

**WSR 11-22-003**  
**EXPEDITED RULES**  
**DEPARTMENT OF COMMERCE**

[Filed October 20, 2011, 8:44 a.m.]

Title of Rule and Other Identifying Information: Chapter 365-120 WAC regarding emergency shelter, transitional housing, operating and rent programs.

**NOTICE**

THIS RULE IS BEING PROPOSED UNDER AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THIS USE OF THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO Tedd Kelleher, Department of Commerce, 1011 Plum Street S.E., P.O. Box 42525, Olympia, WA 98504-2525, AND RECEIVED BY January 2, 2012.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: Repeal of chapter 365-120 WAC regarding emergency shelter, transitional housing, operating and rent programs. The Homelessness Housing and Assistance Act (chapter 43.185C RCW) was enacted after the initial creation of these rules, making the rules redundant. Significant changes resulting from the rule repeal include:

Allowing for more flexible definitions of emergency shelter and transitional housing, which are now strictly split at ninety days of service. Total assistance will continue to be limited to two years under existing program guidelines.

Eliminating the outdated definition of the words "rent assistance" as only allowing ninety-one days to twenty-four months of assistance. "Rent assistance" without the rules could be from one day to twenty-four months.

Eliminating the WAC definition of "homeless" that does not match and is not as comprehensive as the definition in chapter 43.185C RCW.

Reasons Supporting Proposal: The Homelessness Housing and Assistance Act (chapter 43.185C RCW) was enacted after the initial creation of these rules. The act governs the activities covered by the rules, making the rules duplicative and in some cases inconsistent with the RCW. Commerce will operate the programs under the authority and guidance provided by the RCW, supplemented by the existing grant contract general terms, specific terms, and guidelines. Keeping the rules would continue unnecessary local and state administrative burdens, that do not currently have a practical impact on how funds are allocated between activity types.

Statutory Authority for Adoption: RCW 43.185C.120.

Statute Being Implemented: RCW 43.185C.120.

Rule is not necessitated by federal law, federal or state court decision.

Name of Proponent: Department of commerce, governmental.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Tedd Kelleher, Department of Commerce, Olympia, (360) 725-2930.

August 25, 2011

Nick Demerice

Director of Government Affairs

**REPEALER**

The following chapter of the Washington Administrative Code is repealed:

WAC 365-120-010	Authority.
WAC 365-120-020	Purpose.
WAC 365-120-030	Definitions.
WAC 365-120-040	Contractor funding allocation and distribution.
WAC 365-120-050	Funding application process.
WAC 365-120-060	Eligibility for all applicants.
WAC 365-120-070	Eligibility for emergency shelter assistance.
WAC 365-120-080	Eligibility for operating assistance for transitional housing.
WAC 365-120-090	Eligibility for rental assistance.

**WSR 11-22-026**

**EXPEDITED RULES**

**UNIVERSITY OF WASHINGTON**

[Filed October 25, 2011, 10:10 a.m.]

Title of Rule and Other Identifying Information: Housekeeping amendments for Title 478 WAC rules, including ten sections from seven chapters.

**NOTICE**

THIS RULE IS BEING PROPOSED UNDER AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THIS USE OF THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO Rebecca Goodwin Dearnorff, Director of Rules Coordination, University of Washington, Rules Coordination Office, Box 351210, Seattle, WA 98195-1210, AND RECEIVED BY January 3, 2012.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: Housekeeping amendments to Title 478 WAC rules are needed for the following reasons:

- The UW *University Handbook* was retired in December 2010 and citations of policies and orders formerly published in the *University Handbook* are corrected to indicate their current UW publication source in WAC 478-120-050, 478-124-030, and 478-136-012.
- Amendments that clarify the meaning of a rule without changing its effect are made in WAC 478-108-070, 478-116-111, 478-116-325, 478-120-050, 478-136-012, and 478-324-140.
- Job titles are updated in WAC 478-355-020, 478-355-030, and 478-355-060.

Also, some sections contain more than one type of housekeeping amendment.

Reasons Supporting Proposal: Housekeeping amendments to the University of Washington's Title 478 WAC rules keep the rules updated and accurate for use by students, employees, and the public.

Statutory Authority for Adoption: RCW 28B.20.130.

Statute Being Implemented: RCW 28B.20.130.

Rule is not necessitated by federal law, federal or state court decision.

Name of Proponent: University of Washington, governmental.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Rebecca Goodwin Deardorff, Director of Rules Coordination, 448 Gerberding Hall, Box 351210, Seattle, WA 98195-1210, (206) 543-9219.

October 25, 2011

Rebecca Goodwin Deardorff  
Director of Rules Coordination

**AMENDATORY SECTION** (Amending WSR 90-15-005, filed 7/6/90, effective 8/6/90)

**WAC 478-108-070 Faculty employment relationships.** All adjudicative proceedings affecting a faculty member at the University of Washington shall be governed exclusively by the provisions of relevant university codes, policies

and (~~handbooks~~) orders, as they may be amended from time to time, except that any additional procedural protections for adjudicative proceedings in applicable sections of the Washington Administrative Procedure Act shall be available to faculty through the university processes.

**AMENDATORY SECTION** (Amending WSR 11-13-058, filed 6/14/11, effective 8/8/11)

**WAC 478-116-111 Permit required for all motorized vehicles parked on campus.** Except as provided in WAC 478-116-112 and 478-116-155, no person shall park or leave any motorized vehicle, whether attended or unattended, upon the campus unless the person first purchases a valid permit from transportation services or a transportation services permit-issuance machine. Permission to park on campus (~~with~~) shall be shown by display of a valid permit in accordance with WAC 478-116-122.

(1) A valid permit is:

(a) A current, physical vehicle permit issued by an authorized agent or permit-issuance machine designated by transportation services and displayed in accordance with WAC 478-116-122;

(b) A temporary physical permit issued by an authorized agent or permit-issuance machine designated by transportation services. Temporary permits are valid through the date or time of the permit; or

(c) A virtual permit that is stored within a permit-issuance machine for designated spaces. Virtual permits are valid for a specific space through the date or time stored in the machine and, if applicable, listed on the customer receipt.

