Defined. [Order 35, § 390-16-085, filed 8/29/74.] Repealed by 80-02-106 (Order 80-02), filed 1/24/80. Statutory Authority: RCW 42.17.370(1).
- 390-16-090 Candidates and committees—Disposition. [Order 35, § 390-16-090, filed 8/29/74.] Repealed by 80-02-106 (Order 80-02), filed 1/24/80. Statutory Authority: RCW 42.17.370(1).
- 390-16-095 Candidates and committees—Use in future. [Order 35, § 390-16-095, filed 8/29/74.] Repealed by 80-

02-106 (Order 80-02), filed 1/24/80. Statutory Authority: RCW 42.17.370(1).

- 390-16-100 Abbreviated campaign reporting—Reports by candidates/committees less than \$1,000 expenditures—Contributions. [Order 62, § 390-16-100, filed 8/26/75.] Repealed by Order 76, filed 5/6/76.

WAC 390-16-011 Forms—Registration statement for candidates and political committees. Pursuant to the statutory authority of RCW 42.17.360(1), the official form for providing statement of organization by political committees as required by RCW 42.17.040, for designating campaign treasurer and depository as required by RCW 42.17.050, and for reporting information required to qualify for mini campaign finance reporting or abbreviated campaign finance reporting as permitted by RCW 42.17.370(7) and WAC 390-16-115, 390-16-120 or 390-16-150 is hereby adopted for use in reporting to the Public Disclosure Commission. This form shall be designated as "C-1". This form may be obtained at the commission office, Room 403, Evergreen Plaza Building, Olympia, Washington 98504. [Order 91, § 390-16-011, filed 7/22/77; Order 62, § 390-16-011, filed 8/26/75; Order 60, § 390-16-011, filed 7/16/75.]

WAC 390-16-031 Forms for statement of contributions deposit. Pursuant to the statutory authority of RCW 42.17.360(1), the official form for statement of contributions deposit as required by RCW 42.17.060 is hereby adopted for use in reporting to the Public Disclosure Commission. This form shall be designated as "C-3". This form may be obtained at the Commission office, Room 403, Evergreen Plaza Building, Olympia, Washington, 98504. [Order 62, § 390-16-031, filed 8/26/75; Order 60, § 390-16-031, filed 7/16/75.]

WAC 390-16-035 Form C-3—Time for filing. The copy of form C-3 required by RCW 42.17.060 of Initiative 276 to be filed with the commission (of deposits of contributions in the depository bank) shall be filed with the Commission the same day the deposit is made. [Order 87, § 390-16-035, filed 11/19/76; Order 62, § 390-16-035, filed 8/26/75; Order 20, § 390-16-035, filed 10/29/73.]

WAC 390-16-036 Form for reporting fund raising events. Pursuant to the statutory authority of RCW 42.17.360(1), the official form for reporting fund raising events under the provisions of section 9, chapter 112, Laws of 1975-76, 2nd ex. sess., is hereby adopted for use in reporting to the Public Disclosure Commission. This form shall be designated as "C-3A." This form may be obtained at the Commission office, Room 403, Evergreen Plaza Building, Olympia, Washington, 98504. [Order 84, § 390-16-036, filed 8/18/76.]

WAC 390-16-038 Definition—Aggregate. The term "aggregate" for the purpose of these campaign financing regulations means a total of all contributions received or expenditures made by a candidate or committee together with all contributions received and all expenditures made by all political committees formed by or with the express or implied knowledge or consent of such candidate or

committee in connection with such campaign. [Order 62, § 390-16-038, filed 8/26/75.]

WAC 390-16-039 Total contributions and expenditures--Reporting. (1) A continuing political committee which is not organized to support or oppose a particular candidate shall report total contributions and expenditures based on a calendar year, or upon the basis of a fiscal year if the commission expressly authorizes this method. The report filed by such a continuing political committee covering January (or the first month thereafter for which a report would be required by RCW 42.17.065 and 42.17.080) shall contain in summary the following items remaining at the end of the year:

- (a) Funds on hand;
- (b) In-kind contributions retained;
- (c) The total of outstanding pledges;
- (d) Unpaid loans and outstanding obligations;
- (e) Pledges given to others but not yet paid.

(2) Each candidate, each political committee and each continuing political committee organized to support or oppose a particular candidacy or ballot proposition shall report total contributions and expenditures for the period beginning at the time the person becomes a candidate or when the committee is organized, whichever is earlier, and ending when the candidacy or committee is terminated.

(3) This rule shall not require a report unless such report would otherwise be required by chapter 42.17 RCW. [Statutory Authority: RCW 42.17.370(1). 79-09-041 (Order 79-04), § 390-16-039, filed 8/17/79; Order 70, § 390-16-039, filed 2/25/76.]

WAC 390-16-041 Forms--Summary of total contributions and expenditures. Pursuant to the statutory authority of RCW 42.17.360(1), the official forms for reports of contributions and expenditures by candidates and political committees as required by RCW 42.17.080-42.17.090 and WAC 390-16-120 are hereby adopted for use in reporting to the Public Disclosure Commission. The form shall be designated as "C-4" and includes Schedules A, B, and C. These forms may be obtained at the commission office, Room 403, Evergreen Plaza Building, Olympia, Washington 98504. [Order 91, § 390-16-041, filed 7/22/77; Order 62, § 390-16-041, filed 8/26/75; Order 60, § 390-16-041, filed 7/16/75.]

WAC 390-16-050 Forms for contributions and expenditures of political committees not domiciled in Washington State. Pursuant to the statutory authority of RCW 42.17.360(1), the official form for the report of contributions and expenditures of political committees not domiciled in Washington State, as required by RCW 42.17.090, is hereby adopted for use in reporting to the Public Disclosure Commission. This form shall be designated as "C-5". Copies of this form may be obtained at the Commission office, Room 403, Evergreen Plaza Building, Olympia, Washington, 98504. [Order 77, § 390-16-050, filed 6/2/76; Order 62, § 390-16-050, filed 8/26/75; Order 6, § 390-16-050, filed 3/23/73.]

WAC 390-16-055 Filing reports for out-of-state committees. (1) Each candidate or political committee receiving funds from a nonreporting committee as defined in RCW 42.17.090(1)(k), shall determine whether such committee has complied with that subsection. If the out-of-state committee has not filed the required report and the information cannot be reported by the recipient of the contribution in a timely manner, the funds shall not be forfeited or reportable as having been received if they are returned to the out-of-state committee immediately. Any retention or other action taken with such funds, if there is not a complete and timely report on file, shall result in the forfeiture of such funds to the state of Washington and shall be deemed a violation of chapter 42.17 RCW.

(2) Any subsequent report by a nonreporting committee or recipient of its contribution which is required by RCW 42.17.090(1)(k) during the same calendar year may update its initial report by showing, in addition to its name and address, only reportable information which is new or changed since its last report. [Statutory Authority: RCW 42.17.370(1). 79-09-041 (Order 79-04), § 390-16-055, filed 8/17/79; Order 62, § 390-16-055, filed 8/26/75; Order 29, § 390-16-055, filed 5/27/74.]

WAC 390-16-060 Forms for campaign financing--Special reports. Pursuant to the statutory authority of RCW 42.17.360(1), the official form for contributors' reports as required by RCW 42.17.100, is hereby adopted for use in reporting to the Public Disclosure Commission. These forms shall be designated as "C-6" and "C-7". Copies of these forms may be obtained at the Commission office, Room 403, Evergreen Plaza Building, Olympia, Washington, 98504. [Order 77, § 390-16-060, filed 6/2/76; Order 62, § 390-16-060, filed 8/26/75; Order 6, § 390-16-060, filed 3/23/73.]

WAC 390-16-061 Campaign financing--Special reports. Any person who, during any election campaign, makes an expenditure aggregating \$100 or more in support of or in opposition to any candidate or proposition, other than a contribution made directly to a candidate or political committee in accordance with RCW 42.17.100(1), shall file with the commission a report signed by the person making such expenditure disclosing his name and address together with the date, nature and payee or other recipient of such expenditure and the purpose for which it was made. If no reasonable estimate of the value of such expenditure is practicable, it shall be sufficient to report instead a precise description of services, property or rights furnished through the expenditure and, where appropriate, attach a copy of the item produced, or distributed by the expenditure. [Order 67, § 390-16-061, filed 1/16/76; Order 62, § 390-16-061, filed 8/26/75.]

WAC 390-16-062 Campaign financing--Special reports--Time for filing. The report required by RCW 42.17.100(1) and WAC 390-16-061 herein, shall be filed with the commission as follows:

(a) In the case of expenditures aggregating \$100 or more, but less than \$500, within one week of the date at which such aggregate expenditure amount is reached; except that during the week immediately preceding the week in which the election is held such reports shall be filed within two business days following the day on which such aggregate expenditure amount is reached;

(b) In the case of expenditures aggregating \$500 or more, within two business days following the day on which such aggregated expenditure amount is reached;

(c) When additional expenditures are made following the filing of an initial report under (a) and/or (b), subsequent reports shall be filed on the next reporting date at which reports would be required of a candidate or political committee in accordance with RCW 42.17.080(2)(a) & (b). [Order 67, § 390-16-062, filed 1/6/76; Order 62, § 390-16-062, filed 8/26/75.]

WAC 390-16-105 Abbreviated campaign reporting—Campaigns for public office involving \$1,000 or less. No candidate and no political committee, as those terms are defined in RCW 42.17.020, shall be required to comply with the provisions of RCW 42.17.060-42.17.090 except as otherwise prescribed in WAC 390-16-038, 390-16-115, 390-16-120 and 390-16-125 in any election campaign for public office in which neither the aggregate contributions nor the aggregate expenditures on behalf of such candidate exceed \$1,000 and no contribution or contributions from any source other than the candidate's personal resources within such aggregate exceeds \$100. [Order 91, § 390-16-105, filed 7/22/77; Order 62, § 390-16-105, filed 8/26/75.]

WAC 390-16-110 Abbreviated campaign reporting—Ballot propositions. No political committee, as that term is defined in RCW 42.17.020, shall be required to comply with the provisions of RCW 42.17.040-42.17.090 except as otherwise prescribed in WAC 390-16-038, 390-16-115, 390-16-120, and 390-16-125 in connection with any ballot proposition in which neither the aggregate contributions nor the aggregate expenditures exceed \$1,000, and no contribution or from any person within such aggregate exceeds \$100. [Order 91, § 390-16-110, filed 7/22/77; Order 62, § 390-16-110, filed 8/26/75.]

WAC 390-16-111 Abbreviated campaign reporting—Special fund raising events. The terms "any source" and "any person" as used in WAC 390-16-105 and WAC 390-16-110 shall not be construed as meaning a fund raising activity conducted pursuant to section 9, chapter 112, Laws of 1975-76, 2nd Extraordinary Session. Candidates and committees using abbreviated reporting as provided in chapter 390-16 WAC shall not be limited to receiving \$100 from a fund raising event provided that the profit realized from any person does not exceed \$100 from all fund raising events conducted during a campaign or calendar year. [Order 77, § 390-16-111, filed 6/2/76.]

WAC 390-16-115 Abbreviated campaign reporting—Conditions for granting use. The exemptions allowed in WAC 390-16-105, 390-16-110 and 390-16-115 shall be granted to a candidate or political committee only upon compliance with the following conditions.

(1) The candidate or political committee must, at the time of organization, or at the time of receipt of contributions or the making of expenditures or at the time of reservation of space or facilities with intent to promote or oppose a candidacy for office or with intent to promote or oppose a ballot proposition, whichever comes first, file the C-1 registration statement with the Commission and declare that the candidate or political committee will not exceed the expenditure limitations set out in WAC 390-16-105, 390-16-110 or 390-16-115.

(2) The candidate or political committee must, throughout the ensuing election campaign, keep current records in sufficient detail to allow the candidate or political committee to make reports otherwise required by RCW 42.17.040-42.17.090 in the event that the filing of such reports becomes necessary as a result of exceeding the expenditure limitation, pursuant to subsequent permission of the Commission.

(3) The candidate or political committee treasurer shall, during the eight days immediately preceding the date of the election, maintain records of contributions and expenditures current within one business day. These records shall be open for public inspection during the hours designated on the C-1 at the principal campaign headquarters or, if there is no campaign headquarters, at the address of the campaign treasurer.

(4) The records of contributions and expenditures shall be open to audit or examination by representatives of the Public Disclosure Commission at any time upon request from the Commission. [Order 62, § 390-16-115, filed 8/26/75.]

WAC 390-16-120 Abbreviated campaign reporting—Times and place for filing reports C-1 and C-4 under \$1,000 exemption. (1) The report C-1 shall be filed by any candidate or political committee intending to use the abbreviated reporting recognized and regulated by WAC 390-16-105, 390-16-110 or 390-16-115 at the time of becoming a candidate or within ten days of organization of a committee.

(2) In the case of a continuing political committee, the C-1 report shall be filed initially before accepting any contributions or making any expenditures. Thereafter, the C-1 shall be filed each year between January 1 and January 31 for any year in which the committee intends to use the abbreviated reporting system and within ten days of any date a change is made in reportable information. Failure to file a new C-1 during January shall automatically terminate the committee's entitlement to use the abbreviated reporting system until such time as a new C-1 is filed.

(3) The report form C-4 summary page shall be filed by each candidate and political committee within twenty-one days after each special or general election in which there was participation. In the case of a candidate or committee which participates in a primary election

but does not participate in the following general election, the C-4 report shall be filed not later than twenty-one days following the general election.

Additionally, in the case of a continuing political committee, the report form C-4 shall be filed not later than January 31 summarizing the total contributions received and expenditures made during the calendar year.

(4) The original of each report required by this section shall be filed with the Public Disclosure Commission. A copy shall be filed with the auditor of the county in which the candidate or committee treasurer resides and a copy shall be retained by the candidate or committee treasurer. [Statutory Authority: RCW 42.17.370(1), 79-08-046 (Order 79-03), § 390-16-120, filed 7/19/79; Order 91, § 390-16-120, filed 7/22/77; Order 62, § 390-16-120, filed 8/26/75.]

WAC 390-16-125 Abbreviated campaign reporting--Exceeding limitations. Whenever there is reason to believe that any of the aggregate limitations specified in WAC 390-16-105, 390-16-110, 390-16-115, or 390-16-120 will or may be exceeded, the candidate, committee or other person legally interested in such campaign may apply to the commission for authorization to exceed such limitation.

(1) If the application is made more than thirty days prior to the date of the election, the application shall be considered approved without further action by the commission if the person making application submits within one day of the time that the limitations are exceeded:

(a) A properly completed PDC form C-1 indicating the intention of using the full reporting system provided by RCW 42.17.040-42.17.090;

(b) A properly completed PDC form C-4 with Schedules A and B disclosing all contributions and expenditures reportable under RCW 42.17.090 for the election campaign or in the case of continuing political committees for the calendar year.

(c) A statement affirming that all known candidates for the office being sought have been notified personally of the application stating the manner and date of such notification. In the case of a ballot proposition, the statement shall affirm that the committee treasurer of all committees identifiable from the records of the county auditor or Public Disclosure Commission to be opposing or supporting the proposition have been notified personally of the application stating the manner and date of such notification.

(2) If the application is made within thirty days of the date of the election, the application shall be approved only by express order of the commission chairman or his designated representative.

(a) Prior to such approval being granted, the commission chairman or his representative shall determine that the application contains those documents shown in subsection (1)(a), (b) and (c) above.

(b) The commission staff shall investigate and report to the chairman why the applicable requirements were not complied with in the first instance and whether or

not the probability of exceeding such limitations was reasonably foreseeable. If the investigation shows that the declaration by the candidate, committee or other person filed under WAC 390-16-115 was made in good faith and that the probability of exceeding such limitations was not reasonably foreseeable, the commission chairman shall grant a release from the exemption conditioned upon full future compliance with all applicable requirements of chapter 42.17 RCW.

(3) When one candidate or committee on either side of an election campaign has applied for permission to exceed the limitations of the exemption under subsection (1) above, all other candidates and/or committees may be granted a seven day extension of the application date shown in subsection (1) above should any of them require release from the limitations of the exemption.

(4) Any person who knowingly or negligently causes or permits the limitations specified in these regulations to be exceeded without compliance with RCW 42.17.040-42.17.090 and without permissive order of the commission granted under these regulations shall be deemed to have violated the applicable provisions of RCW 42.17.040-42.17.090. [Order 91, § 390-16-125, filed 7/22/77; Order 67, § 390-16-125, filed 1/16/76; Order 62, § 390-16-125, filed 8/26/75.]

