

# Chapter 140-12 WAC

## GENERAL PROCEDURES

### WAC

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**WAC 140-12-010 Nature and purpose of Washington state convention and trade center.** The Washington state convention and trade center, hereinafter referred to as the corporation, has been established pursuant to chapter 34, Laws of 1982, to acquire, design, construct, maintain, operate, promote and manage a state convention and trade center. The corporation is a public nonprofit corporation formed in the same manner as a private nonprofit corporation is formed under chapter 24.03 RCW. The corporation is an instrumentality of the state, and has all the powers, and is subject to the same restrictions as are permitted or prescribed to private nonprofit corporations, but may exercise those powers only for carrying out the purposes of chapter 34, Laws of 1982, and those purposes necessarily implied therefrom.

[Statutory Authority: RCW 42.17.250. WSR 83-06-035 (Order 2, Resolution No. 10), § 140-12-010, filed 2/28/83.]

**WAC 140-12-020 Corporation organization.** (1) The corporation is governed by a board of nine directors appointed by the governor. The directors serve terms of six years, except that two of the original directors serve for two years and two of the original directors serve for four years.

(2) The organization and methods of operation of the corporation are established in the corporation's articles of incorporation, and in bylaws adopted by the board of directors.

(3) The administrative head of the corporation is the administrator of the Washington state convention and trade center, who is appointed by, and is responsible to, the board of directors.

(4) The principal office of the corporation shall be at Seattle, Washington, and shall be open each day for the transaction of business from 9:00 a.m. to 5:00 p.m. (Saturdays, Sundays and legal holidays excepted).

Submissions, requests and communications to the corporation shall be sent or made to the Administrator, Washington State Convention and Trade Center, 720 Olive Way, Suite 1520, Seattle, Washington 98101.

[Statutory Authority: RCW 42.17.250. WSR 83-06-035 (Order 2, Resolution No. 10), § 140-12-020, filed 2/28/83.]

(2/28/83)

**WAC 140-12-030 Purpose of rules.** The purpose of WAC 140-12-040 through 140-12-110 is to ensure compliance by the Washington state convention and trade center, hereinafter referred to as the corporation, including its officers and employees, with the applicable provisions of chapter 42.17 RCW, and in particular with RCW 42.17.250 through 42.17.320, dealing with public records.

[Statutory Authority: RCW 42.17.250. WSR 83-06-035 (Order 2, Resolution No. 10), § 140-12-030, filed 2/28/83.]

**WAC 140-12-040 Public records available.** All public records of the corporation, as defined in RCW 42.17.020(26), are deemed to be available except as provided by the applicable provisions of chapter 42.17 RCW.

[Statutory Authority: RCW 42.17.250. WSR 83-06-035 (Order 2, Resolution No. 10), § 140-12-040, filed 2/28/83.]

**WAC 140-12-050 Public records officer.** The corporation's public records shall be the responsibility of the administrator of the corporation. The administrator shall be responsible for the implementation of these rules regarding release of public records and coordination and compliance by staff with the applicable provisions of chapter 42.17 RCW.

[Statutory Authority: RCW 42.17.250. WSR 83-06-035 (Order 2, Resolution No. 10), § 140-12-050, filed 2/28/83.]

**WAC 140-12-060 Request for public records.** Public records may be inspected 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 in substantial compliance with the provisions of WAC 140-12-070. The form shall be available at the corporation's office and shall be presented to the administrator or to any member of the office staff. The request shall include the following information:

- The name of the person requesting the record;
- The time of day and calendar date on which the request was made;
- The nature of the request; and
- An appropriate description of the matter requested.

(2) In all cases in which a member of the public is making a request, it shall be the obligation of the administrator or staff to assist the member of the public in appropriately identifying the matter requested.

(3) Staff members shall make a good faith effort to respond to the request within two working days after its receipt.

(4) Public records shall be available for inspection during the customary office hours of the corporation's office.

[Statutory Authority: RCW 42.17.250. WSR 83-06-035 (Order 2, Resolution No. 10), § 140-12-060, filed 2/28/83.]

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**WAC 140-12-070 Adoption of form.** The corporation hereby adopts the following form for use by all persons requesting inspection and/or copies of public records:

.....  
Name of Applicant .....

.....  
Mailing Address of Applicant ..... Phone Number .....

.....  
Date Request Made at Washington State Convention and Trade Center ..... Time of Day of Request Made .....

.....  
Nature of Request: .....

.....  
.....

.....  
Description of Record Requested: .....

.....  
.....

.....  
Said Records Have Not Been Requested to Provide Access to Lists of Individuals for Commercial Purposes. ....

.....  
Signature ..... Signature (please print) .....

.....  
Request: Approved ..... By .....

.....  
Date .....

.....  
Denied Date: .....

.....  
Reasons for Denial: .....

.....  
.....

.....  
Referred to ..... Date ..... By .....

[Statutory Authority: RCW 42.17.250. WSR 83-06-035 (Order 2, Resolution No. 10), § 140-12-070, filed 2/28/83.]

**WAC 140-12-080 Copying fees.** No fees are to be charged for inspection of public records. The corporation will charge a fee not to exceed twenty-five cents per page of copy for use of the corporation's copy equipment in cases where no significant staff time is taken up with the request.

[Statutory Authority: RCW 42.17.250. WSR 83-06-035 (Order 2, Resolution No. 10), § 140-12-080, filed 2/28/83.]

**WAC 140-12-090 Review of denials.** (1) Any person who objects to the denial of a request for a public record may petition for prompt review of such decision by submitting a written request for review to the administrator. The written request shall specifically refer to the written statement by the staff member which constituted or accompanied the denial.

(2) Immediately upon receipt of a written request for review of a decision denying a public record, the written request for review shall be referred to the administrator. The administrator or his or her designee shall consider the matter and either affirm or reverse such denial. The request shall be returned with a final decision within two business days of the date of filing of the request for review.

(3) Administrative remedies shall not be considered exhausted until the agency has returned the request for review with a decision or until the close of the second business day following date of filing the request for review, whichever occurs first.

[Statutory Authority: RCW 42.17.250. WSR 83-06-035 (Order 2, Resolution No. 10), § 140-12-090, filed 2/28/83.]

**WAC 140-12-100 Protection of public records.** Requests for public records shall be made in the office of the corporation. Such records shall not be removed from the place designated for their inspection. Copies shall be made in the office or, if copying facilities are not available, the office will arrange to have copies made subject to the provisions of WAC 140-12-070.

[Statutory Authority: RCW 42.17.250. WSR 83-06-035 (Order 2, Resolution No. 10), § 140-12-100, filed 2/28/83.]

**WAC 140-12-110 Index of records not maintained.** The corporation does not maintain the current index of records specified in RCW 42.17.260(2). The corporation has determined, pursuant to RCW 42.17.260(3), that compliance with RCW 42.17.260(2) would unduly burden the corporation because there are a very large number and variety of documents involved in planning and constructing the state convention and trade center which would have to be indexed under RCW 42.17.260(2), and because the corporation has only a limited permanent staff. The corporation shall make available for public inspection and copying all indexes maintained by the corporation for its use.

[Statutory Authority: RCW 42.17.250. WSR 83-06-035 (Order 2, Resolution No. 10), § 140-12-110, filed 2/28/83.]