Chapter 34-02 WAC

GENERAL PROVISIONS

WAC 34-02-010 Organization and operation of the commission on Asian-American affairs. (1) The commission on Asian-American affairs, hereinafter referred to as the commission, is a commission in the office of the governor established by RCW 43.117.030. The commission exists to improve the well-being of Asian-Pacific Americans by helping to insure their participation in the fields of government, business and education, and to aid Asian-Pacific Americans in obtaining governmental services in order to promote the health, safety and welfare of all residents of this state. The duties and responsibilities of the commission are more particularly described in chapter 43.117 RCW. The twelve members of the commission are appointed by the governor.

(2) All basic policy decisions are made by the commission at its regular and special meetings. To assist in policy formulation, and to otherwise assist in carrying out its various duties and responsibilities, the commission has an executive director, appointed by the governor based on commission recommendations, a staff hired by the executive director, and two standing committees comprised of commission members. The committees are:

(a) The executive committee, which is responsible for reviewing major news releases and other information designed to increase the public's knowledge of the commission or Asian-Pacific Americans, and for conducting certain commission business and for undertaking specific tasks delegated by the commission;

(b) The nominations committee, which is responsible for developing and implementing procedures by which to recommend commission and executive director appointees, and for such other tasks as may be delegated by the commission; and

Other committees may be formed at any time by [the] commission for the purpose of addressing various issues affecting Asian-Pacific Americans.

(3) The commission maintains a central administrative office at 1515 South Cherry, Olympia, Washington, 98504, and a field office at 110 Prefontaine Pl. S., Suite 202, Seattle, Washington, 98104.

(2001 Ed.)

[Statutory Authority: RCW 43.117.050(2). 88-21-003 (Order 88-1), § 34-02-010, filed 10/6/88. Statutory Authority: RCW 42.17.250, 42.17.260 and 42.30.070. 82-20-015 (Order 82-1), § 34-02-010, filed 9/28/82.]

Reviewer's note: RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules, and deems inessential changes not filed by the agency in this manner. The bracketed material in the above section does not appear to conform to the statutory requirement.

WAC 34-02-020 Commission meetings. (1) Regular meetings of the commission are held on the third Saturday of January, March, June, September and November. Notice of the time and place of the regular meetings will be published annually in the January edition of the Washington state register. A copy of the schedule of regular meetings may also be obtained upon request from the commission.

(2) Special meetings of the commission may be called at any time by the chairperson of the commission or by a majority of the commission members. Notice of such meetings will be as provided by law.

(3) In addition to the meeting notices specified above, the commission staff will publicize information about all commission meetings in the communities in which the meetings are to be held.

[Statutory Authority: RCW 34.04.020, 34.04.060, 42.17.250, 42.17.260 and 42.30.070. 82-20-015 (Order 82-1), § 34-02-020, filed 9/28/82.]

WAC 34-02-030 Petitions for rule-making action. (1) Any interested person may petition the commission requesting the promulgation, amendment or repeal of any rule. The petition may be in any form, so long as the following information is contained therein:

(a) Name and address of the person, organization or corporation requesting the promulgation, amendment or repeal of the rule. If the request is being made by an organization or corporation, the name of a designated individual for contact must be provided.

(b) Text or substance of the proposed rule or amendment, or specific reference to the appropriate rule in cases where repeal is requested.

(c) Full explanation for the requested promulgation, amendment or repeal of rules.

(2) Within thirty days after submission of a petition, or at the next meeting of the commission if the commission does not meet within thirty days, the commission will formally consider the petition and shall, within thirty days thereafter, either deny the petition in writing (stating reasons for the denial) or initiate rule-making proceedings in accordance with chapter 34.04 RCW (Administrative Procedure Act).
Chapter 34-04 WAC

PUBLIC RECORDS

WAC 34-04-010 Purpose. The purpose of this chapter shall be to insure compliance by the commission on Asian-American affairs with the provisions of chapter 1, Laws of 1973, Initiative Measure No. 276, and in particular sections 25 through 32 of that act, now codified as RCW 42.17.250 through 42.17.320, concerning disclosure of public records.

[Statutory Authority: RCW 34.04.020, 34.04.060, 42.17.250, 42.17.260 and 42.30.070. 82-20-015 (Order 82-1), § 34-04-010, filed 9/28/82.]

WAC 34-04-020 Definitions. The following definitions shall apply to this chapter:

(1) "Public record" includes any writing containing information relating to the conduct of government or the performance of any governmental or proprietary function prepared, owned, used, or retained by the commission regardless of physical form or characteristics.