WAC 390-16-150 Mini campaign reporting. No candidate as that term is defined in RCW 42.17.020(5) and no political committee whose principal purpose is the support of one candidate and whose organization is known to and countenanced by that candidate (hereafter candidate's committee) shall be required to comply with the provisions of RCW 42.17.060-42.17.090 except as otherwise prescribed in this regulation in any election campaign for public office in which the aggregate expenditures in the campaign will not exceed the amount of the filing fee provided by law plus a sum not to exceed \$200.

(1) Any candidate or candidate's committee shall register and file the C-1 registration statement with the commission and county auditor of the county wherein the candidate resides at or before the time he publicly announces his candidacy, files for office or the committee is formed, whichever is earliest. The C-1 shall state his intent to use the mini campaign reporting system.

(2) The C-1 registration shall include a statement by the candidate that no contribution or contributions from any source other than the candidate's personal resources within the aggregate contributions received exceeds \$100. [Order 91, § 390-16-150, filed 7/22/77.]

WAC 390-16-155 Mini campaign reporting--Exceeding limitations. (1) Whenever there is reason to believe that the expenditure limits provided in WAC 390-16-150 will be exceeded or that the candidate or candidate's committee will exceed the limitations on contributions and expenditures provided in WAC 390-16-150, the candidate, candidate's committee or other person legally interested in the campaign may apply to the commission for authorization to exceed such limits.

(a) The application shall take the form of a new C-1 report indicating the candidate's or candidate committee's intent to report in accordance with either the abbreviated reporting system provided in WAC 390-16-105 or to fully report as provided in RCW 42.17.040-42.17.090.

(b) The application shall be accompanied by a statement signed by the candidate affirming that all known candidates for the office being sought have been notified personally of the application stating the manner and date of notification.

(c) The application shall be submitted to the commission and duplicate copies of C-1 and C-4 report submitted to the county auditor of the county where the candidate resides within one day of the time that expenditure limits are exceeded.

(2) The application shall be approved without further Commission action. [Order 91, § 390-16-155, filed 7/22/77.]

WAC 390-16-200 Encouraging expenditures to avoid contributions--Result. If a candidate or a political committee advises, counsels or otherwise knowingly encourages any person to make an expenditure which, if made by the candidate or committee would be regulated by RCW 42.17.080-42.17.090, for the purpose of avoiding direct contributions or for any other reason, the person making such expenditure shall be considered an agent of the candidate or political committee encouraging the expenditure, and the expenditure shall be considered for all intents and purposes as an expenditure of such candidate or political committee. [Order 62, § 390-16-200, filed 8/26/75.]

WAC 390-16-205 Expenditures by agents, employees--Reporting. Expenditures made on behalf of a candidate or political committee by any person, agency, firm, organization, etc. employed or retained for the purpose of organizing, directing, managing or assisting the candidate's or committee's efforts shall be deemed expenditures by the candidate or committee. Such expenditures shall be reported by the candidate or committee as if made or incurred by the candidate or committee directly. [Order 74, § 390-16-205, filed 4/26/76.]

WAC 390-16-206 Ratings and endorsements. (1) Any person making a measurable expenditure of funds to communicate a rating, evaluation, endorsement or recommendation for or against a candidate or ballot proposition (other than news, feature, or editorial comment in a regularly scheduled issue of a printed periodical) shall report such expenditure including all costs of preparation and distribution in accordance with RCW 42.17.030 through 42.17.100.

(2) A candidate or sponsor of a ballot proposition who, or a political committee which, is the subject of the rating, evaluation, endorsement or recommendation shall not be required to report such expenditure as a contribution unless the candidate, sponsor, committee or an agent thereof advises, counsels or otherwise encourages

the person or committee to make the expenditure. [Order 84, § 390-16-206, filed 8/18/76.]

WAC 390-16-207 In-kind contributions and expenditures--Reporting. (1) Whenever a candidate or a political committee makes one or more in-kind expenditures which (i) directly or indirectly, in whole or in part, benefit another identifiable candidate or political committee and (ii) in the aggregate amount to a value of twenty-five dollars or more in the reporting period, then, for the purpose of complying with the provisions of RCW 42.17.090(1)(f);

(a) such candidate or political committee shall identify the candidate or political committee benefited by such expenditure and state the value thereof; and

(b) the candidate or political committee that receives benefit of such expenditure or expenditures shall report a corresponding amount as a contribution received and as an expenditure made by such candidate or political committee.

(2) Whenever a candidate or a political committee makes an in-kind expenditure which supports or opposes more than one candidate or ballot proposition, the person making such expenditure shall identify each candidate or ballot proposition to which such support or opposition is directed and, if the aggregate expenditure amounts to twenty-five dollars (\$25.00) or more, shall state the prorated amount of the expenditure or expenditures properly attributable to each such candidate or ballot proposition.

(3) Whenever a candidate or political committee provides its equipment, property or other facilities owned, retained, leased or controlled by it to another candidate or political committee, the fair market value of the use of such equipment, property or other facilities, if it amounts to twenty-five dollars or more, shall be reported as follows:

(a) by the candidate or political committee providing the equipment, property or other facilities, by attaching to its form C-4, Schedule B, a statement setting forth the name of the candidate or political committee benefited and the date, description and value of the in-kind contribution made by it.

(b) by the candidate or political committee benefiting from the use of such equipment, property or other facilities, by reporting the value of such use in its form C-4, Schedule B, both as a contribution and as an expenditure. [Order 79, § 390-16-207, filed 6/25/76.]

WAC 390-16-220 Surplus campaign funds--Definition. "Surplus funds" as used in the act and in these regulations shall refer to the excess of all contributions received by a political committee or candidate over the amount necessary to pay all debts and obligations incurred in the course of an election campaign by the political committee or candidate: *Provided*, That this definition shall not apply to a continuing political committee. In the case of a continuing political committee, "surplus funds" shall refer to those funds remaining in its possession or control at the time of its final report. [Statutory Authority: RCW 42.17.370(1). 78-07-037]

(Order 98), § 390-16-220, filed 6/26/78; Order 70, § 390-16-220, filed 2/25/76; Order 62, § 390-16-220, filed 8/26/75.]

WAC 390-16-225 Surplus campaign funds--Disposition. (1) If surplus funds are distributed by a political committee or candidate in the manner set forth in the statement of organization and the political committee is dissolved or in the case of candidates operating without a committee, such candidacy is terminated, no further reporting by such committee shall be required.

(2) If the surplus funds are retained by the candidate or political committee, which is no longer operating as a political committee or candidate, and not used for purposes reportable under any portion of the Act which would qualify the person as a political committee or candidate, no further reporting need be done, provided that the candidate or political committee report to the Public Disclosure Commission any changes in distribution of such funds from that originally filed with the commission in a statement of organization in accordance with RCW 42.17.040. [Order 70, § 390-16-225, filed 2/25/76; Order 62, § 390-16-225, filed 8/26/75.]

WAC 390-16-230 Surplus campaign funds--Use in future. If at any time in the future any contribution or expenditure is received by or made from such surplus fund or funds for any purpose which would qualify the holder as a candidate or political committee, it will be presumed the holder of such funds has initiated a new candidacy or committee. Within ten days of the day such contribution or expenditure is received or made, such candidate or political committee shall file (a) a final report for the previous campaign as provided in RCW 42.17.080 and 42.17.090 and (b) a statement of organization and initial report for the new campaign as provided by RCW 42.17.040, 42.17.080 and 42.17.090. The surplus fund may be reported as one sum and listed as a contribution identified as "funds from previous campaign", provided that all augmentations to and all expenditures made from the retained surplus fund from the initial date of retention are reported in detail as to source, recipient, purpose, amount and date of each transaction. [Order 70, § 390-16-230, filed 2/25/76; Order 62, § 390-16-230, filed 8/26/75.]

WAC 390-16-300 Fund raising events--Time and place of filing form C-3A. (1) Special fund raising events reportable on Public Disclosure Commission form C-3A shall be reported to the commission at the following intervals:

(a) For a fund raising activity lasting no more than three consecutive days, within three days following completion of the activity,

(b) For a fund raising activity lasting more than three consecutive days; weekly each Tuesday to cover the preceding week ending on Saturday.

(2) A copy of each report submitted to the Public Disclosure Commission shall additionally be attached to

the PDC form C-4 (report of contributions and expenditures) required to be filed with the county auditor. [Order 84, § 390-16-300, filed 8/18/76.]

WAC 390-16-302 Reporting fund raising events--Incidental activities. For purposes of reporting a single fund raising event on form C-3A, a political committee, depending on which alternative is more convenient to the political committee, shall regard receipts from admissions, concessions, programs or other incidental activities either:

(1) as integral parts of the one fund raising activity and totally reportable as one activity; or

(2) as receipts from individual fund raising activities and reportable individually as separate activities. [Order 84, § 390-16-302, filed 8/18/76.]

WAC 390-16-306 Volunteer workers, fund raising activities. For the purpose of reporting fund raising activities pursuant to section 9, chapter 112, Laws of 1975-76, 2nd ex. sess., time spent by volunteer workers in operating such activities need not be reported. However, the name, address and title of responsible leaders or organizers of the activity shall be reported. [Order 84, § 390-16-306, filed 8/18/76.]

Chapter 390-20 WAC

FORMS FOR LOBBYING REPORTS, ELECTED OFFICIALS AND LEGISLATORS

WAC

390-20-0101	Forms for lobbyist registration.
390-20-015	Lobbyists registration--Termination.
390-20-020	Forms for lobbyist report of expenditures.
390-20-023	Contributions to candidates, elected officials, political committees, or public office fund; identification of source.
390-20-025	Lobbyists expenditures--Apportionment of expenses.
390-20-026	Definition of term "other expenses".
390-20-027	Definition--State elected official, candidate for state office.
390-20-052	Application of RCW 42.17.190--Reports of agency lobbying.
390-20-100	Effect of Public Disclosure Act--Freedom of communication--Employer interference.
390-20-105	Lobbyist's employer--Meaning--Examples.
390-20-110	Forms for statement of compensation paid to elected officials.
390-20-115	Forms for report of legislative activity by legislators and legislative committees.
390-20-120	Forms for report of legislative activity by public agencies.
390-20-125	Forms for registration and reporting by sponsors of grass roots lobbying campaigns.
390-20-130	Forms for statement of employment of legislators, state officers, and state employees.
390-20-140	Loss of RCW 42.17.160 exemptions.
390-20-143	Application of lobbying provisions to organizations.
390-20-145	Reporting of lobbying events.

Reviser's Note: Forms for lobbying reports, elected officials and legislators reporting was duly filed on March 2, 1973, March 23, 1973, April 24, 1973, and October 31, 1977, in the Code Reviser's Office by the Public Disclosure Commission in accordance with the provisions of the Administrative Procedures Act. The reviser had deemed it inexpedient to convert these forms to the prescribed style of WAC, however, subsequent forms filed by the commission are set forth as promulgated.

Copies of such forms may be obtained by writing to the Public Disclosure Commission, Room 403, Evergreen Plaza Building, Olympia, Washington 98504.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

390-20-010	Forms for lobbyist registration. [Order 62, § 390-20-010, filed 8/26/75; Order 45, § 390-20-010, filed 9/26/74; Order 6, § 390-20-010, filed 1/23/73.] Repealed by 78-02-063 (Order 96), filed 1/23/78. Statutory Authority: RCW 42.17.370(1).	390-20-051	Application of RCW 42.17.190 to lobbying of the legislature and governor. [Statutory Authority: RCW 42.17.160(4) and 42.17.370(1). 78-08-061 (Order 100), § 390-20-051, filed 7/24/78.] Repealed by 80-02-055 (Order 80-01), filed 1/17/80. Statutory Authority: RCW 42.17.370(1).
390-20-028	Definition of terms "communicate", "communication", "communicating", and "legislation." [Statutory Authority: RCW 42.17.160(4) and 42.17.370(1). 78-08-061 (Order 100), § 390-20-028, filed 7/24/78.] Repealed by 80-02-055 (Order 80-01), filed 1/17/80. Statutory Authority: RCW 42.17.370(1).	390-20-053	Application of RCW 42.17.190 to lobbying of other agencies. [Statutory Authority: RCW 42.17.160(4) and 42.17.370(1). 78-08-061 (Order 100), § 390-20-053, filed 7/24/78.] Repealed by 80-02-055 (Order 80-01), filed 1/17/80. Statutory Authority: RCW 42.17.370(1).
390-20-030	Forms for lobbyist registration—For statement of compensation paid to elected officials. [Order 45, § 390-20-030, filed 9/26/74; Order 9, § 390-20-030, filed 4/24/73.] Repealed by 80-02-106 (Order 80-02), filed 1/24/80. Statutory Authority: RCW 42.17.370(1).	390-20-055	Application of RCW 42.17.190 to intra-agency activity. [Statutory Authority: RCW 42.17.160(4) and 42.17.370(1). 78-08-061 (Order 100), § 390-20-055, filed 7/24/78.] Repealed by 80-02-055 (Order 80-01), filed 1/17/80. Statutory Authority: RCW 42.17.370(1).
390-20-040	Forms—For report of legislative activity by legislators and legislative committees. [Order 45, § 390-20-040, filed 9/26/74; Order 5, § 390-20-040, filed 3/2/73.] Repealed by 80-02-106 (Order 80-02), filed 1/24/80. Statutory Authority: RCW 42.17.370(1).	390-20-060	Forms—For registration and reporting by sponsors of grass roots lobbying campaigns. [Order 43, § 390-20-060, filed 9/26/74; Order 5, § 390-20-060, filed 3/2/73.] Repealed by 80-02-106 (Order 80-02), filed 1/24/80. Statutory Authority: RCW 42.17.370(1).
390-20-050	Forms—For report of legislative activity by public agencies. [Statutory Authority: RCW 42.17.370(1). 79-11-124 (Order 79-07), § 390-20-050, filed 11/6/79; Order 43, § 390-20-050, filed 9/26/74; Order 5, § 390-20-050, filed 3/2/73.] Repealed by 80-02-106 (Order 80-02), filed 1/24/80. Statutory Authority: RCW 42.17.370(1).	390-20-070	Forms—For statement of employment of legislators, state officers, and state employees. [Order 43, § 390-20-070, filed 9/26/74; Order 5, § 390-20-070, filed 3/2/73.] Repealed by 80-02-106 (Order 80-02), filed 1/24/80. Statutory Authority: RCW 42.17.370(1).
		390-20-080	Lobbyists—Termination of registration. [Order 49, § 390-20-080, filed 3/3/75.] Repealed by 80-03-089 (Order 80-03), filed 3/4/80. Statutory Authority: RCW 42.17.370(1).
		390-20-085	Lobbyists expenditures—Apportionment of expenses. [Order 49, § 390-20-085, filed 3/3/75.] Repealed by 80-06-119 (Order 80-06), filed 5/30/80. Statutory Authority: RCW 42.17.370(1).

WAC 390-20-0101 Forms for lobbyist registration. Pursuant to the statutory authority of RCW 42.17.360(1), the official form for lobbyist registration as required by RCW 42.17.150 is hereby adopted for use in reporting to the Public Disclosure Commission. This form shall be designated as "L-1", revised 11/77. Copies of this form may be obtained at the commission office, Room 403, Evergreen Plaza Building, Olympia, Washington 98504.



LOBBYIST REGISTRATION STATEMENT

TO THE STATE OF WASHINGTON
PUBLIC DISCLOSURE COMMISSION
403 EVERGREEN PLAZA BUILDING
711 CAPITOL WAY
OLYMPIA, WASHINGTON 98504
PHONE: 206-753-1111

PDC FORM

L-1

REV. 11/77

LOBBYIST
REGISTRATION STATEMENT

THIS SPACE FOR OFFICE USE

P.M. DATE

DATE RECVD.