(2) Parking permits are not transferable, except as provided in WAC 478-116-114.

(3) Transportation services reserves the right to refuse to issue parking permits.

(4) The university may allow persons without permits to drive through the campus without parking.

**AMENDATORY SECTION** (Amending WSR 11-13-058, filed 6/14/11, effective 8/8/11)

**WAC 478-116-325 Motor vehicle fine schedule.** The following schedule of fines for violations of the rules listed below is hereby established.

Offense Category	Maximum Citation Fine	Fine if Citation is Paid Within 20 Calendar Days	Applicable Violations
Minor	\$20.00	\$15.00	<ul style="list-style-type: none"> <li>• Permit not registered to vehicle, see WAC 478-116-114;</li> <li>• Parking outside of area assigned by permit, see WAC 478-116-114;</li> <li>• Improper display of permit, see WAC 478-116-122.</li> </ul>
General	\$40.00	\$35.00	<ul style="list-style-type: none"> <li>• No valid permit displayed, no valid permit for space or parking without making payment, see WAC 478-116-111, 478-116-112, and 478-116-155;</li> <li>• Occupying more than one space, see WAC 478-116-135;</li> <li>• Parking at expired meter, see WAC 478-116-155;</li> </ul>

Offense Category	Maximum Citation Fine	Fine if Citation is Paid Within 20 Calendar Days	Applicable Violations
			<ul style="list-style-type: none"> <li>Overtime parking, see WAC 478-116-175;</li> <li>All other violations of this chapter.</li> </ul>
Major	\$60.00	\$50.00	<ul style="list-style-type: none"> <li>Obstructing traffic or pedestrian movements, see WAC 478-116-135;</li> <li>Parking in restricted, prohibited, or nonparking areas, see WAC 478-116-135, 478-116-191, <del>((and))</del> 478-116-193, <u>and 478-116-197.</u></li> </ul>
Serious	\$300.00	\$250.00	<ul style="list-style-type: none"> <li>Disability/wheelchair space violations, see WAC 478-116-195;</li> <li>Use of revoked, stolen, forged, or altered parking products, see WAC <del>((478-116-315))</del> <u>478-116-321.</u></li> </ul>
Late Payment Fee	Maximum Citation Fine + \$25.00	N/A	Penalty for failure to pay fine, respond, or comply with final decision of the citation hearing office within time limits, see WAC 478-116-301.

**AMENDATORY SECTION** (Amending WSR 10-23-039, filed 11/10/10, effective 12/11/10)

**WAC 478-120-050 Jurisdiction.** (1) The vice-president and vice-provost for student life, the chancellors of the University of Washington Bothell and Tacoma campuses, or their delegates, may initiate any disciplinary action related to violations of any of the university's rules, regulations, procedures, policies, standards of conduct, or orders. Jurisdiction in such cases may be transferred to the dean of the school or college, or at the University of Washington Bothell and Tacoma campuses, to the dean or director of the program in which the student is enrolled if the alleged misconduct bears upon the student's fitness to continue in the school or college.

(2) Additionally, the dean of each college or school, including the graduate school, or the dean's delegate, or the dean or director of programs in which the student is enrolled on the University of Washington Bothell or Tacoma campuses may initiate any disciplinary action:

(a) Related to violations of university rules, regulations, procedures, policies, standards of conduct, and orders which pertain to that particular campus, college or school, or at the University of Washington Bothell and Tacoma campuses, the program in which the student is enrolled; and

(b) Related to violations of rules, procedures, policies, and standards of conduct of that particular campus, college or school, or at the University of Washington Bothell and Tacoma campuses, the program in which the student is enrolled. The student academic grievance procedure is a separate procedure and is set forth in the ~~((University Handbook))~~ Executive Order No. 58 (graduate school students should also refer to Graduate School Memorandum No. 33). Violations involving academic misconduct should be reported to the dean of the appropriate school or college, or dean or program director at the University of Washington Bothell or Tacoma campuses.

(3) Other departments of the university have proceedings separate and distinct from the student conduct code. For example:

(a) Campus parking and traffic regulations are under the general jurisdiction of the transportation services department and the police department at the University of Washington Seattle campus and under the jurisdiction of public safety officers at the University of Washington Bothell and Tacoma campuses. (See chapters 478-116, 478-117 and 478-118 WAC.)

(b) The library fines appeals committee has the authority to consider appeals of library charges. (See chapter 478-168 WAC.)

**AMENDATORY SECTION** (Amending WSR 07-03-069, filed 1/17/07, effective 2/17/07)

**WAC 478-124-030 Conduct on campus code—Sanctions.** (1) Any person while on the university campus who willfully refuses the request of a uniformed campus police officer to desist from conduct prohibited by these rules may be required by such officer to leave such premises.

(2) Disciplinary action which may result in dismissal from the university will be initiated against faculty, staff, or students who violate these rules, in accordance with the applicable disciplinary codes or other appropriate due process procedures.

(3) Sanctions which may be imposed against faculty are set forth in the ~~((University of Washington Handbook, Volume H))~~ Faculty Code, Chapter 25, Sections 25-51 and 25-71.

(4) Sanctions which may be imposed against students are set forth in WAC 478-120-040.

(5) Sanctions which may be imposed against the classified staff are set forth in the relevant University of Washington labor contract for contract-classified staff, and in Title 357 WAC and applicable university policy for classified non-union staff.

(6) Sanctions which may be imposed against the professional staff are set forth in the University of Washington Professional Staff Program.

(7) Violation of any of the above regulations may also constitute violation of the criminal laws or ordinances of the city of Seattle, the state of Washington, or the United States and may subject a violator to criminal sanctions in addition to any sanctions imposed by the university.