(2) "Writing" means handwriting, typewriting, printing, photostating and every other means of recording any form of communication or representation, including letters, words, pictures, sounds, symbols, or combinations thereof, and all papers, maps, magnetic or paper tapes, photographic films and prints, magnetic or punched cards, discs, drums and other documents.

(3) "Commission" means the commission on Asian-American affairs, created pursuant to chapter 43.117 RCW, and shall also refer to the commission's executive director and staff, where appropriate.

[Statutory Authority: RCW 34.04.020, 34.04.060, 42.17.250, 42.17.260 and 42.30.070. 82-20-015 (Order 82-1), § 34-04-020, filed 9/28/82.]

WAC 34-04-030 Public records available. All public records of the commission are deemed to be available for public inspection and copying, except as otherwise provided by RCW 42.17.260, 42.17.310, as now and/or hereafter amended, and by WAC 34-04-090.

[Title 34 WAC—p. 2]
prevent excessive interference with essential functions of the
commission, public 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 pre-
scribed by the commission which shall be available at either
of its offices. The form shall include the following:

(a) The name, address, and organization represented, if
any, 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) An index of records maintained by the records officer,
which references the requested record as it is described in
such current index;

(e) If the requested 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 mak-
ing a request, it shall be the obligation of the public records
officer or staff member to assist the member of the public in
appropriately identifying the public record requested.

WAC 34-04-080 Copying. No fee shall be charged for
the inspection of public records. The commission shall
charge a fee of $0.25 per page 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.

WAC 34-04-090 Exemptions. (1) The commission
reserves the right to determine that a public record requested
in accordance with the procedures outlined in WAC 34-04-
070 is exempt from disclosure under the provisions of RCW
42.17.260 and 42.17.310.

(2) 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 case where
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 dele-
tion in writing.

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

WAC 34-04-100 Review of denials of public records
requests. (1) Any person who objects to the denial of a
request for public records may petition for prompt review of
such decision by submitting a written request for review. The
written request shall specifically refer to the written state-
ment by the public records officer or other staff member
which constituted or accompanied the denial.

(2) Following receipt of a written request for review of a
decision denying a request for public records, the public
records officer or other authorized staff member denying the
request shall refer it to the chairperson of the commission.
The chairperson or designee shall immediately consider the
matter and either affirm or reverse such denial. The request
shall be returned with the final decision, within two business
days following the original denial.

(3) Administrative remedies shall not be considered
exhausted until the request has been returned with a decision
or until the close of the second business day following denial
of inspection, whichever occurs first.

WAC 34-04-110 Protection of public records. In order to
properly protect the public records in the custody of the
commission, the following guidelines shall be adhered to
by any person inspecting such public records:

(1) No public records shall be removed from the offices
of the commission;

(2) Inspection of any public records shall be conducted
in the presence of a designated commission employee;

(3) No public records may be marked or defaced in any
manner during inspection;

(4) Public records which are maintained in a filing jacket,
or in a chronological order, may not be dismantled except for
purposes of copying and then only by a designated employee
of the commission;

(5) Access to file cabinets, shelves, vaults, etc., is
restricted to commission personnel.

WAC 34-04-120 Adoption of form. The commission
hereby adopts for use by all persons requesting inspection or
copying of its records, the form set out below, entitled
"Request for public records."

We have received your request for copies of our public
records. Please complete the attached form and return it with
the proper payment to the address below. We will forward to
you those requested copies which are not exempt from disclo-
sure when we receive this form. Thank you.

Return to:
Commission on Asian-American Affairs
C/o Executive Director
1515 South Cherry
Olympia, WA 98504

or

110 Prefontaine Pl. S., #202
Seattle, WA 98104
REQUEST FOR PUBLIC RECORDS

Date .................. Time: .....................
Name .......................... Address

Description of Records

..........................................................
..........................................................
..........................................................

I certify that the information obtained through this request for public records will not be used for commercial purposes.

..........................................................

Signature

Number of copies  ......
Number of pages  ......  
Per page charge  $ .25
Total charge  $  ......  

[Statutory Authority: RCW 43.117.050(2). 88-21-003 (Order 88-1), § 34-04-120, filed 10/6/88. Statutory Authority: RCW 42.17.250, 42.17.260 and 42.30.070. 82-20-015 (Order 82-1), § 34-04-120, filed 9/28/82.]