See completion instructions at bottom of page. (Type or Print Clearly)

1. LOBBYIST'S NAME AND PERMANENT BUSINESS ADDRESS		DATE PREPARED	2. CHECK <input type="checkbox"/> Registration (Complete All Items) <input type="checkbox"/> Add new employer (Complete All Items) except page 3
PRINCIPAL BUSINESS TELEPHONE.....		FILE NUMBER	
3. TEMPORARY RESIDENTIAL AND BUSINESS ADDRESSES IN THURSTON COUNTY DURING LEGISLATIVE SESSION			TELEPHONE NUMBERS
4. NAME AND ADDRESS OF EMPLOYER		OCCUPATION OR BUSINESS OF EMPLOYER	
5. LOBBYIST IS EMPLOYED AND/OR COMPENSATED <input type="checkbox"/> SOLELY AS A LOBBYIST <input type="checkbox"/> LOBBYIST IS REGULAR EMPLOYEE. LOBBYING IS INCIDENTAL TO OTHER DUTIES.	6. DURATION OF LOBBYIST'S EMPLOYMENT <input type="checkbox"/> PERMANENT EMPLOYEE <input type="checkbox"/> TEMPORARY EMPLOYEE IF TEMPORARY, EXPECTED DURATION: <input type="checkbox"/> RETAINER OR OTHER AGREEMENT		7. ESTIMATE OF DOLLARS TO BE RECEIVED THIS YEAR FOR LOBBYING ACTIVITIES: SALARY OR RATE OF PAY \$ _____ EXPENSES \$ _____ <input type="checkbox"/> UNABLE TO COMPUTE ACTUAL COMPENSATION AT THIS TIME. RATE OF COMPENSATION IS \$ _____ PER _____ (IF NO DOLLAR AMOUNT IS STATED, EXPLAIN ON SEPARATE ATTACHMENT).
8. ARE ANY EXPENSES OF LOBBYIST (e.g., OFFICE RENTAL, PRINTING, CLERICAL) PAID DIRECTLY BY EMPLOYER? IF SO, STATE WHICH:			
9. WILL LOBBYIST BE REIMBURSED FOR EXPENSES INCURRED? IF SO, STATE WHICH EXPENSES AND DOLLAR AMOUNT OR PERCENTAGE TO BE REIMBURSED			
10. FULL AND PARTICULAR DESCRIPTION OF ANY AGREEMENT, ARRANGEMENT OR UNDERSTANDING ACCORDING TO WHICH THE LOBBYIST'S COMPENSATION, OR ANY PORTION THEREOF IS OR WILL BE CONTINGENT UPON THE SUCCESS OF ANY ATTEMPT TO INFLUENCE LEGISLATION.			
11. THE PERSON WHO WILL HAVE CUSTODY OF THE ACCOUNTS, BILLS, RECEIPTS, BOOKS, PAPERS AND DOCUMENTS REQUIRED TO BE KEPT UNDER THIS ACT. NAME AND ADDRESS			

INSTRUCTIONS

If you have more than one employer, file a separate L-1 for each employer.

WHO SHOULD FILE THIS FORM: All lobbyists, unless exempt under RCW 42.17.160.

FILING DEADLINE: Before doing any lobbying or within 30 days after being employed as a lobbyist, whichever occurs first.

NEW FILING REQUIRED: Registration is valid until December 31. NEW registration is required each January. Termination of lobbyist's employment, changes, modifications; report within one week of change.

FORM TO BE FILED WITH: Public Disclosure Commission, 403 Evergreen Plaza Building, Olympia, Washington 98504.

OTHER REPORTS REQUIRED: L-2 (Lobbyist report of expenditures) is required each month in which you are registered as a lobbyist. Lobbyist's employer is required to file L-3 annually prior to March 31.

Additional information may be obtained by contacting the Public Disclosure Commission, 403 Evergreen Plaza Building, Olympia, WA, 98504. Telephone 206-753-1111.

12. GENERAL AREAS OF INTEREST

Lobbying is most frequent before legislative committee members or state agencies concerned with the following subjects:

CODE	SUBJECT	CODE	SUBJECT
01 <input type="checkbox"/>	Agriculture	12 <input type="checkbox"/>	Law Enforcement
02 <input type="checkbox"/>	Amusements, Sports	13 <input type="checkbox"/>	Liquor
03 <input type="checkbox"/>	Commerce	14 <input type="checkbox"/>	Local Government
04 <input type="checkbox"/>	Constitution & Elections	15 <input type="checkbox"/>	Natural Resources
05 <input type="checkbox"/>	Consumer Affairs	16 <input type="checkbox"/>	Parks & Recreation
06 <input type="checkbox"/>	Ecology	17 <input type="checkbox"/>	Social & Health Services
07 <input type="checkbox"/>	Education	18 <input type="checkbox"/>	State Government
08 <input type="checkbox"/>	Financial Institutions	19 <input type="checkbox"/>	Taxation
09 <input type="checkbox"/>	Higher Education	20 <input type="checkbox"/>	Transportation & Utilities
10 <input type="checkbox"/>	Housing, Construction	21 <input type="checkbox"/>	Other (specify)
11 <input type="checkbox"/>	Labor		

13. IF THE LOBBYIST'S EMPLOYER IS AN ENTITY (including but not limited to business and trade associations) WHOSE MEMBERS INCLUDE, OR WHICH AS A REPRESENTATIVE ENTITY UNDERTAKES LOBBYING ACTIVITIES FOR BUSINESSES, GROUPS, ASSOCIATIONS OR ORGANIZATIONS, THE NAME AND ADDRESS OF EACH MEMBER OF SUCH ENTITY OR PERSON REPRESENTED BY SUCH ENTITY WHOSE FEES, DUES, PAYMENTS OR OTHER CONSIDERATION PAID TO SUCH ENTITY DURING EITHER OF THE PRIOR TWO YEARS HAVE EXCEEDED \$500 OR WHO IS OBLIGATED TO OR HAS AGREED TO PAY FEES, DUES, PAYMENTS OR OTHER CONSIDERATION EXCEEDING \$500 TO SUCH ENTITY DURING THE CURRENT YEAR.

NAME AND ADDRESS

CERTIFICATION: I hereby certify that the above is a true, complete and correct statement in accordance with RCW 42.17.150.		EMPLOYER'S AUTHORIZATION: Confirming the employment described in this registration statement as required under RCW 42.17.150.	
14. LOBBYIST'S SIGNATURE	DATE	15. SIGNATURE AND TITLE	DATE

EXCERPTS FROM PUBLIC DISCLOSURE LAW

42.17.150 Registration of lobbyists. (1) Before doing any lobbying, or within thirty days after being employed as a lobbyist, whichever occurs first, a lobbyist shall register by filing with the commission a lobbyist registration statement in such detail as the commission shall prescribe, showing:

(a) His name, permanent business address, and any temporary residential and business addresses in Thurston county during the legislative session;

(b) The name, address and occupation or business of the lobbyist's employer;

(c) The duration of his employment;

(d) His compensation for lobbying; how much he is to be paid for expenses, and what expenses are to be reimbursed; and a full and particular description of any agreement, arrangement or understanding according to which his compensation, or any portion thereof, is or will be contingent upon the success of any attempt to influence legislation;

(e) Whether the person from whom he receives said compensation employs him solely as a lobbyist or whether he is a regular employee performing services for his employer which include but are not limited to the influencing of legislation;

(f) The general subject or subjects of his legislative interest;

(g) A written authorization from each of the lobbyist's employers confirming such employment;

(h) The name and address of the person who will have custody of the accounts, bills, receipts, books, papers, and documents required to be kept under this chapter;

(i) If the lobbyist's employer is an entity (including, but not limited to, business and trade associations) whose members include, or which as a representative entity undertakes lobbying activities for, businesses, groups, associations or organizations, the name and address of each member of such entity or person represented by such entity whose fees, dues, payments or other consideration paid to such entity during either of the prior two years have exceeded five hundred dollars or who is obligated to or has agreed to pay fees, dues, payments or other consideration exceeding five hundred dollars to such entity during the current year.

(2) Any lobbyist who receives or is to receive compensation from more than one person for his services as a lobbyist shall file a separate notice of representation with respect to each such person; except that where a lobbyist whose fee for acting as such in respect to the same legislation or type of legislation is, or is to be, paid or contributed to by more than one person then such lobbyist may file a single statement, in which he shall detail the name, business address and occupation of each person so paying or contributing, and the amount of the respective payments or contributions made by each such person.

(3) Whenever a change, modification, or termination of the lobbyist's employment occurs, the lobbyist shall, within one week of such change, modification or termination, furnish full information regarding the same by filing with the commission an amended registration statement.

(4) Each lobbyist who has registered shall file a new registration statement, revised as appropriate, each January, and failure to do so shall terminate his registration. [1973 c 1 § 15 (Initiative Measure No. 276 § 15.)

42.17.160 Exemption from registration. The following persons and activities shall be exempt from registration and reporting under RCW 42.17.150, 42.17.170, 42.17.190, and 42.17.200:

(1) Persons who limit their lobbying activities to appearance before public sessions of committees of the legislature, or public hearings of state agencies.

(2) News or feature reporting activities and editorial comment by working members of the press, radio, or television and the publication or dissemination thereof by a newspaper, book publisher, regularly published periodical, radio station, or television station.

(3) Persons who lobby without compensation or other consideration for acting as a lobbyist: *Provided*, Such person makes no expenditure for or on behalf of any member of the legislature or elected official or public officer or employee of the state of Washington in connection with such lobbying. Any person exempt under this subsection (3) may at his option register and report under this chapter.

(4) Persons who restrict their lobbying activities to no more than four days or parts thereof during any three-month period and whose total expenditures during such three-month period for or on behalf of any one or more members of the legislature or state elected officials or public officers or employees of the state of Washington in connection with such lobbying do not exceed fifteen dollars: *Provided*, That the commission shall promulgate regulations to require disclosure by persons exempt under this subsection or their employers or entities which sponsor or coordinate the lobbying activities of such persons if it determines that such regulations are necessary to prevent frustration of the purposes of this chapter. Any person exempt under this subsection (4) may at his option register and report under this chapter.

(5) The governor.

(6) The lieutenant governor.

(7) Except as provided by RCW 42.17.190(1), members of the legislature.

(8) Except as provided by RCW 42.17.190(1), persons employed by the legislature for the purpose of aiding in the preparation or enactment of legislation or the performance of legislative duties.

(9) Elected state officials, officers, and employees of any agency reporting under RCW 42.17.190(4) as now or hereafter amended.

LOBBYIST IDENTIFICATION BOOKLET

(1) Each lobbyist shall at the time he registers submit to the commission a recent three inch by five inch black-and-white photograph of himself together with the name of the lobbyist's employer, the length of his employment as a lobbyist before the legislature, a brief biographical description, and any other information he may wish to submit not to exceed fifty words

in length; such photograph and information to be published at least annually in a booklet form by the commission for distribution to legislators and the public.

PLEASE COMPLETE PAGE 3 FOR INCLUSION IN THE LOBBYIST IDENTIFICATION BOOKLET. USE TYPEWRITER.

CONTINUED ON PAGE 3

LOBBYIST IDENTIFICATION BOOKLET

Attach 3" x 5"
black and white photo.
Photo should be head
and shoulders, full face,
and taken within last 3 years.

Please write, lightly in pencil,
name on back of photo
before attaching.

Photos will not be returned.

NAME:

BUSINESS ADDRESS:

PHONE:

OLYMPIA ADDRESS:

PHONE:

EMPLOYERS' NAMES:

YEAR FIRST EMPLOYED AS A LOBBYIST:

BIOGRAPHY:

WAC 390-20-015 Lobbyists registration--Termination. A lobbyist who intends to cease lobbying activity may terminate his registration at any time by filing with the Commission a signed statement, consistent with RCW 42.17.150(3) indicating his intention to terminate any further activity as a lobbyist. A lobbyist who terminates such registration shall file any reports required under the lobbyist reporting provisions for the period

during which he was registered as a lobbyist. The employer of any such lobbyist shall not be relieved of any duty to file the report otherwise required by RCW 42.17.180. [Order 62, § 390-20-015, filed 8/26/75.]

WAC 390-20-020 Forms for lobbyist report of expenditures. Pursuant to the statutory authority of RCW 42.17.360(1), the official form for the lobbyist report of expenditures as required by RCW 42.17.170 is hereby adopted for use in reporting to the Public Disclosure Commission. This form, revised 10/79, shall be designated as "L-2". Copies of this form may be obtained at the commission office, Room 403, Evergreen Plaza Building, Olympia, Washington, 98504.



PDC FORM
L-2
REV 10-79

**LOBBYIST
MONTHLY EXPENDITURE REPORT**

THIS SPACE FOR OFFICE USE

FILE NUMBER

R.M. DATE

DATE RECEIVED

PLEASE TYPE OR PRINT CLEARLY

1. LOBBYIST'S LAST NAME		FIRST	M.I.	2. TYPE OF REPORT	
PERMANENT BUSINESS ADDRESS				<input type="checkbox"/> MONTHLY REPORT (MONTH) (YEAR) <input type="checkbox"/> CORRECTION TO REPORT SUBMITTED FOR.....(MONTH) (YEAR)	
CITY	STATE	ZIP		OFFICE TELEPHONE	

ALL COMPLETE THIS PART		COMPLETE IF YOU HAVE MORE THAN ONE EMPLOYER			
EXPENDITURES BY OR ON BEHALF OF LOBBYIST FOR LOBBYING		AMOUNT PAID ON BEHALF OF OR ATTRIBUTED TO EACH EMPLOYER			
CATEGORY OF EXPENSE	AMOUNT THIS MONTH	EMPLOYER 1	EMPLOYER 2	EMPLOYER 3	Amount Not Attributed to a Specific Employer
3. PERSONAL EXPENSES (For Lobbying)					
3a FOOD AND REFRESHMENT					
3b LIVING ACCOMMODATIONS					
3c TRAVEL					
3d OTHER PERSONAL EXPENSES					
3e SUBTOTAL Personal Expenses					
4. OFFICE EXPENSES (portion attributed to lobbying)					
STAFF					
4a SECRETARIAL ASSISTANCE					
4b TELEPHONE					
4c RENT AND OTHER EXPENSES					
4d ADVERTISING, PRINTING, INFORMATIONAL LITERATURE					
4e SUBTOTAL Office Expenses					
5. COMPENSATION FOR LOBBYING (salary, wages, retainer)					
6. TRAVEL AND LODGING FOR OTHERS					
7. ENTERTAINMENT OF OTHERS (incl. food/refreshment - also complete 12)					
8. CONTRIBUTIONS, GIFTS, LOANS (also complete item 13)					
9. TOTAL EXPENSES AND COMPENSATION THIS MONTH	*	*	*	*	*

ATTACH ADDITIONAL PAGE(S) IF YOU LOBBY FOR MORE THAN THREE EMPLOYERS

*THE TOTAL ATTRIBUTED TO EACH EMPLOYER PLUS THE AMOUNT WHICH CANNOT BE ATTRIBUTED TO A SPECIFIC EMPLOYER SHOULD EQUAL TOTAL EXPENSES AND COMPENSATION THIS MONTH

EMPLOYERS' NAMES

No. 1

No. 2

No. 3

10. TERMINATION: (COMPLETE THIS ITEM ONLY IF YOU WISH TO TERMINATE YOUR REGISTRATION AS A LOBBYIST FOR THE REMAINDER OF THIS YEAR)
Terminate my registration for the following employers:

I understand that an L-2 report is required for any month or portion thereof in which I am a registered lobbyist. I also understand that once I have terminated my registration, I must file a new L-1 report prior to lobbying for that employer in the future. All registrations terminate automatically December 31. A new L-1 must be filed to register as a lobbyist for the next year.

CERTIFICATION

11. I hereby certify that this report is a true and complete account of all important information attributable directly or indirectly to lobbying activities for the period specified herein, and in accord with RCW 42.17.170.

LOBBYIST'S SIGNATURE

DATE

[Statutory Authority: RCW 42.17.370(1). 80-02-055 (Order 80-01), § 390-20-020, filed 1/17/80; Order 94, § 390-20-020, filed 10/31/77; Order 88, § 390-20-020, filed 12/29/76; Order 62, § 390-20-020, filed 8/26/75; Order 45, § 390-20-020, filed 9/26/74; Order 6, § 390-20-020, filed 3/23/73.]

WAC 390-20-023 Contributions to candidates, elected officials, political committees, or public office fund; identification of source. If a lobbyist, as an agent for another person, makes a monetary contribution to any candidate, elected official, political committee or public office fund and the existence of such agency and identity of its principal is not apparent on the face of the contribution instrument, the lobbyist shall simultaneously inform the recipient in writing of such contribution as to the source of such funds and the identity of the principal. [Statutory Authority: RCW 42.17.370(1). 79-09-041 (Order 79-04), § 390-20-023, filed 8/17/79.]