AMENDATORY SECTION (Amending WSR 10-13-098, filed 6/17/10, effective 7/18/10)

**WAC 478-136-012 Definitions.** (1) "Chair" of the committee on the use of university facilities means the person delegated authority by the president of the University of Washington and the chancellors of the University of Washington to authorize the use of university facilities, as provided for herein, for activities which take place on their respective campuses or at locations governed by their respective campuses; who oversee the committee on the use of university facilities for their respective campuses; and who liaise with other chairs to promote coordination in the application of this policy across campuses. The University of Washington attorney general's division shall provide legal guidance to the chair as needed.

(2) "Committee on the use of university facilities" means a committee appointed by the chair of the committee on the use of university facilities, which meets on a schedule to be determined by the chair, to provide nonbinding guidance to the chair on the application of these rules. Committee representatives might include representatives for UW police, environmental health and safety, risk management, student affairs, student government, and faculty and staff representatives.

(3) "Facility" or "facilities" includes all structures, grounds, parking lots, waterfront, and airspace owned or operated by the University of Washington, except where a "facility" is excluded from the application of this rule pursuant to a contract (such as a lease or rental agreement). Specific rules also apply to parking lots, bicycle and skateboard use (chapters 478-116, 478-117, and 478-118 WAC), boat moorage facilities (chapter 478-138 WAC (~~and University Handbook, Volume 4, Part VII, Chapter 3, Section 2~~)), (~~residence halls~~) student housing (chapter 478-156 WAC), airspace use (~~University Handbook, Volume 4, Part VII, Chapter 3, Section 5~~) Executive Order No. 22), nonuniversity speakers on campus (~~University Handbook, Volume 4, Part VII, Chapter 3, Section 4~~) Executive Orders No. 23 and No. 42), and use of facilities by the Associated Students University of Washington (ASUW), Graduate and Professional Student Senate (GPSS), and other affected organizations (~~University Handbook, Volume 3, Part III, Chapter 5~~) Student Governance and Policies, Chapter 202).

(4) "Use of facilities" includes, but is not limited to, the holding of events, the posting and removal of signs, all forms of advertising, commercial activities, and charitable solicitation.

AMENDATORY SECTION (Amending WSR 10-23-039, filed 11/10/10, effective 12/11/10)

**WAC 478-324-140 Additional methods of public notice.** The university shall provide public notice of scoping, DNS with comment period, public hearings scheduled in accordance with these procedures and availability of draft and final EISs by providing notice in such form as a press release or advertisement in the on-line (~~University Week~~) UW Today, University of Washington Daily, and/or in another legal newspaper of general circulation in the area where the property which is the subject of the action is located (e.g., The Seattle Times or Tacoma News Tribune).

AMENDATORY SECTION (Amending WSR 93-24-049, filed 11/24/93, effective 12/25/93)

**WAC 478-355-020 Purpose.** To expedite the award of public work contracts at minimum cost, the University of Washington (~~executive~~) senior vice-president for finance and facilities is authorized to establish a small works roster.

AMENDATORY SECTION (Amending WSR 01-08-007, filed 3/22/01, effective 4/22/01)

**WAC 478-355-030 Project construction cost.** Whenever the estimated project construction cost of any University of Washington public work is less than two hundred thousand dollars, the University of Washington (~~executive~~) senior vice-president for finance and facilities is authorized to use the small works roster in lieu of public advertisement for bids. In the event the legislature further increases the small works roster limit, the university is authorized to use the small works roster for any projects up to the subsequently authorized limit.

AMENDATORY SECTION (Amending WSR 93-24-049, filed 11/24/93, effective 12/25/93)

**WAC 478-355-060 Administration.** The (~~executive~~) senior vice-president for finance and facilities is authorized to establish procedures for university use of its small works roster.

**WSR 11-22-071  
EXPEDITED RULES  
OFFICE OF  
INSURANCE COMMISSIONER**

[Insurance Commissioner Matter No. R 2011-26—Filed November 1, 2011,  
9:14 a.m.]

Title of Rule and Other Identifying Information: Chapter 284-85 WAC, Long-term care partnership.

**NOTICE**

THIS RULE IS BEING PROPOSED UNDER AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE

RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THIS USE OF THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO Kacy Scott, Insurance Commissioner, P.O. Box 40258, Olympia, WA 98504-0255, kacys@oic.wa.gov, AND RECEIVED BY January 3, 2012.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: This proposed rule will repeal unnecessary sections in WAC that have been replaced by WAC 284-83-400 through 284-83-425.

Reasons Supporting Proposal: WAC 284-83-400 through 284-83-425 have been adopted to implement the long-term care partnership program making chapter 284-85 WAC no longer necessary.

Statutory Authority for Adoption: RCW 48.02.060, 48.85.020.

Statute Being Implemented: Chapter 48.85 RCW.

Rule is not necessitated by federal law, federal or state court decision.

Name of Proponent: Mike Kreidler, insurance commissioner, governmental.

Name of Agency Personnel Responsible for Drafting: Kacy Scott, P.O. Box 40258, Olympia, WA 98504-0258, (360) 725-7041; Implementation: Beth Berendt, P.O. Box 40255, Olympia, WA 98504-0255, (360) 725-7117; and Enforcement: Carol Sureau, P.O. Box 40255, Olympia, WA 98504-0255, (360) 725-7050.

October 31, 2011

Mike Kreidler  
Insurance Commissioner

**REPEALER**

The following chapter of the Washington Administrative Code is repealed:

- WAC 284-85-005 Purpose and authority.
- WAC 284-85-010 Applicability and scope.
- WAC 284-85-015 Standards for definitions used in this chapter and chapter 48.85 RCW.
- WAC 284-85-030 Minimum standards for long-term care partnership policies.
- WAC 284-85-040 Standards related to rates.
- WAC 284-85-045 Conversion from group to individual coverage or replacement of coverage.
- WAC 284-85-050 Disclosure and suitability standards.
- WAC 284-85-055 Termination of participation in the Washington long-term care partnership program.
- WAC 284-85-060 Applications for long-term care partnership coverage.