WAC 390-20-025 Lobbyists expenditures—Apportionment of expenses. For the purposes of compliance with RCW 42.17.170(2)(a) requiring reporting of expenditures by lobbyists, a person registered and reporting as a lobbyist need only report those expenditures made or incurred for lobbying. [Order 62, § 390-20-025, filed 8/26/75.]

WAC 390-20-026 Definition of term "other expenses". The term "other expenses" in RCW 42.17.170 shall be deemed to include only expenses or services paid or incurred or performed in connection with lobbying. [Order 70, § 390-20-026, filed 2/25/76; Order 62, § 390-20-026, filed 8/26/75.]

WAC 390-20-027 Definition—State elected official, candidate for state office. For the purposes of reporting by employers of registered lobbyists pursuant to RCW 42.17.180, the terms "state elected official" and "candidate for state office" shall include governor, lieutenant governor, attorney general, state auditor, commissioner of public lands, insurance commissioner, secretary of state, superintendent of public instruction, state treasurer, state senator, state representative, justices of the supreme court and judges of the court of appeals. [Order 71, § 390-20-027, filed 3/23/76.]

WAC 390-20-052 Application of RCW 42.17.190—Reports of agency lobbying. Pursuant to the authority granted in RCW 42.17.190(7), the commission adopts the following interpretations regarding the reporting of lobbying by public agencies pursuant to RCW 42.17.190:

(1) The phrase "in-person lobbying" contained in RCW 42.17.190(4)(d)(v)(B) includes activity which is intended to influence the passage or defeat of legislation, such as testifying at public hearings, but does not include activity which is not intended to influence legislation, such as attending a hearing merely to monitor or observe testimony and debate.

(2) The phrase "a legislative request" contained in RCW 42.17.190(4)(d)(ii) includes an oral request from a member of the legislature or its staff.

(3) Pursuant to RCW 42.17.190(5), certain local agencies may elect to have lobbying activity on their behalf reported by their elected officials, officers and employees in the same manner as lobbyists who register and report under RCW 42.17.150 and RCW 42.17.170:

(a) Whenever such a local agency makes such an election, it shall provide the commission with a written notice.

(b) After such an election, those who lobby on behalf of such local agency shall register and report all lobbying activity reportable under RCW 42.17.190(4) in the same manner as lobbyists who are required to register and report under RCW 42.17.150 and RCW 42.17.170. Such a local agency shall report pursuant to RCW 42.17.180.

(c) In order to terminate such an election, such a local agency shall provide the commission with a written notice and it shall report pursuant to RCW 42.17.190(4) thereafter.

(d) The exemptions from reportable lobbying activity contained in RCW 42.17.190(4)(d) apply to all agencies, whether or not they have exercised the election to report in the same manner as lobbyists who report under RCW 42.17.150, 42.17.170 and 42.17.180. The exemptions contained in RCW 42.17.160(1), (3) and (4) do not apply to any agency.

(4) Unless an agency has elected to report its lobbying pursuant to RCW 42.17.190(5) and subsection (3) of this rule, an agency shall include the reportable lobbying activity on its behalf by an elected official in its quarterly report. Such an elected official does not file any separate report of that activity.

(5) Reportable in-person lobbying by elected officials, officers and employees:

(a) An elected official does not engage in reportable in-person lobbying on behalf of this agency unless and until that elected official has expended in excess of fifteen dollars of nonpublic funds made in connection with such lobbying for or on behalf of any one or more members of the legislature or state elected officials or public officers or employees of the State of Washington during any three month period as provided in RCW 42.17.190(4)(d)(v)(B).

(b) Other officers and employees do not engage in reportable in-person lobbying on behalf of their agency unless and until they have, in the aggregate, expended in excess of fifteen dollars of nonpublic funds made in connection with such lobbying for or on behalf of any one or more members of the legislature or state elected officials or public officers or employees of the State of Washington or they have, in the aggregate, engaged in such lobbying for more than four days or parts thereof during any three month period as provided in RCW 42.17.190(4)(d)(v)(B).

(c) When limits in (a) or (b) above have been exceeded, the agency shall report such elected official, officer, or employee as a "PERSON WHO LOBBIED THIS QUARTER" on the front of PDC form L-5 and

include a listing of those excess expenditures as noted on that form. [Statutory Authority: RCW 42.17.370(1), 80-02-055 (Order 80-01), § 390-20-052, filed 1/17/80.]

WAC 390-20-100 Effect of Public Disclosure Act--Freedom of communication--Employer interference. Except as provided by RCW 42.17.150-42.17.190, which require certain persons who lobby to register and file periodic reports with the Commission, nothing in the Public Disclosure Act shall be deemed to impair or restrict the right of any individual to communicate to any member of the legislature or other legislative enactment of any other state agency, regardless of whether or not such matter as to which he communicates also affects, directly or indirectly, the interest of his employer: *Provided*, such activity involves no unauthorized or unlawful use of an employer's time or funds.

Nothing in the Act shall be deemed to necessitate or excuse if otherwise unlawful, any instruction, directive or order issues, orally or in writing, by any employer restraining such communication by an employee, or requiring such employee to obtain advance permission from such employer in order to make such communication. Any adverse action taken against such employee for the alleged violation of such instruction, directive or order, contrary to the policies expressed in these regulations, which depends or purports to depend upon the provisions of the Public Disclosure Act for its validity, shall be considered unlawful. Any such action, when reported to or discovered by the Commission, shall be reported to appropriate enforcement agencies for such civil or criminal action as may be appropriate. [Order 62, § 390-20-100, filed 8/26/75.]

WAC 390-20-105 Lobbyist's employer--Meaning--Examples. A person shall not be deemed to be a lobbyist's employer within the meaning of RCW 42.17.150-42.17.200 solely because an employee of such person engages in lobbying. The term "lobbyist's employer" as defined in the Act shall be deemed to include every person who engages or utilizes the services of any other person to lobby, upon an agreement express or implied, for compensation or for other considerations as that term is defined in WAC 390-05-230. A person shall be deemed to be a lobbyist's employer within the meaning of RCW 42.17.180 as to the following persons: (1) Persons who are actually employed by or receive consideration from such person in whole or in part, for lobbying; (2) Officers or employees of such person, whose actual duties consists, in whole or in part, of lobbying for or on behalf of such person, whether such duties are expressed in the corporate or partnership articles or bylaws or other writings of such employer, or in a written or oral contract, or exist by reason of a mutual understanding. [Order 62, § 390-20-105, filed 8/26/75.]

WAC 390-20-110 Forms for statement of compensation paid to elected officials. Pursuant to the statutory authority of RCW 42.17.360(1), the official form for

statement by employers of registered lobbyists of compensation paid to elected officials as required by RCW 42.17.180 is hereby adopted for use in reporting to the Public Disclosure Commission. This form shall be designated as "L-3". Copies of this form may be obtained at the Commission office, Room 403, Evergreen Plaza Building, Olympia, Washington, 98504. [Order 62, § 390-20-110, filed 8/26/75.]

WAC 390-20-115 Forms for report of legislative activity by legislators and legislative committees. Pursuant to the statutory authority of RCW 42.17.190, the official form for report of legislative activity by legislators and legislative committees as required by RCW 42.17.190 is hereby adopted for use in reporting to the Public Disclosure Commission. This form shall be designated as "L-4". Copies of this form may be obtained at the Commission office, Room 403, Evergreen Plaza Building, Olympia, Washington, 98504. [Order 71, § 390-20-115, filed 3/23/76; Order 62, § 390-20-115, filed 8/26/75.]

WAC 390-20-120 Forms for report of legislative activity by public agencies. Pursuant to the statutory authority of RCW 42.17.190, the official form for the report of legislative activity by public agencies as required by RCW 42.17.190 is hereby adopted for use in reporting to the Public Disclosure Commission. This form, revised 6/79, shall be designated as "L-5". Copies of this form may be obtained at the commission office, Room 403, Evergreen Plaza Building, Olympia, Washington, 98504.

Lobbying Reports

390-20-120



PDC FORM L-5 REV. 11-79	LOBBYING BY STATE AND LOCAL GOVERNMENT AGENCIES
--------------------------------------	--

THIS SPACE FOR OFFICE USE

FILE NUMBER	P. M. DATE	DATE RECEIVED
-------------	------------	---------------

INSTRUCTIONS ARE PRINTED ON REVERSE

AGENCY OR GOVERNMENTAL ENTITY NAME AND ADDRESS

DATE PREPARED

REPORT FOR CALENDAR
QUARTER ENDING

COUNTY

MONTH

YEAR

PERSONS WHO LOBBIED THIS QUARTER

NAME	JOB TITLE	ANNUAL SALARY	% OF TIME SPENT LOBBYING DURING QTR.
------	-----------	---------------	--------------------------------------

GENERAL DESCRIPTION OF LOBBYING ACTIVITIES OR OBJECTIVES. (INCLUDE BILL OR WAC NUMBERS IF ANY)

☐ CHECK IF PERSON SPENT MORE THAN \$15 OF NON-PUBLIC FUNDS IN LOBBYING. SEE INSTRUCTIONS ON REVERSE

NAME	JOB TITLE	ANNUAL SALARY	% OF TIME SPENT LOBBYING DURING QTR.
------	-----------	---------------	--------------------------------------

GENERAL DESCRIPTION OF LOBBYING ACTIVITIES OR OBJECTIVES. (INCLUDE BILL OR WAC NUMBERS IF ANY)

☐ CHECK IF PERSON SPENT MORE THAN \$15 OF NON-PUBLIC FUNDS IN LOBBYING. SEE INSTRUCTIONS ON REVERSE

NAME	JOB TITLE	ANNUAL SALARY	% OF TIME SPENT LOBBYING DURING QTR.
------	-----------	---------------	--------------------------------------

GENERAL DESCRIPTION OF LOBBYING ACTIVITIES OR OBJECTIVES. (INCLUDE BILL OR WAC NUMBERS IF ANY)

☐ CHECK IF PERSON SPENT MORE THAN \$15 OF NON-PUBLIC FUNDS IN LOBBYING. SEE INSTRUCTIONS ON REVERSE.

EXPENDITURES FOR LOBBYING THIS QUARTER

REPORT ONLY THE SEPARATELY IDENTIFIABLE AND MEASUREABLE EXPENDITURES INCURRED FOR LOBBYING PURPOSES

SALARIES OF PERSONS WHO LOBBIED (include only portion of quarterly salary attributable to lobbying)	\$
TRAVEL (include food, lodging, per diem payments and cost of transportation used.)	\$
BROCHURES AND OTHER PUBLICATIONS WHOSE PRINCIPAL PURPOSE IS TO INFLUENCE LEGISLATION	\$
CONSULTANTS OR OTHER CONTRACTUAL SERVICES	\$
TOTAL THIS QUARTER	\$
TOTAL TO DATE THIS YEAR	\$

CERTIFICATION: I certify that to the best of my knowledge the above is a true, complete and correct statement in accordance with RCW 42.17.190.

SIGNATURE OF AGENCY HEAD

PDC FORM L-5 (Rev.11-79) Replaces all previous editions.

ATTACH ADDITIONAL SHEETS IF MORE ROOM IS REQUIRED

INSTRUCTIONS

These instructions apply only to government agencies reporting pursuant to RCW 42.17.190.

Who Should Report?

Each state agency, county, city, town, municipal corporation, quasi-municipal corporation or special purpose district which expends public funds for "lobbying". Please study the definitions of what is and is not included in lobbying to determine if your agency is required to report.

"Lobbying" means attempting to influence the passage or defeat of any legislation by the state legislature or the adoption or rejection of any rule, standard, rate or other legislative enactment by any state agency under chapters 28.19 and 34.04 RCW. "Legislation" means bills, resolutions, motions, amendments, nominations, and other matters pending or proposed in either house of the state legislature, and includes any other matter which may be the subject of action by either house, or any committee of the legislature and all bills and resolutions which having passed both houses, are pending approval by the Governor.

Lobbying Does Not Include

1. Requests for appropriations by a state agency to OFM pursuant to RCW 43.88 or requests by OFM to the legislature for appropriations other than its own agency budget. Note that an agency representative who, in person, contacts a legislator or committee on appropriations matters is lobbying.
2. Recommendations or reports to the legislature in response to a legislative request expressly requesting or directing a specific study, recommendation or report on a particular subject.
3. Official reports including recommendations submitted annually or biennially by a state agency as required by law.
4. Requests, recommendations or other communications between or within state agencies or between or within local agencies.
5. Telephone conversations or preparation of written correspondence.
6. Preparation or adoption of policy positions within an agency or group of agencies. Note that once a position is adopted, further action to advocate it may constitute lobbying.
7. Attempts to influence federal or local legislation.

Lobbying Not Reportable

1. In person lobbying totaling no more than four days or parts of days during any three month period in aggregate for all officials and employees of the agency. In person lobbying includes testifying at legislative committee hearings and state agency hearings on rules and regulations but does not include attendance merely to monitor or observe testimony and debate.
2. In person lobbying by any elected official on behalf of his agency or in connection with his powers, duties or compensation.

Expenditures Over \$15 of Non-public Funds

Any person (including an elected official) who expends more than \$15 of personal or non-public funds for or on behalf of one or more legislators, state elected officials or state public officers or employees in connection with in-person lobbying must be listed on the L-5 report. Attach a page showing the spender's name, and date, the source of funds and amount spent, and for whom the money was spent. Examples of these expenditures include entertainment, dinners and campaign contributions.

Reports Required

The L5 report is submitted to cover each calendar quarter in which lobbying occurs. No report is required if no reportable lobbying has taken place during the quarter.

Due Dates

April 30 (1st quarter)	July 31 (2nd quarter)
October 31 (3rd quarter)	January 31 (4th quarter)

ONE CONSOLIDATED REPORT SHOULD BE SUBMITTED TO INCLUDE LOBBYING ACTIVITIES OF ALL DIVISIONS OR OFFICES OF AN AGENCY.

SEND REPORTS TO: PUBLIC DISCLOSURE COMMISSION
403 EVERGREEN PLAZA MAIL STOP FJ-42
OLYMPIA, WA 98504

Special Note: In lieu of reporting as provided in RCW 42.17.190 any agency or lobbyist for an agency may elect to register and report as provided in RCW 42.17.150, .160, .170 and 180. An agency so choosing must notify PDC of that fact and obtain necessary reporting forms and instructions.

[Statutory Authority: RCW 42.17.370(1). 80-02-106 (Order 80-02), § 390-20-120, filed 1/24/80. Statutory Authority: RCW 42.17.160(4) and 42.17.370(1). 78-08-061 (Order 100), § 390-20-120, filed 7/24/78; Order 94, § 390-20-120, filed 10/31/77; Order 77, § 390-20-120, filed 6/2/76; Order 62, § 390-20-120, filed 8/26/75.]

WAC 390-20-125 Forms for registration and reporting by sponsors of grass roots lobbying campaigns. Pursuant to the statutory authority of RCW 42.17.200, the official form for registration and reporting by sponsors of grass roots lobbying campaigns as required by RCW 42.17.200 is hereby adopted for use in reporting to the Public Disclosure Commission. This form shall be designated as "L-6". Copies of this form may be obtained at the Commission office, Room 403, Evergreen Plaza Building, Olympia, Washington, 98504. [Order 62, § 390-20-125, filed 8/26/75.]

WAC 390-20-130 Forms for statement of employment of legislators, state officers, and state employees. Pursuant to the statutory authority of RCW 42.17.210, the official form for statement of employment of legislators, state officers, and state employees as required by RCW 42.17.210 is hereby adopted for use in reporting to the Public Disclosure Commission. This form shall be designated as "L-7". Copies of this form may be obtained at the Commission office, Room 403, Evergreen Plaza Building, Olympia, Washington, 98504. [Order 62, § 390-20-130, filed 8/26/75.]

WAC 390-20-140 Loss of RCW 42.17.160 exemptions. (1) For the purpose of determining compliance with RCW 42.17.220, a lobbyist's employer shall be responsible for the applicability of all of the exemptions provided in RCW 42.17.160 to any lobbyist the employer employs, pays, or agrees to pay.

(2) The commission recognizes that a lobbyist who initially intends in good faith to utilize the "casual lobbying" exemption from registration and reporting which is provided in RCW 42.17.160(4) may thereafter become ineligible for that exemption, thus violating RCW 42.17.150 and/or 42.17.170 by not having registered and/or reported within the prescribed time periods.