- WAC 284-85-070 Advertising standards.
- WAC 284-85-075 Summary of insurance benefits.
- WAC 284-85-080 Consumer education program.
- WAC 284-85-085 Standards for education of licensees soliciting long-term care partnership contracts.
- WAC 284-85-090 Standards for case management services.
- WAC 284-85-100 Recordkeeping.
- WAC 284-85-110 Records retention.
- WAC 284-85-900 Chapter not exclusive.

**WSR 11-22-080**  
**EXPEDITED RULES**  
**DEPARTMENT OF**  
**LABOR AND INDUSTRIES**  
[Filed November 1, 2011, 10:02 a.m.]

Title of Rule and Other Identifying Information: WAC 296-900-17505 through 296-900-17540, safety and health investment projects.

**NOTICE**

THIS RULE IS BEING PROPOSED UNDER AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THIS USE OF THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO Tamara Jones, Department of Labor and Industries, P.O. Box 4001, Olympia, WA 98504-4001, AND RECEIVED BY January 3, 2012.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: In the 2011 legislative session, the legislature passed EHB 2123 addressing the workers' compensation system. This rule making addresses the part of EHB 2123 which amended chapter 49.17 RCW to provide permanent funding for the safety and health investment projects grants program. The amendments will be put into [the] Washington Administrative Code (WAC) to make the rules consistent with the legislation and adopt the provisions dictated by statute.

Reasons Supporting Proposal: The Washington state legislature mandates that the division of occupational safety and health enact these rules.

Statutory Authority for Adoption: RCW 49.17.010, 49.17.040, 49.17.050, 49.17.060.

Statute Being Implemented: Chapter 49.17 RCW.

Rule is not necessitated by federal law, federal or state court decision.

Name of Proponent: Department of labor and industries, governmental.

Name of Agency Personnel Responsible for Drafting: Tracy Spencer, Tumwater, Washington, (360) 902-5530; Implementation and Enforcement: Michael Silverstein, Tumwater, Washington, (360) 902-5495.

November 1, 2011  
Judy Schurke  
Director

AMENDATORY SECTION (Amending WSR 08-03-025, filed 1/8/08, effective 2/8/08)

**WAC 296-900-17505 Scope and purpose.** (1) The program for safety and health investment projects (SHIP) was established during the ~~((2007))~~ 2011 legislative session to provide funding for safety and health projects for workplaces ~~((covered by the medical aid fund))~~ insured for workers' compensation through the department's state fund. The purpose of these projects shall be to: Prevent workplace injuries, illnesses, and fatalities; create early return to work programs; and reduce long-term disability through the cooperation of employers and employees or their representatives.

(2) ~~((Priority is given to projects involving accident prevention through cooperation between employers and employees or their representatives.))~~ Funds for awards shall be distributed as follows:

- At least twenty-five percent for projects designed to develop and implement innovative and effective return-to-work programs for injured workers;
- At least twenty-five percent for projects that specifically address the needs of small businesses; and
- At least fifty percent for projects that foster workplace injury and illness prevention by addressing priorities identified by the department in cooperation with the Washington Industrial Safety and Health Act advisory committee and the workers' compensation advisory committee.

AMENDATORY SECTION (Amending WSR 08-03-025, filed 1/8/08, effective 2/8/08)

**WAC 296-900-17510 Definitions.** (1) **Applicant** means the entity submitting an application and formal proposal for a safety and health investment projects award.

(2) **Department** means the department of labor and industries.

(3) ~~((Department staff means those individuals within the department of labor and industries who assist with project development and monitor recipient performance.))~~

(4) **Funding cycle** means how frequently safety and health investment project awards are given.

~~((5))~~ (4) **Medical aid fund** refers to industrial insurance funds established in chapter 51.44 RCW.

~~((6))~~ (5) **Milestones** means critical points of achievement for the safety and health investment projects, showing progress toward project completion. Milestones are interim accomplishments that define project progress.

~~((7))~~ (6) **Product** means any of the following that are developed as the result of a safety and health investment project: Written materials; manufactured materials; designs;

equipment; programs; services; workplace changes; or other results of any kind, tangible or intangible.

~~((8))~~ (7) **Recipient** means an agency, firm, organization, individual or other legal entity receiving project award funds from the safety and health investment projects.

AMENDATORY SECTION (Amending WSR 08-03-025, filed 1/8/08, effective 2/8/08)

**WAC 296-900-17515 Eligibility.** (1) All projects must address the needs of employers and employees covered by the ~~((medical aid))~~ department's state fund.

(2) Projects must have clearly identified:

- (a) Objectives and work plan;
- (b) Products; and
- (c) Criteria for evaluating the success of the project.

(3) Awards may be granted to any agency, firm, organization, individual or other legal entity such as, but not limited to, the following:

- (a) Trade associations;
- (b) Business associations;
- (c) Employers (including but not limited to private, public, nonprofit, or self-insured employers if collaborating with medical aid fund employers);
- (d) Employees;
- (e) Labor unions;
- (f) Employee organizations;
- (g) Joint labor and management groups;
- (h) Educational institutions in collaboration with state fund employer and employee representatives;
- (i) Others deemed appropriate by L&I.

(4) SHIP funds may not be used for:

- (a) Lobbying or political activities;
- (b) Supporting, opposing, or developing legislative or regulatory initiatives;
- (c) Any activity not designed to reduce workplace injuries, illnesses, or fatalities; or
- (d) Reimbursing employers for the normal costs of complying with safety and health rules.

AMENDATORY SECTION (Amending WSR 08-03-025, filed 1/8/08, effective 2/8/08)

**WAC 296-900-17520 Advisory committee.** (1) The department will create ~~((an advisory committee representing the broadest spectrum of interests, appointed by the assistant director of the division of occupational safety and health (DOSH), and consisting of:~~

- ~~((a) Three employer representatives;~~
- ~~((b) Three employee representatives;~~
- ~~((c) Two members with expertise in safety and health selected by the assistant director; and~~
- ~~((d) One nonvoting member from DOSH who will serve as committee chair.~~

~~((2) Members are appointed to serve three-year renewable terms. At the request of the assistant director of DOSH, employer and employee organizations may make recommendations for advisory committee membership.~~

~~((3) The advisory committee will provide the following assistance:~~

(a) Make recommendations to DOSH regarding funding priority areas;

(b) Recommend applications that merit funding to the assistant director of DOSH;

(c) Keep records of the committee's decisions;

(d) Make recommendations to DOSH regarding individual project expenditure limitations and appropriate indirect costs;

(e) Develop and maintain communication networks in the community.