(3) The commission shall not commence enforcement proceedings against a lobbyist or his employer in circumstances described in subsection (2) if the lobbyist:

(a) Registers pursuant to RCW 42.17.150 before doing any lobbying in excess of the exemption limitations in RCW 42.17.160(4); and

(b) Files a report on form L-2 when next due under RCW 42.17.170, which report includes all reportable information for the lobbying activities cumulatively causing the exemption limitations to be reached.

(4) The duty under RCW 42.17.230(1) of a person required to register as a lobbyist to obtain and preserve all records necessary to substantiate required financial reports shall include such records of all activities which cumulatively cause the RCW 42.17.160(4) exemption

limitations to be reached and exceeded. [Statutory Authority: RCW 42.17.160(4) and 42.17.370(1). 78-07-038 (Order 99), § 390-20-140, filed 6/26/78.]

WAC 390-20-143 Application of lobbying provisions to organizations. (1) A lobbyist other than a natural person shall be deemed to have properly restricted its lobbying activities so as to be eligible for the RCW 42.17.160(4) "casual lobbying" exemption during any three-month period in which it, acting through any one or more individuals, does not sponsor or coordinate or directly make expenditures for or on behalf of any one or more members of the legislature or state elected officials or public officers or employees of the state of Washington in connection with lobbying (a) which exceed a total of fifteen dollars, and (b) which are otherwise unreported under this chapter.

(2) A lobbyist other than a natural person which does sponsor or coordinate or directly make unreported expenditures exceeding fifteen dollars during a three-month period, as fully described in subsection (1), shall be subject to the registration and reporting requirements of RCW 42.17.150 and 42.17.170: *Provided*, That it shall be deemed to have satisfied these requirements if an individual agent responsible for those expenditures (a) registers and reports as a lobbyist, and (b) includes as part of form L-2 when next due a report of these and all other lobbying expenditures sponsored, coordinated, or directly made by the nonnatural person during that three-month period which are not reported on the L-2 of another lobbyist.

(3) A nonnatural person, including but not limited to a law firm, consulting firm, advertising agency, or other similar organization, which receives or expects to receive compensation in whole or in part for lobbying from any person, shall register and report as a lobbyist pursuant to RCW 42.17.150 and 42.17.170: *Provided*, That membership dues or contributions to a nonprofit organization made for the purpose of promoting a general interest and not in return for lobbying on behalf of any specific member or contributor shall not be regarded as compensation for this purpose. Registration statements and reports shall list as the lobbyists both the firm or organization and each individual acting on its behalf. The person paying the compensation shall report under RCW 42.17.180 as a lobbyist's employer. [Statutory Authority: RCW 42.17.160(4) and 42.17.370(1). 78-07-038 (Order 99), § 390-20-143, filed 6/26/78.]

WAC 390-20-145 Reporting of lobbying events. (1) A meeting or other gathering of individuals for which lobbying is a purpose or reasonably foreseeable result shall be reportable by or on behalf of the sponsoring person in accordance with WAC 390-20-143 and other applicable provisions of law: *Provided*, That the administrator or his designee, with the concurrence of the chairman, is authorized to state in writing how all reportable information relative to a particular gathering shall be reported on form L-2 whenever the application of the appropriate provisions of law is unclear to the reporting person, and this interpretation shall be reviewed

and approved, modified or rejected by the commission at its next regular or special meeting.

(2) Any other lobbyist reporting such a gathering may incorporate by reference in his form L-2 a form L-2 which is filed on the sponsor's behalf and which reports the gathering in accordance with applicable provisions of law, including WAC 390-20-143(2) and subsection (1) of this rule. [Statutory Authority: RCW 42.17.160(4) and 42.17.370(1). 78-07-038 (Order 99), § 390-20-145, filed 6/26/78.]

Chapter 390-24 WAC

FORMS FOR REPORTS OF FINANCIAL AFFAIRS

WAC

390-24-010	Forms for statements of financial affairs.
390-24-020	Forms for amending financial affairs statement.
390-24-025	Time for filing financial affairs statement.
390-24-030	Forms for reports of public office fund.
390-24-100	Definition—Direct financial interest.
390-24-105	Definition—Written sworn statement.
390-24-110	Definition—Debt.
390-24-160	Definition—Professional staff member.

390-24-200	Sufficient descriptions of property.
390-24-205	Report of legislation prepared, promoted or opposed.
390-24-210	Reports of officers and directors of financial institutions.
390-24-300	Form for report by public treasurers.

Reviser's Note: Forms for financial affairs reporting was duly filed on March 23, 1973, November 25, 1975, November 19, 1976, and October 31, 1977, in the Code Reviser's Office by the Public Disclosure Commission in accordance with the provisions of the Administrative Procedures Act. The reviser has deemed it inexpedient to convert these forms to the prescribed style of WAC. Copies of such forms may be obtained by writing to the Public Disclosure Commission, Room 403, Evergreen Plaza Building, Olympia, Washington 98504.

WAC 390-24-010 Forms for statements of financial affairs. Pursuant to the statutory authority of RCW 42.17.360(1), the official form for statements of financial affairs as required by RCW 42.17.240 is hereby adopted for use in reporting to the Public Disclosure Commission, provided that the form adopted by WAC 390-24-020 may be used by those persons filing after their first filing of this form. This form, revised 1/81, shall be designated as "F-1." Copies of this form may be obtained at the commission office, Room 403, Evergreen Plaza Building, Olympia, Washington, 98504.



Attach to your F-1 report

PDC FORM
F-1
SUPPLEMENT
(1-81)

**OFFICES HELD AND
BUSINESS INTERESTS**

Last Name	First Name	MI	Date
-----------	------------	----	------

A

show Self (S)
Spouse (Sp)
Dependent (D)

OFFICES, DIRECTORSHIPS, OWNERSHIPS, TRUSTEESHIPS
LIST EACH PUBLIC OR PRIVATE CORPORATION, PARTNERSHIP, JOINT VENTURE, UNION, ASSOCIATION, SOLE PROPRIETORSHIP OR OTHER ENTITY IN WHICH IS HELD ANY OFFICE, DIRECTORSHIP, GENERAL PARTNERSHIP, POSITION AS TRUSTEE, OR OWNERSHIP OF 10% OR MORE.

Name of Company, Association, etc.	Position Held or Nature of Ownership
Check here <input type="checkbox"/> if continued on attached sheet	

B

GOVERNMENT CUSTOMERS OF ORGANIZATIONS LISTED ABOVE
IF THE GOVERNMENT BODY IN WHICH OFFICE IS HELD HAS PAID COMPENSATION TO ANY OF THE ORGANIZATIONS LISTED ABOVE, COMPLETE THIS SECTION.

Name of Organization Receiving Compensation	Government Agency which Paid Compensation	Total Amount Paid and Purpose of Payment
Check here <input type="checkbox"/> if continued on attached sheet		

CONTINUE ON REVERSE

PDC Form F-1 Supplement (1-81)-30-

C**COMMERCIAL CUSTOMERS OF ORGANIZATIONS SHOWN ON FRONT**

LIST HERE EACH GOVERNMENT BODY, CORPORATION, PARTNERSHIP, JOINT VENTURE, SOLE PROPRIETORSHIP, UNION, ASSOCIATION OR OTHER BUSINESS OR COMMERCIAL ENTITY WHICH HAS PAID COMPENSATION OF \$2500 OR MORE DURING THE PAST 12 MONTHS TO ANY OF THE ORGANIZATIONS LISTED IN ITEM "A" ON THE FRONT OF THIS REPORT.

DO NOT REPORT INDIVIDUALS WHO ARE NOT BUSINESS OR COMMERCIAL ENTITIES.

Name of Organization Receiving Payment (From Item "A")

Organization Paying Compensation

Purpose of Payment

Check here ☐ if continued on attached pages

D**BUSINESS REAL ESTATE**

LIST EACH PARCEL OF WASHINGTON REAL ESTATE WITH ASSESSED VALUE OVER \$5000 IN WHICH A DIRECT FINANCIAL INTEREST WAS HELD BY ANY CORPORATION, PARTNERSHIP, FIRM, ENTERPRISE OR OTHER ENTITY IN WHICH YOU, YOUR SPOUSE OR DEPENDENTS OWN 10% OR MORE.

Description of Property

Check here ☐ if continued on attached pages

E**LEGISLATION, RULES, RATES, STANDARDS**

LIST PERSONS FOR WHOM STATE LEGISLATION OR STATE RULES, RATES OR STANDARDS HAVE BEEN PREPARED OR LOBBIED FOR CURRENT OR DEFERRED COMPENSATION. DO NOT LIST PAY FROM GOVERNMENT BODY IN WHICH YOU ARE AN ELECTED OFFICIAL FOR REGULAR PERFORMANCE OF DUTIES

Person to Whom Services Rendered

Description of Legislation, Rules, etc.

Compensation



PDC FORM

F-1

REV. 11-81

**STATEMENT OF FINANCIAL AFFAIRS
ELECTED OFFICIALS, CANDIDATES
AND STATE-LEVEL APPOINTED OFFICIALS**
INSTRUCTIONS*Please refer to the instruction book when completing this report*

WHO MUST REPORT: All elected officials, persons appointed to a elective office, candidates, designated state appointed officials (Federal officials and candidates and precinct committeemen are exempt from reporting)

WHEN TO REPORT: By April 15, each year you hold office. Officials whose terms expire December 31, or in January are still obligated to report the following year. Candidates or persons appointed to office report within two weeks of becoming a candidate or being appointed

SEND REPORT TO: PUBLIC DISCLOSURE COMMISSION

DOLLAR CODE

CODE AMOUNT

- A - Less than \$1,000
B - \$1,000 but less than \$5,000
C - \$5,000 but less than \$10,000
D - \$10,000 but less than \$25,000
E - \$25,000 or more

THIS SPACE FOR OFFICE USE

DATE MAILED DATE RECEIVED

Last name	First name	Middle initial	NAMES OF SPOUSE AND DEPENDENTS	POLITICAL PARTY If partisan office or pertinent to appointment
Address				
City	County	Zip		
OFFICE HELD (for elected or appointed officials)		DISTRICT	OFFICE SOUGHT (for candidates)	DISTRICT
POSITION NO.		POSITION NO.		
Current term - began: ends:		If elected, term will begin: ends:		

Elected official report covers previous calendar year; candidate report preceeding 12 months

COMPLETE INFORMATION FOR YOURSELF, SPOUSE, DEPENDENT CHILDREN AND OTHER DEPENDENTS IN YOUR HOUSEHOLD

1 Show Self (S) Spouse (SP) Dependent (D)	EMPLOYMENT, INCOME AND COMPENSATION LIST PRINCIPAL EMPLOYMENT FIRST, SHOW SOURCE OF ALL OTHER COMPENSATION OVER \$500		Amount Use Code
	Name and Address of Source	Occupation or How Earned	
<p>Check here <input type="checkbox"/> if continued on attached sheet</p>			

2	REAL ESTATE LOCATED IN WASHINGTON LIST EACH PARCEL WITH ASSESSED VALUE OVER \$2500. SHOW PARTNERSHIP, COMPANY, ETC. PROPERTY ON F-1 SUPPLEMENT ONLY.		
	Description of Property PURCHASED OR ACQUIRED	Nature of Ownership or Financial Interest	Payment or Other Consideration Given

SOLD OR DIVESTED

Name and Address of Purchaser

Payment or Other Consideration Received

OTHER PROPERTY OWNED OR IN WHICH YOU HAVE A FINANCIAL INTEREST. DO NOT INCLUDE PROPERTY SHOWN ABOVE.

Check here ☐ if continued on attached sheet

3	Show Self (S) Spouse (Sp) Dependent (D)	OTHER ASSETS AND FINANCIAL HOLDINGS (DO NOT INCLUDE REAL ESTATE HERE. LIST IT IN ITEM 2.)	Value Use Col.
		Name and Address of Bank, Company or Identification of Asset	Type of Account, Description of Asset

EACH BANK OR SAVINGS ACCOUNT OVER \$5000

EACH INSURANCE POLICY OVER \$5000 (CASH OR LOAN VALUE)

STOCKS, BONDS, OWNERSHIP INTEREST IN BUSINESS, RETIREMENT PLANS,
AND OTHER INTANGIBLE PROPERTY OVER \$500Check here ☐ if continued on attached sheet

4	LIABILITIES AND CREDITORS LIST CREDITORS OWED \$500 OR MORE AT ANY TIME COVERED BY THIS REPORT DO NOT INCLUDE RETAIL INSTALLMENT TRANSACTIONS.										
	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 50%;">Creditor's Name and Address</th> <th style="width: 20%;">Terms of Payment</th> <th style="width: 10%;">Security Given</th> <th style="width: 10%;">Original</th> <th style="width: 10%;">Present</th> </tr> <tr> <td colspan="5" style="height: 100px;"></td> </tr> </table>	Creditor's Name and Address	Terms of Payment	Security Given	Original	Present					
Creditor's Name and Address	Terms of Payment	Security Given	Original	Present							
	Check here <input type="checkbox"/> if continued on attached sheet										

5	OFFICES HELD AND OTHER BUSINESS INTERESTS ANSWER EACH QUESTION BY CHECKING APPROPRIATE BOX. IF ANSWER TO ANY QUESTION IS "YES" YOU MUST ALSO COMPLETE THE F-1 SUPPLEMENT REPORT
	YES NO

HAVE YOU, YOUR SPOUSE OR YOUR DEPENDENTS

A. HELD ANY PUBLIC OR PRIVATE OFFICE, DIRECTORSHIP OR POSITION AS TRUSTEE OTHER THAN THE PUBLIC OFFICE SHOWN
IN THE HEADING OF THIS REPORT?B. HELD ANY OFFICE, DIRECTORSHIP, GENERAL PARTNERSHIP OR OWNERSHIP INTEREST OF 10% OR MORE IN ANY CORPORA-
TION, PARTNERSHIP, JOINT VENTURE, ASSOCIATION, UNION OR OTHER ENTITY?

C. OWNED A SOLE PROPRIETOR BUSINESS?

D. PREPARED, PROMOTED OR OPPOSED STATE LEGISLATION OR STATE GOVERNMENT RULES, REGULATIONS OR STANDARDS
FOR CURRENT OR DEFERRED COMPENSATION? THIS DOES NOT INCLUDE SERVICE OR DUTIES IN YOUR ELECTIVE OFFICE

E. HELD A PARTNERSHIP OR SIMILAR BUSINESS INTEREST OF 10% OR MORE IN ANY WASHINGTON REAL ESTATE?

DOLLAR CODE

CODE AMOUNT

A - Less than \$1,000

B - \$1,000 but less than \$5,000

C - \$5,000 but less than \$10,000

D - \$10,000 but less than \$25,000

E - \$25,000 or more

Please answer each item. Identify attached pages with your name, date and item number to which they apply.

SIGN YOUR REPORT

CERTIFICATION: I hereby certify that the above is true, complete and correct statement in accordance with RCW
42.17.240 of this Law.

SIGNATURE

TELEPHONE

DATE


[Statutory Authority: RCW 42.17.370(1). 80-18-028 (Order 80-07), § 390-24-010, filed 12/1/80; 80-02-055 (Order 80-01), § 390-24-010, filed 1/17/80; Order 94, § 390-24-010, filed 10/31/77; Order 87, § 390-24-010, filed 11/19/76; Order 62, § 390-24-010, filed 8/26/75; Order 48, § 390-24-010, filed 3/3/75; Order 44, § 390-24-010, filed 9/26/74; Order 6, § 390-24-010, filed 3/23/73.]

WAC 390-24-020 Forms for amending financial affairs statement. (1) The official form for amending statements of financial affairs as required by RCW 42.17.240 for all persons who have previously filed the form F-1, is hereby adopted for use. This form shall be designated as form "F-1A".

(2) No more than three F-1A forms may be filed to amend a previously submitted Statement of Financial Affairs (Form F-1). The form can be used only to update information required on an F-1.

(3) The commission reserves the right to reject amendatory forms and require a new Statement of Financial Affairs (Form F-1) at any time if the amendments shown on an F-1A are of such length or detail so as to be confusing or to create misunderstandings. Authority is delegated to the commission's administrator to make this determination.

(4) Copies of form F-1A may be obtained at the commission office, Room 403, Evergreen Plaza Building, Olympia, Washington 98504.