(4)) a SHIP advisory committee (SAC) that will be a subcommittee of the WISHA advisory committee and will advise the department on program policy issues and participate in the grant application review process. The SAC will have eight to ten members, including equal numbers of employer and employee representatives, and others with relevant experience and expertise. Members will be appointed to serve three-year renewable terms by the assistant director of the division of occupational safety and health (DOSH). The initial term for half of the first group of appointees will be eighteen months. SAC membership will include:

(a) At least one employer representative from the WISHA advisory committee or an employer representative recommended by the WISHA advisory committee employer representatives; and

(b) At least one employee representative from the WISHA advisory committee or an employee representative recommended by the WISHA advisory committee employee representatives.

(2) The SAC will be supplemented by ad hoc grant review committees consisting of selected members of the SAC together with other individuals with experience and expertise in the specific topic areas under review. Members of such ad hoc grant review committees will be appointed by the assistant director for DOSH, taking into consideration recommendations from the SAC and WISHA advisory committee.

(3) All meetings of the SAC will be convened and chaired by the assistant director for DOSH or designee.

(4) The SAC will provide the following assistance:

(a) Advice on SHIP policy issues to DOSH and the WISHA advisory committee;

(b) Make recommendations to DOSH and the WISHA advisory committee regarding funding priority areas;

(c) Review and comment on funding recommendations made by grant review committees to the assistant director of DOSH;

(d) Keep records of the SACs decisions;

(e) Develop and maintain communication networks in the community.

(5) SAC and grant review committee members will disclose to the ((committee)) department any potential conflicts of interest with specific project applications, whether direct or indirect. The ((committee)) department will determine whether a member's connection to a project should result in recusal from voting on the project. The ((committee's)) department's decision and reasons supporting the decision will be documented in the meeting minutes.

((5)) (6) SAC and grant review committee members will not disclose any information about applications to any-

one not authorized access to the information by law or regulation. ((All applications and other material submitted under this program are confidential and are not open to public inspection. See RCW 49.17.210.))

AMENDATORY SECTION (Amending WSR 08-03-025, filed 1/8/08, effective 2/8/08)

**WAC 296-900-17525 Application.** (1) ((Interested applicants may download an application packet from the web site, or for a printed application, contact:

Safety and Health Investment Projects

P.O. Box 44640

Olympia, WA 98504-4640

e-mail: INVEST@lni.wa.gov

web site: SafetyGrants.lni.wa.gov))

The department will periodically prepare grant application packets that will be available on the department's web site.

(2) Applicants must complete the entire application to be considered for project funding. Incomplete applications or those submitted after a posted deadline will not be considered for funding. ((Applications are accepted throughout the year, and funding is awarded throughout each six-month funding cycle. Application deadlines are posted at SafetyGrants.lni.wa.gov. Applications received after posted deadlines will not be considered for the current funding cycle. However, they may be considered for a subsequent funding cycle at the discretion of the assistant director of DOSH, or designee.))

(3) Some funding cycles may include limitations on the maximum amount that will be awarded for any proposal. Limitations, if any, will be posted ((at SafetyGrants.lni.wa.gov)) on the department's web site or in current application packets.

(4) All products developed as a result of an approved SHIP project belong in the public domain and their dissemination and use shall not be restricted in any way. Such products may not be copyrighted, patented, claimed as trade secrets, or otherwise restricted in any other way. The department retains the right to publish or otherwise disseminate these products as the department in its sole discretion deems appropriate.

(5) The department will not use information contained in submitted application packets as the basis for the initiation of compliance inspections or the issuance of citations and/or penalties to applicants, under WISHA, chapter 49.17 RCW. However, employers are not exempt from compliance inspections initiated for other reasons because they submitted an application packet.

(6) Projects may include, but are not limited to:

(a) The development and implementation of innovative and effective return-to-work programs for injured workers;

(b) The development of technical innovation and engineering controls for the recognition and control of workplace hazards;

((b)) (c) Best practices for workplace safety and health programs;

((c)) (d) Education and training;

((d)) (e) Efforts that address the needs of small businesses;

(f) Priorities identified by DOSH in cooperation with the WISHA advisory committee and the workers' compensation advisory committee; ~~((and~~

~~(e))~~ (g) Initiatives intended to build organizational capacity in workplace safety and health; and

(h) Other projects that foster ~~((accident))~~ injury and illness prevention through cooperation between employers and employees or their representatives.

**AMENDATORY SECTION** (Amending WSR 08-03-025, filed 1/8/08, effective 2/8/08)

**WAC 296-900-17530 Review and approval of proposals.** (1) DOSH staff will:

(a) Review applications to make sure they meet application criteria ~~((, and forward those that meet the criteria to the advisory committee.))~~;

(b) Conduct a substantive evaluation of eligible applications;

(c) Forward applications along with scored evaluations and funding recommendations to the assistant director for DOSH and a designated grant-review committee.

(2) The ~~((advisory))~~ designated grant-review committee will:

(a) Review project applications and the accompanying DOSH evaluations and recommendations;

(b) Evaluate each project application and provide concurrence or dissension with DOSH evaluation and funding recommendations;

(c) Prioritize and select, by a majority vote of the eligible voting members, those projects recommended for funding ~~((; with a minority report allowed));~~

~~((e))~~ (d) Forward ~~((project))~~ funding recommendations to the SAC and the assistant director of DOSH ~~((for final approval)).~~

(3) The assistant director of DOSH, after consulting with the SAC, will make a final decision on project approval and funding.

(a) ~~((Approval))~~ Safety and health projects, regardless of size, will be based on the ability of the project to foster accident prevention through cooperation between employers and employees or their representatives; the likelihood of reducing workplace injuries, illnesses, or fatalities; and the ability of the applicant to achieve project goals. Assessment will be based on an objective scoring method developed by the department.