PUBLIC DISCLOSURE COMMISSION
 403 EVERGREEN PLAZA, FJ-42
 OLYMPIA, WASHINGTON
 98504 206-753-1111

PDC FORM
F-1A
 REV. 10-79

**STATEMENT OF FINANCIAL AFFAIRS
 ELECTED OFFICIALS, CANDIDATES
 AND STATE-LEVEL APPOINTED OFFICIALS**

INSTRUCTIONS			THIS SPACE FOR OFFICE USE																													
<p><i>Please refer to the instruction book when completing this report</i></p> <p>WHO MUST REPORT: All elected officials, persons appointed to elective office, candidates, designated state appointed officials. (Federal officials and candidates and precinct committeemen are exempt from reporting)</p> <p>WHEN TO REPORT: By April 15, each year you hold office. Officials whose terms expire December 31, or in January are still obligated to report the following year. Candidates or persons appointed to office report within two weeks of becoming a candidate or being appointed.</p> <p>SEND REPORT TO: PUBLIC DISCLOSURE COMMISSION</p>			<table border="1"> <thead> <tr> <th colspan="2">FINANCIAL CODE</th> <th>P. M. DATE</th> <th>DATE RECEIVED</th> </tr> </thead> <tbody> <tr> <td>CODE</td> <td>AMOUNT</td> <td colspan="2"></td> </tr> <tr> <td>A - Less than \$1,000</td> <td></td> <td colspan="2"></td> </tr> <tr> <td>B - \$1,000 but less than \$5,000</td> <td></td> <td colspan="2"></td> </tr> <tr> <td>C - \$5,000 but less than \$10,000</td> <td></td> <td colspan="2"></td> </tr> <tr> <td>D - \$10,000 but less than \$25,000</td> <td></td> <td colspan="2"></td> </tr> <tr> <td>E - \$25,000 or more</td> <td></td> <td colspan="2"></td> </tr> </tbody> </table>		FINANCIAL CODE		P. M. DATE	DATE RECEIVED	CODE	AMOUNT			A - Less than \$1,000				B - \$1,000 but less than \$5,000				C - \$5,000 but less than \$10,000				D - \$10,000 but less than \$25,000				E - \$25,000 or more			
FINANCIAL CODE		P. M. DATE	DATE RECEIVED																													
CODE	AMOUNT																															
A - Less than \$1,000																																
B - \$1,000 but less than \$5,000																																
C - \$5,000 but less than \$10,000																																
D - \$10,000 but less than \$25,000																																
E - \$25,000 or more																																
<p>Name (Last name) (First name) (Middle initial)</p> <p>Home Address</p> <p>City County Zip</p>			<p>FILE NUMBER</p>																													
<p>OFFICE HELD (for elected or appointed officials) DISTRICT _____</p> <p>POSITION NO. _____</p> <p>Current term - began : _____ ends: _____</p>			<p>NAMES OF SPOUSE AND DEPENDENTS</p> <p>POLITICAL PARTY if partisan office or pertinent to appointment</p>																													
<p>OFFICE SOUGHT (for candidates) DISTRICT _____</p> <p>POSITION NO. _____</p> <p>If elected, term will begin: _____ ends: _____</p>																																
<p>COMPLETE INFORMATION FOR YOURSELF, SPOUSE, DEPENDENT CHILDREN AND OTHER DEPENDENTS IN YOUR HOUSEHOLD</p>																																

The F-1A report is designed primarily to simplify reporting by persons who have no changes or only minor changes to an F-1 report previously filed.

After filing a complete F-1 report, you may use the F-1A for no more than the next three reports. A complete F-1 must be filed at least every four years.

The Commission reserves the right to require that a complete F-1 report be filed if it believes amendments shown on one or more F-1A reports could cause confusion or misunderstanding to persons reviewing the reports.

Complete the statements below, sign your report and file it with the Public Disclosure Commission.

<input type="checkbox"/> No change report. I have reviewed my last complete F-1 report dated _____ and F-1A reports (if any) dated (1) _____, (2) _____. There have been no changes to that information during the preceding calendar year.		
<input type="checkbox"/> Minor change report. I have reviewed my last complete F-1 report dated _____. The changes listed below have occurred during the preceding calendar year.		
<p>F-1 Item No. ____ Add ____ Delete ____ Change ____ (Report all information required by F-1 report.)</p>		
<p>REPORT OF "PUBLIC OFFICE FUND" (if any). LIST CONTRIBUTIONS RECEIVED TO AND EXPENDITURES MADE FROM "PUBLIC OFFICE FUND" DURING THE PRECEDING CALENDAR YEAR FOR YOUR USE IN DEFRAYING NONREIMBURSED PUBLIC OFFICE RELATED EXPENSES. (See key reference in instruction booklet). (Does NOT apply to public revenues or other public funds)</p> <p><input type="checkbox"/> Check here if entry for this item is NONE - Otherwise <input type="checkbox"/> ATTACH LIST showing such contributions, expenditures and other details, as set forth in ITEM 12 KEY REFERENCE in instruction booklet.</p>		
SIGNATURE		TELEPHONE
		DATE

PDC Form F-1A Rev. 10-79

[Statutory Authority: RCW 42.17.370(1). 79-11-124 (Order 79-07), § 390-24-020, filed 11/6/79; Order 94, § 390-24-020, filed 10/31/77; Order 87, § 390-24-020, filed 11/19/76; Order 62, § 390-24-020, filed 8/26/75; Order 48, § 390-24-020, filed 3/3/75.]

WAC 390-24-025 Time for filing financial affairs statement. It shall be the policy of the Public Disclosure Commission to construe the filing requirements of RCW 42.17.240, for elected officials in the following manner: It is the interpretation of the commission that:

(1) Any person holding elected public office, except as exempted by the terms of RCW 42.17.240, and any appointed official and professional staff member listed or referenced in RCW 42.17.240, and any appointed official required to comply with the reporting requirements of RCW 42.17.240 by any other statute is required to file the Statement of Financial Affairs if such person holds such public office in the month of January of any year. Such report shall be for the twelve months preceding that month.

(2) Any local elected official whose term of office expires immediately after December 31 shall file a Statement of Financial Affairs for the calendar year which ended on that date.

(3) Any local elected official who resigns his public office prior to the completion of his current term of office shall file a Statement of Financial Affairs covering that portion of the year that he was in office. [Statutory Authority: RCW 42.17.370(1). 80-03-089 (Order 80-03), § 390-24-025, filed 3/4/80; Order 62, § 390-24-025, filed 8/26/75.]

WAC 390-24-030 Forms for reports of public office fund. Pursuant to the statutory authority of RCW 42.17.360(1), the official form for reports of public office fund as required by RCW 42.17.243 is hereby adopted for use in reporting to the Public Disclosure Commission. This form shall be designated as "F-2." Copies of this form may be obtained at the commission office, Room 403, Evergreen Plaza Building, Olympia, Washington, 98504.



PDC FORM

F-2
(1/81)**PUBLIC OFFICE FUND
REPORT**

THIS SPACE FOR OFFICE USE

P.M. DATE

DATE RECEIVED

PLEASE TYPE OR PRINT CLEARLY

Last Name	First Name	MI	Office You Hold	Period covered by report
Address				<input type="checkbox"/> Jan 1 to Dec 31, 19
City			County	Zip
				<input type="checkbox"/> Other / Show Dates
				To

CONTRIBUTIONS RECEIVED (CASH AND CHECKS)

Date	Contributor's Name and Address	Amount
Check here <input type="checkbox"/> if continued on attached page		TOTAL (Including Attached Pages)

**OTHER CONTRIBUTIONS RECEIVED
(INCLUDE TRAVEL AND OTHER IN-KIND GOODS AND SERVICES)**

Date	Contributor's Name and Address. If Value is unknown include description of contribution	Value
Check here <input type="checkbox"/> if continued on attached page		TOTAL (Including Attached Pages)

Date	Person to Whom Payment Made	Address	Nature of Expenditure	Amount

**TOTAL (Including
Attached Pages)**

Date _____

[Statutory Authority: RCW 42.17.370(1). 80-18-028 (Order 80-07), § 390-24-030, filed 12/1/80.]

WAC 390-24-100 Definition--Direct financial interest. For the purpose of RCW 42.17.240(1)(b), the phrase "direct financial interest" means and includes any direct ownership interest in a bank or savings account, in the cash surrender value of an insurance policy, in stocks, bonds, securities, evidences of indebtedness, judgments, accounts receivable, and other monetary claims in liquidated amounts.

The term "direct financial interest" as used in that subsection, shall not be deemed to include:

(1) Any direct financial interest which is required to be reported by such elected official or candidate under any other provision of chapter 42.17 RCW;

(2) An account receivable by a business entity in the ordinary course of such entity's business. [Order 62, § 390-24-100, filed 8/26/75.]

WAC 390-24-105 Definition--Written sworn statement. The term written, sworn statement for the purposes of RCW 42.17.240 shall mean a statement prepared by the elected official or candidate written and sworn to as to truth and accuracy to his best and actual knowledge or belief, of the candidate or elected official. [Order 62, § 390-24-105, filed 8/26/75.]

WAC 390-24-110 Definition--Debt. (1) For the purpose of RCW 42.17.240(1)(c), the term "debt" means and includes a personal obligation or liability to pay or return something of value. (2) The term "debt" as used in RCW 42.17.240(1)(c) shall not be deemed to include: an account payable of a business entity in the ordinary course of such entity's business. [Order 62, § 390-24-110, filed 8/26/75.]

WAC 390-24-160 Definition--Professional staff member. (1) A professional staff member of the Office of the Governor and of the Legislature includes all individuals retained on a full or part time basis whose primary responsibilities require the exercise of judgment and discretion in policy related matters, including, but not limited to, such individuals who are involved in the development of legislation. A professional staff member does not include individuals retained primarily for clerical, ministerial, or internal accounting and bookkeeping purposes.

(2) To insure that the provisions of Referendum 36 and this rule are properly and fairly administered and to provide guidance to affected individuals, the Commission, through its chairman and administrator, shall confer annually in December with the Governor, the Secretary of the Senate and the Clerk of the House regarding the specific professional staff members believed to fall within the criteria set forth in Paragraph (1). The administrator shall submit a report of those conferences to the Commission at its December meeting for approval, disapproval or modification, or other determination. Each determination shall be based on an

annual review of the positions and personnel to be retained by the affected governmental bodies during the ensuing year and shall constitute the Commission's administrative interpretation of the term "professional staff member" in RCW 42.17.240(1) as amended by Referendum 36, and its application to such positions and personnel. [Order 88, § 390-24-160, filed 12/29/76.]

WAC 390-24-200 Sufficient descriptions of property. For the purposes of reporting under RCW 42.17.240(1)(h)-(k), the Commission shall deem the following to be sufficient descriptions of property:

(1) Complete legal description, or

(2) Abbreviated legal description as appear on property statements;

(3) Street address, except when such address is a rural route. [Order 63, § 390-24-200, filed 9/10/75.]

WAC 390-24-205 Report of legislation prepared, promoted or opposed. (1) Pursuant to RCW 42.17.240(1)(e), an official must provide in each report required by that subsection:

(a) the name of each governmental entity of which the official is an officer or employee,

(b) a statement of each subject area on which the reporting official has proposed, promoted or opposed any legislation, rule, rate or standard for such entity,

(c) the compensation received or promised for said service and,

(d) all other persons for whom such services have been performed for current or deferred compensation, together with an itemization of such actual or proposed legislation, rules, rates and standards, and the amount of compensation paid or promised for the service.

(2) A person need not report the information described in subsection (a), (b), and (c) as to any entity of which such person is an elected official. [Order 90, § 390-24-205, filed 1/20/77.]

WAC 390-24-210 Reports of officers and directors of financial institutions. An elected official or candidate who is an officer or director of a financial institution may comply in part with RCW 42.17.240(1)(g)(ii) by incorporating by reference a list of the financial institution's officers and directors if such a list has been filed with the Commission by the financial institution in the current year. [Order 77, § 390-24-210, filed 6/2/76.]

WAC 390-24-300 Form for report by public treasurers. Pursuant to the statutory authority of RCW 42.17.360(1), the official form for the report by public treasurers as required by Section 10, Substitute House Bill 1329, chapter 112, Laws of 1975-76 2nd ex. sess. [RCW 42.17.245], is hereby adopted for use in reporting to the Public Disclosure Commission. This form shall be designated as "T-1". Copies of this form may be obtained at the Commission office, Room 403, Evergreen Plaza Building, Olympia, Washington, 98504. [Order 77, § 390-24-300, filed 6/2/76.]

Chapter 390-28 WAC
HARDSHIP EXEMPTIONS--HEARING EXAMINER
SYSTEM

WAC

390-28-010	Statement of policy.
390-28-020	Definition--Applicant.
390-28-021	Definition--Hearing officer.
390-28-025	Hearing to modify reporting requirements.
390-28-030	Hearing to modify reporting--Form--Right to by applicants.
390-28-040	Hearing to modify reporting--Prehearing procedure and requirements.
390-28-050	Hearing to modify reporting--Alternate forms.
390-28-060	Hearing to modify reporting--Procedures.
390-28-070	Hearing to modify reporting--By affidavit or sworn statement.
390-28-080	Hearing to modify reporting--Evidence, record, adverse decisions.
390-28-090	Hearing to modify reporting--Required findings.
390-28-100	Reporting modifications--Possible qualifications.

WAC 390-28-010 Statement of policy. (1) The Public Disclosure Commission is empowered by RCW 42.17.370(9) to suspend or modify reporting requirements of the Open Government Law in particular cases, pursuant to certain findings. The commission is fully aware of the need for such provision, and the procedural requirements which must be observed in its use of such power. The commission has adopted certain procedural guidelines, including hearings, by regulations previously adopted and is further aware of the need for expeditious handling of such hearings in order that their purpose will not be frustrated by delays extending beyond reporting deadlines.

(2) With these factors in mind, the commission adopts WAC 390-28-010 through 390-28-100. [Order 62, § 390-28-010, filed 8/26/75; Order 24, § 390-28-010, filed 2/21/74.]

WAC 390-28-020 Definition--Applicant. The term applicant for the purposes of chapter 390-28 WAC shall mean any individual, group, association or other entity that seeks an exemption pursuant to RCW 42.17.370(9) and these regulations. [Order 62, § 390-28-020, filed 8/26/75; Order 24, § 390-28-020, filed 2/21/74.]

WAC 390-28-021 Definition--Hearing officer. The term "hearing officer" for the purposes of chapter 390-28 WAC shall mean any member of the commission or other person designated by resolution of the commission to preside at hearings conducted pursuant to chapter 390-28 WAC. [Order 62, § 390-28-021, filed 8/26/75.]

WAC 390-28-025 Hearing to modify reporting requirements. (1) Any elected official or candidate or other person who considers compliance with any of the reporting requirements of chapter 42.17 RCW to be a manifestly unreasonable hardship in his particular case may apply for an exemption from such reporting requirements pursuant to RCW 42.17.370(9) and further pursuant to these regulations. [Order 62, § 390-28-025, filed 8/26/75; Order 24, § 390-28-025, filed 2/21/74.]

WAC 390-28-030 Hearing to modify reporting--Form--Right to by applicants. Each applicant shall be accorded the full procedural protection of the Administrative Procedures Act (chapter 34.04 RCW) and accompany regulations (chapter 1-08 WAC) in any hearing before the Commission or its designee. [Order 62, § 390-28-030, filed 8/26/75; Order 24, § 390-28-030, filed 2/21/74.]

WAC 390-28-040 Hearing to modify reporting--Prehearing procedure and requirements. (1) An applicant must file with the commission a written request for hearing for suspension or modification of reporting requirements.

(2) The request should contain a summary of the applicant's evidence to be submitted at the hearing. In the case of a hearing to suspend or modify the reporting requirements of RCW 42.17.240, the applicant, if he is a candidate for public office, shall complete the form F-1 (reference WAC 390-24-010) to the extent possible. The applicant shall append a statement of reasons why the reporting of required information would cause a manifestly unreasonable hardship, with as much detail as possible. A general statement, such as "violates right of privacy" shall not be deemed as sufficient compliance with this requirement.

(3) The filing of a request for exemption shall not suspend the reporting requirement of any portion of chapter 42.17 RCW. No such request filed later than three days prior to an applicable reporting date shall be considered: *Provided*, That elected public officials requesting an exemption shall file such request no later than the fifteenth day of March prior to the April reporting deadline. If an applicant does not file within these time limits, he shall be deemed to have waived any right to an exemption: *Provided*, That the commission upon good cause shown may grant a hearing. [Statutory Authority: RCW 42.17.370(1). 80-03-089 (Order 80-03), § 390-28-040, filed 3/4/80; Order 62, § 390-28-040, filed 8/26/75; Order 24, § 390-28-040, filed 2/21/74.]