(b) Return-to-work project approval, regardless of size, will be based on the ability of the project to foster return-to-work through cooperation between employers and employees or their representatives, the likelihood of increasing return-to-work, and the ability of the applicant to achieve project goals. Assessment will be based on an objective scoring method developed by the department.

(c) If the assistant director rejects an application the grant-review committee has recommended for funding or approves an application the grant-review committee recommended for denial, the assistant director will provide a written explanation to the ~~((advisory committee))~~ SAC. The ~~((advisory committee))~~ SAC may request reconsideration of such decision by a majority vote of the voting members, with

a minority report allowed. The assistant director will reconsider the decision in consultation with the director.

(4) Applicants will be notified in writing when their application is ~~((:~~

~~(a) Approved for funding;~~

~~(b) Not approved, including the reason it was not funded;~~  
~~or~~

~~(c) Held over for a subsequent funding cycle))~~ approved or not approved for funding.

(5) Upon approval of an application and before project activities begin, the department and the applicant will enter into a written agreement. The agreement will:

(a) Include ~~((s))~~ the approved application packet in its entirety, which will outline the project scope and timeline, activities, work plan, milestones, and products; and

(b) Spell ~~((s))~~ out the terms and conditions governing the project, project participants, and the products resulting from the project.

**AMENDATORY SECTION** (Amending WSR 08-03-025, filed 1/8/08, effective 2/8/08)

**WAC 296-900-17535 Monitoring.** ~~((Department))~~ DOSH staff will monitor projects for compliance with award terms and achievement of approved project milestones and/or outcomes.

(1) Milestones are intermediate targets or goals that are defined in the project applications. Ongoing funding will be tied to the achievement of approved milestones (including but not limited to accounting for grant funds).

(2) Outcomes are the final products that will be produced by the project.

**AMENDATORY SECTION** (Amending WSR 08-03-025, filed 1/8/08, effective 2/8/08)

**WAC 296-900-17540 Suspension or revocation of funding.** (1) The assistant director of DOSH may suspend or revoke funding for a project if advised by the SHIP program staff or the ~~((advisory committee))~~ SAC that:

(a) The recipient is not in compliance with project award terms;

(b) There are unapproved funding expenditures; or

(c) There are compelling and substantive reasons.

(2) Any suspension or revocation will:

(a) Be in writing and delivered by either personal service or certified mail. The suspension or revocation will be effective upon service or five days after being mailed by certified mail;

(b) Include the reasons for suspension or revocation; and

(c) Be subject to appeal as described in chapter 34.05 RCW, the Administrative Procedure Act and contain an explanation of how to appeal the department's decision.



**WSR 11-22-088****EXPEDITED RULES****DEPARTMENT OF HEALTH**

[Filed November 1, 2011, 3:30 p.m.]

Title of Rule and Other Identifying Information: Chapter 246-75 WAC, repealing rules defining a sixty-day supply of medical marijuana for qualifying patients.

**NOTICE**

THIS RULE IS BEING PROPOSED UNDER AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THIS USE OF THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO Kris Reichl, Department of Health, P.O. Box 47850, Olympia, WA 98504-7850, AND RECEIVED BY January 2, 2012.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: RCW 69.51A.080 required the department of health (department) to adopt rules defining a sixty-day supply of medical marijuana for qualifying patients. E2SSB 5073 (chapter 181, Laws of 2011) added the department's definition of a sixty-day supply to the law and removed the department's authority to establish rules. This rule making repeals chapter 246-75 WAC defining a sixty-day supply for qualifying patients.

Reasons Supporting Proposal: The proposed rule making qualifies for the expedited rule-making process and will repeal chapter 246-75 WAC because the statute on which the rule is based has been repealed.

Statutory Authority for Adoption: Chapter 43.70 RCW.

Statute Being Implemented: ESSB [E2SSB] 5073 (chapter 181, Laws of 2011).

Rule is not necessitated by federal law, federal or state court decision.

Name of Proponent: Department of health, governmental.

Name of Agency Personnel Responsible for Drafting: Kris Reichl, 310 Isreal [Israel] Road, Olympia, WA 98504, (360) 236-4985; Implementation and Enforcement: Blake Maresh, 310 Isreal [Israel] Road, Olympia, WA 98504, (360) 236-4760.

November 1, 2011

Mary C. Selecky

Secretary

**REPEALER**

The following chapter of the Washington Administrative Code is repealed:

WAC 246-75-010

Medical marijuana.

**WSR 11-22-090****EXPEDITED RULES****ENVIRONMENTAL AND  
LAND USE HEARINGS OFFICE**

[Filed November 1, 2011, 3:37 p.m.]

Title of Rule and Other Identifying Information: The environmental and land use hearings office (ELUHO) is repealing chapters 198-12 and 242-04 WAC. Because of the administrative consolidation of the environmental hearing[s] office and the growth management hearings office, these rules are redundant and obsolete. The successor agency (ELUHO) is in the process of adopting new public records rules for the entire agency which will be promulgated as a new chapter 198-14 WAC.

ELUHO is also amending WAC 371-08-320, 371-08-325, and 198-09-010 to correct the agency address and name, and to correct outdated internal citations within the rules.

ELUHO and the growth management hearings board are also correcting typographical errors in chapter 242-03 WAC.

**NOTICE**

THIS RULE IS BEING PROPOSED UNDER AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THIS USE OF THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO Kay Brown, Rules Coordinator, ELUHO, P.O. Box 40903, Tumwater, WA 98504, e-mail Kayb@Eluho.Wa.Gov, AND RECEIVED BY January 23, 2012.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The purpose of the amendments which repeal chapters 198-12 and 242-04 WAC is to remove public records rules pertaining to two previously existing separate agencies (environmental hearings office and growth management hearings board). New public records rules for the successor agency (ELUHO) are in process.

The purpose of the rule amendments to WAC 371-08-320, 371-08-325, and 198-09-010 is to update the name and address of the agency.