WAC 390-28-050 Hearing to modify reporting--Alternate forms. (a) An applicant pursuant to time application made according to these regulations shall have the right to a hearing before a majority of the members of the Public Disclosure Commission. Such hearing shall be conducted pursuant to chapter 34.04 RCW, applicable regulations found in chapter 1-08 WAC, and chapter 390-28 WAC.

(b) The applicant may choose to be heard by a hearing examiner in lieu of a hearing by the commission as a body. Such hearing shall be conducted pursuant to chapter 34.04 RCW. Procedure shall be controlled by chapter 1-08 WAC, except to the extent that chapter 390-28 WAC shall be in conflict with chapter 1-08 WAC. [Order 62, § 390-28-050, filed 8/26/75; Order 24, § 390-28-050, filed 2/21/74.]

WAC 390-28-060 Hearing to modify reporting--Procedures. (1) The commission shall appoint hearing

officers to hear individual applicants. It shall be the duty of the hearing officer to conduct hearings on assigned cases in an impartial and orderly manner. The hearing officer shall have the authority, subject to other provisions of the law or regulations;

- (a) to administer oaths and affirmations;
- (b) to rule on all procedural matters, objections, and motions;
- (c) to rule on offers of proof and receive relevant evidence;
- (d) to interrogate applicants and witnesses in an impartial manner to develop any facts deemed necessary to fairly and adequately decide the issues;
- (e) to recess or adjourn hearings, or to refer the application to the entire commission.

(2) After such hearing is concluded, the hearing officer shall prepare and distribute to the applicant and each commissioner a proposed decision determining the issue. The applicant shall have five days to file with the commission specific objections to the hearing officer's **proposed** decision and to request an opportunity to present additional evidence to the commission. When written objections are timely filed, the commission, at the time of review and ratification, shall consider the whole record or such portions as may be cited by the hearing examiner. The commission may also hear additional testimony.

(3) If the applicant files objections to the hearing officer's proposed decision, the filing requirement from which the applicant has sought exemption shall not be suspended unless the commission, upon notice of the filing of objections, determines that a temporary suspension is justifiable pursuant to the criteria set out in RCW 42.17.370(9). Such suspension of filing requirements shall be granted only until the decision is finalized by formal action of the commission.

(4) At the next regular or special meeting at which the matter can be lawfully considered by the commission under these regulations, the commission shall review and either ratify or modify or revise the proposed order; provided that if the commission's order on review is adverse to the applicant, the proceedings shall be governed by RCW 34.04.110. [Order 67, § 390-28-060, filed 1/16/76; Order 62, § 390-28-060, filed 8/26/75; Order 24, § 390-28-060, filed 2/21/74.]

WAC 390-28-070 Hearing to modify reporting--By affidavit or sworn statement. (1) An applicant may choose to waive an appearance at a hearing conducted pursuant to chapter 390-28 WAC. The applicant may request a hearing before the entire commission or before a hearing officer as established by this chapter.

(2) In the event that an applicant chooses to waive such appearance, he shall submit to the Commission, or its designee, a written, sworn statement setting out in detail the rationale for requesting exemption or suspension.

(3) The commission, or its designee, shall proceed to decide the application in the same manner as if an appearance were made, *provided that* in the event the

commission or its designee is not able to reach a conclusion on the application because of an insufficiency of the evidence, it may adjourn the hearing for the purposes of gathering further evidence, or it may deny the application. Temporary suspension of reporting requirements may be granted as provided in WAC 390-28-060(3). [Order 64, § 390-28-070, filed 11/25/75; Order 62, § 390-28-070 (Formerly § 390-28-080), filed 8/26/75; Order 24, § 390-28-070, filed 2/21/74.]

WAC 390-28-080 Hearing to modify reporting--Evidence, record, adverse decisions. (1) The commission, or its designee shall be guided in its deliberations by WAC 390-28-090 and WAC 390-28-100, setting out required findings and prima facie qualifications, RCW 42.17.370(9), and the past proceedings of the commission.

(2) All evidence presented at hearings of the commission held pursuant to chapter 390-28 WAC and RCW 42.17.370(9) shall be considered to be a public record, *provided that* the commission may close the hearing and hold an executive session pursuant to RCW 42.30.140 if it finds that an executive session is necessary to allow the applicant to provide enough evidence to assure that proper findings are made. All evidence presented at any portion of a meeting held in executive session identifying the matters for which the applicant requests exemption under these regulations shall be considered and held confidential by the commission unless otherwise ordered by a court of competent jurisdiction, *provided that* evidence presented at a public hearing shall not be considered confidential. In the event that a hearing officer determines that an executive session may be necessary, he shall immediately adjourn the hearing and certify the cause to the commission for hearing.

(3) Any decision or order adverse to an applicant rendered by the commission or its designee shall be in writing or stated in the record and shall be accompanied by findings of fact and conclusions of law. [Order 62, § 390-28-080 (Formerly § 390-28-070), filed 8/26/75; Order 24, § 390-28-080, filed 2/21/74.]

WAC 390-28-090 Hearing to modify reporting--Required findings. The commission, after hearing as provided in these regulations, may suspend the applicable reporting requirement of chapter 42.17 RCW if it finds that the literal application of such requirement works a manifestly unreasonable hardship in the case under consideration and if it also finds that such suspension or modification will not frustrate the purposes of the act. The commission shall suspend or modify such reporting requirement or requirements only to the extent necessary to substantially relieve such hardship, and only upon clear and convincing proof to support such claim. [Order 62, § 390-28-090, filed 8/26/75; Order 24, § 390-28-090, filed 2/21/74.]

WAC 390-28-100 Reporting modifications--Possible qualifications. The following, or any of them, may be

considered possible qualifications for a reporting modification under RCW 42.17.370(9) pursuant to these regulations.

(a) Reporting any financial interest, otherwise required to be reported by RCW 42.17.240(1)(b) of said act, if the financial institution or other entity in which the candidate or official having such interest does not engage in business in the state of Washington, or is not regulated in whole or in part by the office sought or held by such candidate or elected official, and provided that such reporting would present actual difficulties to the candidate or official and the interest in question would present no actual or potential conflict with the proper performance of the duties of the office sought or held, in the public interest.

(b) Reporting any of the information required by RCW 42.17.240(1)(f) and (g), if public disclosure would violate any legally recognizable confidential relationship; provided, the information in question does not relate to a business entity which would be subject to the regulatory authority of the office sought or held by such candidate or elected official in whole or in part: *and provided further*, That such reporting would present actual difficulties to the candidate or official and the interest in question would present no actual or potential conflict with the performance of the duties of the office sought or held, in the public interest.

(c) Reporting any of the information required by RCW 42.17.240 for members of the immediate family of a candidate or elected official, if such information relates to a financial interest held by such member under a bona fide separate property agreement, or other bona fide separate status and such financial interest does not constitute a present or prospective source of income to such candidate or elected official or to any other person who is dependent upon such candidate or elected official for support in whole or in part.

(d) Reporting any other matter which would constitute an unreasonable hardship in a given case, when the matter reported would not indicate any actual or potential conflict with the proper performance of the duties of the office sought or held in the public interest. [Statutory Authority: RCW 42.17.370(1). 80-02-106 (Order 80-02), § 390-28-100, filed 1/24/80; Order 64, § 390-28-100, filed 11/25/75; Order 62, § 390-28-100, filed 8/26/75; Order 24, § 390-28-100, filed 2/21/74.]

Chapter 390-32 WAC

FAIR CAMPAIGN PRACTICES CODE

WAC

390-32-010	Fair Campaign Practices Code for candidates and local ballot issues.
390-32-020	Filing—Fair Campaign Practices Code.
390-32-030	Complaints—Fair Campaign Practices Code.
390-32-040	Fair Campaign Practices Code for state-wide ballot issues.

WAC 390-32-010 Fair Campaign Practices Code for candidates and local ballot issues. Pursuant to the provisions of RCW 42.17.370(1) and (6) the Public

Disclosure Commission adopts this Fair Campaign Practices Code:

(1) I shall conduct my campaign, and to the extent reasonably possible shall insist that my supporters conduct themselves, in a manner consistent with the best American tradition, discussing the issues and presenting my record and policies with sincerity and candor.

(2) I shall uphold the right of every qualified voter to free and equal participation in the election process.

(3) I shall not participate in, and I shall condemn, personal vilification, defamation, and other attacks on any opposing candidate or party which I do not believe to be truthful, provable, and relevant to my campaign.

(4) I shall not use or authorize, and I shall condemn material relating to my campaign which falsifies, misrepresents, or distorts the facts, including but not limited to malicious or unfounded accusations creating or exploiting doubts as to the morality, patriotism or motivations of any party or candidate.

(5) I shall not appeal to, and I shall condemn appeals to, prejudices based on race, creed, sex or national origin.

(6) I shall not practice, and I shall condemn practices, which tend to corrupt or undermine the system of free election or which hamper or prevent the free expression of the will of the voters.

(7) I shall promptly and publicly repudiate the support of any individual or group which resorts, on behalf of my candidacy or in opposition to that of my opponent(s) to methods in violation of the letter or spirit of this Code.

(8) I shall refrain from any misuse of the Public Disclosure Law, chapter 42.17 RCW to gain political advantage for myself or any other candidate. [Order 93, § 390-32-010, filed 8/26/77; Order 64, § 390-32-010, filed 11/25/75; Order 62, § 390-32-010, filed 8/26/75; Order 50, § 390-32-010, filed 3/3/75.]

WAC 390-32-020 Filing—Fair Campaign Practices Code. (1) A copy of the code provided in WAC 390-32-010 and 390-32-040 shall be printed in appropriate campaign reporting instructions made available to candidates and political committees.

(2) The PDC form C-1 registration statement for candidates and political committees shall contain a section wherein the candidate or committee treasurer may indicate his intent to either voluntarily subscribe to the Code or not to subscribe to all or a part of the Code.

(3) Neither failure to subscribe to the code nor to complete that section of the C-1 registration statement pertaining to the code shall constitute a violation of chapter 42.17 RCW. [Order 93, § 390-32-020, filed 8/26/77; Order 91, § 390-32-020, filed 7/22/77; Order 62, § 390-32-020, filed 8/26/75; Order 59, § 390-32-020, filed 7/16/75; Order 52, § 390-32-020, filed 4/17/75.]

WAC 390-32-030 Complaints—Fair Campaign Practices Code. (1) Written and signed complaints alleging a violation of one or more specific provisions of the Fair Campaign Practices Code for candidates and

local ballot issues (WAC 390-32-010) or the Fair Campaign Practices Code for state-wide ballot issues (WAC 390-32-040) may be submitted to the Public Disclosure Commission by any person.

(2) Upon receipt of a complaint, the Commission administrator shall forward a copy of the complaint to the complainee within 24 hours, accompanied by a request for a response to the complaint returned within 5 days from the date of mailing.

(3) Upon receipt of the complainee's response, the Commission administrator shall forward a copy to the complainant. A copy of the complaint and the response shall be sent to news media. The complaint and the response shall be available at the Commission office for public inspection and copying. If the complainee does not respond within 5 days, the complaint shall be made public without a response.

(4) The Commission will make no attempt to secure a reply to and will make no public release of complaints received within 8 days of an election.

(5) The Commission will not issue comments or opinions about complaints or responses.

(6) In the absence of any contrary intention as expressed by the complainant, the filing of a complaint with the Commission constitutes implied consent to have the complainant's identity disclosed. [Order 93, § 390-32-030, filed 8/26/77; Order 91, § 390-32-030, filed 7/22/77.]

WAC 390-32-040 Fair Campaign Practices Code for state-wide ballot issues. (1) We shall conduct our campaign, and to the extent reasonably possible shall insist that our supporters conduct themselves, in a manner consistent with the best American tradition, discussing the issues and presenting the record and facts with sincerity and honesty.

(2) We shall uphold the right of every qualified voter to free and equal access in the election process to all views held by both those in support of or opposition to this ballot issue.

(3) We shall not participate in, and shall condemn, personal vilification, defamation, and other attacks on those who hold the opposing viewpoint which we do not believe to be truthful, provable, and relevant to the campaign.

(4) We shall not use or authorize, and shall condemn material relating to the campaign which falsifies, misrepresents, or distorts the facts, including but not limited to malicious or unfounded accusations creating or exploiting doubts as to the morality, patriotism or motivations of those who oppose our view.

(5) We shall not appeal to, and we shall condemn appeals to, prejudices based on race, creed, sex or national origin.

(6) We shall not practice, and we shall condemn practices, which tend to corrupt or undermine the system of free elections or which hamper or prevent the free expression of the will of the voters. To this end we do voluntarily agree not to accept contributions when such acceptance would result in the total of contributions and

independent campaign expenditures in support of or opposition to any state-wide ballot issue exceeding fifteen cents multiplied by the number of Washington voters voting in the last presidential general election. We shall promptly condemn any action by any group or individual whose contribution or expenditure results in this limitation being exceeded.

(7) We shall promptly and publicly repudiate the support of any individual or group which resorts to methods in violation of letter or spirit of this Code.

(8) We shall refrain from any misuse of the Public Disclosure Law, chapter 42.17 RCW to gain political advantage for our viewpoint. [Order 92, § 390-32-040, filed 7/22/77.]

Chapter 390-37 WAC

ENFORCEMENT PROCEDURES—INVESTIGATIVE HEARINGS

WAC

390-37-010	Enforcement procedures—Policy.
390-37-020	Enforcement procedures—Initiation of complaint.
390-37-030	Enforcement procedures—Status of citizen complainant and others.
390-37-040	Enforcement procedures—Procedure for filing citizen complaints.
390-37-050	Enforcement procedures—Respondent's notice of complaint.
390-37-060	Enforcement procedures—Investigation of complaints.
390-37-070	Enforcement procedures—Complaints dismissible by administrator.
390-37-080	Enforcement procedures—Prehearing conference.
390-37-090	Enforcement procedures—Cases resolvable by stipulation.
390-37-100	Enforcement procedures—Contested case hearings.
390-37-150	Reconsideration and review of decisions.
390-37-200	Investigative hearings—Commission policy.
390-37-205	Investigative hearings—Respondent's notice to appear.
390-37-210	Investigative hearings—Subpoenas.
390-37-215	Investigative hearings—Conducted by Commission or hearing officer.
390-37-220	Investigative hearings—Procedures.
390-37-225	Investigative hearings—Disposition of case by hearing officer.
390-37-230	Investigative hearings—Disposition of case by Commission.
390-37-300	Late filings—Civil penalties.
390-37-305	Late filings—Administrator review.
390-37-310	Late filings—Waiver of penalty.
390-37-315	Late filings—Petition for waiver—Disposition by Commission.
390-37-320	Late filings—Waiver petition—Judicial review and enforcement.

WAC 390-37-010 Enforcement procedures—Policy. The Commission recognizes the need for published uniform rules setting forth Commission policies and procedures for cases in which violations or apparent violations of chapter 42.17 RCW are brought to its attention. The policy of the Commission shall be to facilitate the resolution of compliance matters in a fair and expeditious manner. [Order 79, § 390-37-010, filed 6/25/76.]

WAC 390-37-020 Enforcement procedures—Initiation of complaint. (1) A complaint alleging a violation

of chapter 42.17 RCW may be brought to the attention of the Commission staff by:

- (a) a member of the public;
- (b) the Commission staff;
- (c) a Commission member, who shall then be disqualified from participating in the decision of a contested case that may arise from the complaint; or
- (d) referral from the Office of the Attorney General.

(2) The person or entity against whom a complaint is filed shall be known as the respondent. [Order 79, § 390-37-020, filed 6/25/76.]

WAC 390-37-030 Enforcement procedures—Status of citizen complainant and others. (1) When a citizen complaint has been filed with the Commission, neither the complainant nor any other person shall have special standing to participate or intervene in the investigation or consideration of the complaint by the Commission. However, the staff shall give notice to the complainant of any open Commission hearings on the matter and the complainant may be called as a witness in any contested case hearing or investigative proceeding.

(2) The complainant or any other person may submit documentary evidence and/or written factual or legal statements to the Commission at any time. The complainant or any other person wishing to be heard in a compliance matter may request permission in advance of a public hearing on the matter or at such hearing, and the Commission may grant such person a reasonable opportunity to be heard.