The purpose of the amendments to chapter 242-03 WAC is to correct typographical errors in order to make the rules more readable and understandable.

Reasons Supporting Proposal: Repeal of chapters 198-12 and 242-04 WAC eliminates unnecessary, outdated, and redundant rules from the Washington Administrative Code. Other changes make rules more accurate and readable.

Statutory Authority for Adoption: RCW 43.21B.005, 43.21B.090, 36.70A.270(7).

Statute Being Implemented: RCW 43.21B.005, 36.70A.270.

Rule is not necessitated by federal law, federal or state court decision.

Name of Proponent: ELUHB, governmental.

Name of Agency Personnel Responsible for Drafting: Kay Brown, Tumwater, Washington, (360) 664-9174; Implementation and Enforcement: ELUHO, Tumwater, Washington, (360) 664-9160.

November 1, 2011  
 Kathleen D. Mix  
 Agency Director  
 Nina Carter, Chair  
 Growth Management Hearings Board

AMENDATORY SECTION (Amending Order 79-1, filed 11/16/79)

**WAC 198-09-010 Statement of exemption.** The environmental and land use hearings office has reviewed its authorized activities and found them all to be exempt under the provisions of WAC ((197-10-170(7))) 197-11-800 (11)(b). This section is adopted for compliance with the State Environmental Policy Act, chapter 43.21C RCW and WAC 197-11-904(4).

REPEALER

The following chapter of the Washington Administrative Code is repealed:

WAC 198-12-010	Purpose.
WAC 198-12-020	Definitions.
WAC 198-12-030	Organization, operation and public meeting.
WAC 198-12-040	Public records available.
WAC 198-12-050	Public records officer.
WAC 198-12-060	Office hours.
WAC 198-12-070	Request for public records.
WAC 198-12-080	Copying.
WAC 198-12-090	Exemptions.
WAC 198-12-100	Review of denials of public records request.
WAC 198-12-110	Protection of public records.
WAC 198-12-120	Records index.
WAC 198-12-130	Communication with the hearings office.
WAC 198-12-140	Adoption of form.

AMENDATORY SECTION (Amending WSR 11-13-109, filed 6/21/11, effective 7/22/11)

**WAC 242-03-025 Jurisdiction.** Subject matter jurisdiction. The board shall hear and determine:

- (1) Petitions alleging that a state agency, county, or city is not in compliance with the requirements of:
  - (a) The Growth Management Act; or

- (b) Chapter 90.58 RCW as it relates to the adoption or amendment of shoreline master programs, including the department of ecology's approval or denial of such adoption or amendment ((~~by~~) but excluding the department of ecology's adoption of a shoreline master program by rule pursuant to RCW 90.58.070(2)); or

- (c) Chapter 43.21C RCW as it relates to plans, development regulations, and amendments adopted under the act or chapter 90.58 RCW; or

- (2) Petitions from cities or the governor relating to an adopted county-wide planning policy; or

- (3) Petitions alleging that the twenty-year growth management planning projections adopted by the office of financial management pursuant to RCW 43.62.035 should be adjusted.

AMENDATORY SECTION (Amending WSR 11-13-109, filed 6/21/11, effective 7/22/11)

**WAC 242-03-230 Petition for review—Filing and service.** (1) Filing a Petition for Review. A petition for review shall be filed with the board by electronic mail, as provided in WAC 242-03-240, unless a petitioner does not have the technological capacity to do so. The original and ((~~four~~)) three copies of the petition for review shall be filed with the board personally, or by first class, certified, or registered mail. Filings may also be made with the board by telefacsimile transmission as provided in WAC 242-03-240. A petition for review is deemed filed on the date the board receives it by electronic mail by 5:00 p.m. provided that the original and ((~~four~~)) three copies are postmarked and mailed on the same date as the electronic filing.

(2) Service of petition for review.  
 (a) A copy of the petition for review shall be served upon the named respondent(s) and must be received by the respondent(s) on or before the date filed with the board. Service of the petition for review may be by mail or personal service, so long as the petition is received by respondent on or before the date filed with the board.  
 (b) When a county is a respondent, the petition for review shall be served on the county auditor in noncharter counties and the agent designated by the legislative authority in charter counties. When a city is a respondent, the mayor, city manager, or city clerk shall be served. When the state of Washington is a respondent, the office of the attorney general shall be served at its main office in Olympia unless service upon the state is otherwise provided by law. In a challenge to the adoption of, or amendment to, a shoreline master program approved by the department of ecology, the department of ecology shall be named as a respondent and served.

(3) Proof of service shall be filed with the board pursuant to WAC 242-03-245.  
 (4) The board may dismiss a case for failure to substantially comply with this section.

AMENDATORY SECTION (Amending WSR 11-13-109, filed 6/21/11, effective 7/22/11)

**WAC 242-03-240 Filing and service of all other papers.** (1) Filing of papers: All pleadings and briefs shall be filed with the board by electronic mail unless a petitioner

does not have the technological capacity to do so. The original and ~~((four))~~ three copies of all documents shall be filed with the board personally, or by first class, certified, or registered mail and must be postmarked and mailed on the same date as the electronic filing. Filings less than fifteen pages may be made by telefacsimile transmission. The original and ~~((four))~~ three copies must be mailed on the same date as the telefacsimile transmission to be deemed filed.

Filings made by electronic mail and/or telefacsimile transmission shall be deemed filed upon actual receipt during office hours of 8:00 a.m. to 5:00 p.m. excluding Saturdays, Sundays, and legal holidays. Any transmission not completed before 5:00 p.m. will be stamped received on the following business day. The date and time indicated by the board's telefacsimile machine or receiving computer shall be presumptive evidence of the date and time of receipt of transmission. All papers will be deemed filed with the board on the date received by electronic mail provided that the original document and ~~((four))~~ three copies are mailed and postmarked on the same date as the telefacsimile transmission or electronic mail filing.