(3) A person not satisfied with the dismissal of a complaint by the Commission or its administrator when no violation is found, may pursue an appropriate remedy under RCW 42.17.400(4). [Order 79, § 390-37-030, filed 6/25/76.]

WAC 390-37-040 Enforcement procedures—Procedure for filing citizen complaints. (1) A complaint filed with the Commission, relating to an elected official or a candidate for elective office, shall be in writing and signed by the complainant under oath.

(2) A complaint filed with the Commission, other than a complaint specified in subsection (1) of this section may be made informally.

(3) A complaint filed under the provisions of either subsection (1) or (2) of this section should include:

(a) a statement of the nature of the alleged violation or violations, date, time and place of each occurrence and name of person or persons responsible; and

(b) all available documentation and other evidence which the complainant is able to supply to demonstrate a reason for believing that a violation of chapter 42.17 RCW has occurred. [Order 79, § 390-37-040, filed 6/25/76.]

WAC 390-37-050 Enforcement procedures—Respondent's notice of complaint. Within ten days of receipt by the commission of a complaint which on its face appears to have merit, the commission shall notify the respondent that a complaint has been filed. The notice shall set forth the nature of the complaint and its origin

(citizen complaint, commission or other) and the statutory provision alleged to have been violated. [Statutory Authority: RCW 42.17.370(1). 79-08-046 (Order 79-03), § 390-37-050, filed 7/19/79; Order 81, § 390-37-050, filed 7/22/76.]

WAC 390-37-060 Enforcement procedures—Investigation of complaints. The administrator shall investigate and present to the Commission each complaint which indicates reasonable cause to believe chapter 42.17 RCW has been violated. [Order 81, § 390-37-060, filed 7/22/76.]

WAC 390-37-070 Enforcement procedures—Complaints dismissible by administrator. The administrator, with the concurrence of the chairman, at any time prior to consideration by the Commission, may dismiss a complaint which on its face, or as shown by investigation, does not show reason to believe that a violation of chapter 42.17 RCW has occurred. [Order 81, § 390-37-070, filed 7/22/76.]

WAC 390-37-080 Enforcement procedures—Prehearing conference. (1) After investigation of a complaint, there shall be a prehearing conference between the administrator or his designee and the respondent.

(2) The administrator and respondent shall proceed according to WAC 390-37-090. If the administrator and respondent can agree at the prehearing conference that:

- (a) no facts are contested; and
- (b) no questions of law are presented; and
- (c) respondent had no intent to conceal or withhold information in violation of the provisions of chapter 42.17 RCW, and
- (d) chapter 42.17 RCW was violated, and
- (e) determination of the sanction, if any, shall be made by the Commission under the provisions of section 12(4), chapter 112, Laws of 1975 2nd Extraordinary Session.

(3) There shall be a contested case hearing if

- (a) one or more of the criteria set forth in subsection (2) of this section is not satisfied and

(b) the administrator determines there is reasonable cause to believe a violation has occurred and the violation is one which the Commission should resolve by finding an actual violation pursuant to Substitute House Bill 1329, section 12(4), 2nd Extraordinary Session.

(4) The administrator shall proceed in accordance with WAC 390-37-230 if

(a) one or more of the criteria set forth in subsection (2) of this section is not satisfied and

(b) the administrator determines there is reasonable cause to believe a violation has occurred and the violation is one which the Commission should refer to the Attorney General or other law enforcement agency pursuant to RCW 42.17.360. [Order 81, § 390-37-080, filed 7/22/76.]

WAC 390-37-090 Enforcement procedures—Cases resolvable by stipulation. (1) When the administrator

and respondent agree at the prehearing conference to the criteria set forth in subsections (2)(a) through (e) of WAC 390-37-080, the administrator and respondent shall prepare stipulated statements of fact and law for presentation to the Commission.

(2) If the Commission finds that there has been an actual violation by approving the findings of fact and conclusions of law as presented in the stipulation, the Commission shall:

(a) convene a contested case hearing on the issue of the sanction to be imposed, and

(b) determine the amount of the sanction.

(3) The Commission shall refer the matter to the administrator for further investigation or other action consistent with the Commission's deliberations if the Commission:

(a) does not approve the proposed findings of fact and conclusions of law pursuant to subsection (1) of this section or

(b) determines its own remedy would be inadequate. [Order 81, § 390-37-090, filed 7/22/76.]

WAC 390-37-100 Enforcement procedures—Contested case hearings. (1) A contested case hearing shall be conducted pursuant to the Administrative Procedures Act (chapter 34.04 RCW) and its supporting regulations (chapter 1-08 WAC).

(2) A contested case shall be heard either by the Commission or, if the respondent consents, by a duly designated hearing officer. The hearing officer may be either a member of the Commission or another qualified person designated by resolution of the Commission to preside at contested case hearings.

(3) Upon the conclusion of a contested case, the hearing officer shall prepare and present to the Commission findings of fact, conclusions of law, and a proposed decision determinative of the matter. When the proposed decision is adverse to the respondent, a copy of the findings of fact, conclusions of law and proposed decision shall be served upon the administrator and the respondent. Both the respondent and the administrator shall be afforded an opportunity to file exceptions and written argument with the Commission. The Commission shall review the proposed decision at its next regular meeting or at a special meeting called for that purpose. The Commission shall consider the whole record or such portions as shall be cited by the parties. Oral argument may be heard at the discretion of the Commission.

(4) After either a hearing by the Commission or review by the Commission of the proposed decision of a hearing officer the Commission may find that:

(a) respondent did not violate the act, as alleged, and dismiss the case; or

(b) respondent violated chapter 42.17 RCW, as alleged, and determine the sanction, if any, to be imposed, or

(c) (i) respondent is in apparent violation of chapter 42.17 RCW, (ii) its own remedy is inadequate and enter its order referring the matter to the appropriate law enforcement agency as provided in RCW 42.17.360.

(5) Upon the conclusion of a hearing, the Commission

(a) shall set forth in writing its findings of fact, conclusions of law and decision on the merits of the case; and

(b) shall deliver, either in person or by mail, to each respondent, or the attorney of record of each respondent, a copy of the findings of fact, conclusions of law and decision.

(6) When the Commission finds an apparent violation and refers the matter to an enforcement agency, the Commission shall give to the respondent written notice of such finding and order of referral. [Order 81, § 390-37-100, filed 7/22/76.]

WAC 390-37-150 Reconsideration and review of decisions. (1) For purposes of this rule, "decision" means any findings, conclusions, order, or other action by the commission which is reviewable by a court.

(2) A decision may be reconsidered only upon (a) the written request of the person aggrieved thereby or (b) the motion or written request of a commissioner who voted on the prevailing side when that decision was made.

(3) Such a request for reconsideration shall be served, or motion made, within thirty days after service of the decision of which reconsideration is sought.

(4) A request or motion for reconsideration shall specify the grounds therefor.

(5) Upon being served with a decision, the respondent may treat that decision as final for the purpose of petitioning for judicial review. The commission may not reconsider any decision after being served with a petition for judicial review.

(6) When a request for reconsideration is served, or motion made, enforcement of the decision of which reconsideration is sought shall be stayed and the decision shall not be final until the commission has acted on the reconsideration.

(7) The commission shall act on the reconsideration, at the next meeting at which it practicably may do so, by: (a) Deciding whether to reconsider its decision, and (b) if it decides to do so, either affirming or amending its decision: *Provided*, That before a decision may be amended other than by lowering a penalty, the respondent shall be given notice and an opportunity to be heard if, and in the same manner as, required for the original decision. [Statutory Authority: RCW 42.17.370(1). 79-08-046 (Order 79-03), § 390-37-150, filed 7/19/79.]

WAC 390-37-200 Investigative hearings—Commission policy. (1) Although a respondent has no legal right to a hearing in connection with a determination by the Commission to refer an apparent violation to a law enforcement authority, the Commission has found that such a hearing may be a useful means of developing the true state of facts, with obvious benefit to all parties, including the public. It is the purpose of the investigative hearing rules, stated in WAC 390-37-200 through 390-37-230, to establish procedural guidelines for such hearings.

(2) For the purpose of these regulations, the term "investigative hearing" means a hearing to determine

whether there has been an apparent violation of one or more provisions of chapter 42.17 RCW and whether such apparent violation should be referred to an appropriate law enforcement authority.

(3) The Commission reserves the right to dispense with an investigative hearing in any case and to refer such matter to a law enforcement authority whenever

(a) such action appears necessary for proper administration and enforcement of the Act, or

(b) the Commission concludes that no useful purpose would be served by an investigative hearing. [Order 81, § 390-37-200, filed 7/22/76.]

WAC 390-37-205 Investigative hearings--Respondent's notice to appear. The Commission, through its administrator, shall give notice to the respondent seven (7) days in advance of an investigative hearing, advising the respondent that he or she may appear and present testimony at such hearing. [Order 81, § 390-37-205, filed 7/22/76.]

WAC 390-37-210 Investigative hearings--Subpoenas. (1) The Commission, its chairman, or designee of the Commission or upon request by a respondent, may subpoena persons to appear and give testimony and may require the production of any books, papers, correspondence, memorandums or other records which the Commission deems relevant or material.

(2) Such subpoena will issue and may be enforced in the form and manner set forth in RCW 34.04.105 and WAC 1-08-105 through 1-08-170. [Order 81, § 390-37-210, filed 7/22/76.]

WAC 390-37-215 Investigative hearings--Conducted by Commission or hearing officer. An investigative hearing shall be conducted by a hearing officer or, if the respondent requests, the Commission. The Commission or the hearing officer shall conduct the hearing in an impartial and orderly manner. The Commission or hearing officer shall have the authority, subject to other provisions of the law or regulations, to:

(a) administer oaths and affirmations;

(b) issue subpoenas compelling the attendance of witnesses and the production of evidence;

(c) rule on all procedural matters, objections and motions;

(d) interrogate witnesses in an impartial manner to develop pertinent facts;

(e) receive relevant evidence; and

(f) recess, continue, or adjourn hearings. [Order 81, § 390-37-215, filed 7/22/76.]

WAC 390-37-220 Investigative hearings--Procedures. (1) In any investigative hearing held to adduce evidence regarding alleged violations of the act, the Commission or the hearing officer shall be guided by the following:

(a) The person appearing shall be sworn;

(b) Upon direction of the Commission or hearing officer, additional witnesses may be called and examined;

(c) Staff or counsel shall ascertain identifying facts for the record and shall then proceed to examine the person testifying;

(d) The Commission or hearing officer may examine any witness;

(e) The respondent may present evidence and may call additional witnesses;

(f) The staff, counsel, commissioners or hearing officer may cross-examine persons so appearing;

(g) The chairman or hearing officer shall rule on admissibility of evidence, subject to being overruled by a majority of the commissioners present when heard before the full Commission.

(2) The Commission or hearing officer may vary these procedures from time to time as deemed necessary for efficient and fair administration. [Order 81, § 390-37-220, filed 7/22/76.]

WAC 390-37-225 Investigative hearings--Disposition of case by hearing officer. (1) At the conclusion of an investigative hearing, the hearing officer shall prepare a written summary of the evidence gathered and a written statement of the proposed action. The hearing officer may propose any action which the Commission might make consistent with WAC 390-37-230 or he may refer the matter to the Commission.

(2) A copy of the hearing officer's written summary and report shall be furnished promptly after the hearing to the respondent and to each Commission member. The respondent shall have 5 days from the receipt of such summary and statement in which to notify the Commission in writing of specific objections to the summary and statement, and of the desire to present new or additional evidence. No further action shall be taken on the matter prior to the expiration of the 5 day period.

(3) Upon request by a commission member, the full Commission shall review the matter at the next meeting at which the matter may be considered pursuant to this rule. The Commission may ratify, set aside, or modify the hearing officer's disposition or take any action provided by WAC 390-37-230.

(4) If no Commissioner requests such a review at or before the next meeting at which the matter could be considered pursuant to this rule, and if no objections or new or additional evidence is presented by the respondent, the action taken by the hearing officer shall be the official action of the Commission.

(5) If the hearing officer's proposed decision becomes the official action of the Commission, the hearing officer's written summary and report shall become the public record of the Commission's action. [Order 81, § 390-37-225, filed 7/22/76.]

WAC 390-37-230 Investigative hearings--Disposition of case by Commission. (1) At the conclusion of an investigative hearing, the Commission may:

(a) dismiss a matter;

(b) postpone a final decision on the matter to allow Commissioners, staff and counsel to summarize and review the evidence and make recommendations as to the disposition of the matter;

(c) find an apparent violation and refer the matter to an appropriate law enforcement authority pursuant to RCW 42.17.360.

(2) The Commission shall not make formal findings or conclusions inasmuch as these matters are fact-finding efforts and not formal contested cases. However, the Commission shall prepare a summary of the evidence gathered and its conclusions, which report shall become the public record of the Commission's action. [Order 81, § 390-37-230, filed 7/22/76.]

WAC 390-37-300 Late filings--Civil penalties. The late filing civil penalty imposed by section 11, chapter 112, Laws of 1975-76, 2nd ex. sess., is an automatic penalty. Payment of this civil penalty by a person who violates chapter 42.17 RCW does not preclude the Commission or a court from imposing other or additional civil penalties in connection with the same violation. [Order 84, § 390-37-300, filed 8/18/76.]

WAC 390-37-305 Late filings--Administrator review. The Commission staff shall review all late filings of statements or reports required under chapter 42.17 RCW.

(1) A statement or report which is filed within ten days of the applicable due date except when relating to campaign financing and due within ten days before an election, and which is accompanied by payment of the ten dollar late filing penalty specified in section 11, chapter 112, Laws of 1975-76, 2nd ex. sess., shall receive no further penalty by the Commission for being late;

(2) A statement or report filed more than 60 days after the applicable due date shall be treated as a compliance matter pursuant to chapter 390-37 WAC;

(3) Any other late-filed statement or report shall be reviewed by the Commission administrator to determine if the amounts of money involved or other circumstances indicate an apparent attempt to (a) withhold or conceal information required to be disclosed under chapter 42.17 RCW, or (b) otherwise frustrate the purposes of that chapter. Upon an affirmative finding under the preceding sentence, the case shall be treated as a compliance matter pursuant to chapter 390-37 WAC. Upon a negative finding under the first sentence of this subsection, only the ten dollar late filing penalty specified in section 11, chapter 112, Laws of 1975-76, 2nd ex. sess., shall be assessed. [Order 84, § 390-37-305, filed 8/18/76 and 8/20/76.]

WAC 390-37-310 Late filings--Waiver of penalty.

(1) The Commission is empowered by section 11, chapter 112, Laws of 1975-76, 2nd ex. sess., to waive imposition of the ten dollar late filing penalty only if the Commission finds that failure to timely file a statement or report was unavoidable.

(2) Any person seeking a waiver of this late filing penalty shall file with the Commission a written petition, verified under oath by the petitioner, setting forth the specific circumstances which caused the late filing to be unavoidable.

(3) The petition shall be submitted with the late statement or report and shall operate to defer payment of the late filing penalty pending Commission action on the petition. [Order 84, § 390-37-310, filed 8/18/76.]

WAC 390-37-315 Late filings--Petition for waiver--Disposition by Commission. (1) The Commission shall consider any waiver petition submitted pursuant to WAC 390-37-310 at an announced public meeting. The Commission, in its discretion, may hold a hearing.

(2) If the Commission finds that failure to timely file the report or statement was unavoidable, an order shall be entered waiving imposition of the civil penalty.

(3) If the Commission finds that a report was not timely filed and that the failure to file timely was avoidable, the Commission may either:

(a) enter an order directing immediate payment of the amount of the penalty; or

(b) find that an apparent violation of chapter 42.17 RCW has occurred and take appropriate action pursuant to WAC 390-37-200 through 390-37-230. [Order 84, § 390-37-315, filed 8/18/76.]

WAC 390-37-320 Late filings--Waiver petition--Judicial review and enforcement. (1) Any order issued by the Commission pursuant to WAC 390-37-315 shall be subject to judicial review under the Administrative Procedures Act (chapter 34.04 RCW).

(2) If the Commission's order is not satisfied and no petition for review is filed within thirty days as provided in RCW 34.04.130, the Commission may petition the superior court of any county in which a petition for review could be filed under that section for an order of enforcement. Proceedings in connection with the Commission's petition shall be in accordance with section 13, chapter 112, Laws of 1975-76, 2nd ex. sess. [Order 84, § 390-37-320, filed 8/18/76.]