(2) Service: Parties shall serve copies of all filings on all other named parties by electronic mail, on or before the date filed with the board, unless a party lacks technical capability. Service is accomplished when the document is transmitted electronically, or, by agreement among the parties or exception granted by the presiding officer, is deposited in the mail and postmarked by the required date.

**AMENDATORY SECTION** (Amending WSR 11-13-109, filed 6/21/11, effective 7/22/11)

**WAC 242-03-970 Appeals of a board's final decision.**

(1) Any party aggrieved by a final decision of the board may appeal the decision to superior court as provided in RCW 34.05.514 or 36.01.050 within thirty days of service of the final decision of the board.

(2) In the event that direct appellate review is sought, within thirty days of the filing of a petition for review in the superior court, a party may request a certificate of appealability for direct review by the court of appeals. If the issue on review is the jurisdiction of the board, the board may file an application for direct review. Application for direct review of a decision of the board is governed by the procedures and criteria of RCW ~~((35.04.518 [34.05.518]))~~ 34.05.518.

**REPEALER**

The following chapter of the Washington Administrative Code is repealed:

WAC 242-04-010	Purpose.
WAC 242-04-020	Definitions.
WAC 242-04-030	Description of organization and public meetings.
WAC 242-04-040	Public records available.
WAC 242-04-050	Communications with the board.

WAC 242-04-060	Public records officer.
WAC 242-04-070	Office hours.
WAC 242-04-080	Requests for public records.
WAC 242-04-090	Responses to requests for public records.
WAC 242-04-100	Copying.
WAC 242-04-110	Exemptions.
WAC 242-04-120	Review of denials of public records requests.
WAC 242-04-130	Protection of public records.
WAC 242-04-140	Records index.
WAC 242-04-150	Adoption of form.

**AMENDATORY SECTION** (Amending WSR 02-06-011, filed 2/22/02, effective 3/25/02)

**WAC 371-08-320 Environmental hearings office hours, telephone number and address.** (1) The administrative business of the board, except rule making, is performed by the environmental and land use hearings office. The board holds meetings at 10:00 a.m. on the second Tuesday of each month at the address set forth below.

(2) The board is housed at the Environmental and Land Use Hearings Office, ~~((4224 6th Avenue S.E., Building 2, Rowe Six, Laeey,))~~ 1111 Israel Road S.W., Tumwater, Washington 98501. The principal hearing room used by the board is located at the same address, although many hearings are held near the site of the dispute at issue.

(3) The mailing address of the board is:

Pollution Control Hearings Board  
~~((4224 6th Avenue S.E., Building 2, Rowe Six))~~  
 P.O. Box 40903  
~~((Laeey))~~ Olympia, WA 98504-0903

(4) The telephone number of the board is ~~((360) 459-6327))~~ 360-664-9160. The telefacsimile number is ~~((360) 438-7699))~~ 360-586-2253.

(5) The office hours of the environmental and land use hearings office are 8:00 a.m. to 5:00 p.m., Monday through Friday, except for legal holidays.

**AMENDATORY SECTION** (Amending WSR 07-03-074, filed 1/17/07, effective 2/17/07)

**WAC 371-08-325 Public information about practice before the board and public records.** (1) Questions about practicing before the board may be directed to the environmental and land use hearings office by mail or, during regular office hours, by telephone ~~((or by))~~, telefacsimile, or e-mail.

(2) Case files of appeals pending before the board, past written opinions of the board and other public records maintained by the board under chapter ~~((198-12))~~ 198-14 WAC are available for public inspection and copying during regular office hours at the environmental and land use hearings office. The form for requests for public records is set forth ~~((in WAC 198-12-140. Any person seeking to make copies~~

of such public records may copy the documents at the environmental hearings office for a reasonable charge per page) on the agency's web site at [eluh@eluh.wa.gov](mailto:eluh@eluh.wa.gov).

(3) The environmental and land use hearings office maintains a web site with information on the pollution control hearings board, including information about the board members, the board hearings calendar, past decisions of the board, a handbook with helpful information for practice before the board, sample forms, and links to the board's rules of practice and other pertinent statutes and rules. This web site may be accessed via the internet at (<http://www.eluh.wa.gov>) <http://www.eluh.wa.gov>.

### WSR 11-22-095

#### EXPEDITED RULES

#### EMPLOYMENT SECURITY DEPARTMENT

[Filed November 1, 2011, 5:00 p.m.]

Title of Rule and Other Identifying Information: WAC 192-300-210 What requirements apply to professional employer organizations and client employers? and 192-350-050 What notice must a successor or partial successor provide the department?

#### NOTICE

THIS RULE IS BEING PROPOSED UNDER AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THIS USE OF THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO Juanita Myers, Employment Security Department, P.O. Box 9046, Olympia, WA 98507-9046, or [jmyers@esd.wa.gov](mailto:jmyers@esd.wa.gov), AND RECEIVED BY January 3, 2012.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: SHB 2017 transferred authority for the master business license system to the department of revenue which has recently changed the name of the application from "master business application" to "business license application." WAC 192-300-210 and 192-350-050 are amended solely to reflect this change.

Reasons Supporting Proposal: Makes the rules consistent with processes adopted by the department of revenue in their implementation of SHB 2017.

Statutory Authority for Adoption: RCW 50.12.010, 50.12.040.

Statute Being Implemented: SHB 2017.

Rule is not necessitated by federal law, federal or state court decision.

Name of Proponent: Employment security department, governmental.

Name of Agency Personnel Responsible for Drafting: Juanita Myers, 212 Maple Park, Olympia, (360) 902-9665;

Implementation and Enforcement: Nan Thomas, 212 Maple Park, Olympia, (360) 902-9303.

November 1, 2011

Paul Trause  
Commissioner

AMENDATORY SECTION (Amending WSR 07-23-130, filed 11/21/07, effective 1/1/08)

#### WAC 192-300-210 What requirements apply to professional employer organizations and client employers?

(1) Both professional employer organizations and client employers must comply with all applicable state laws. Professional employment agreements may not allocate rights and obligations between professional employer organizations and client employers other than in compliance with state law.

(2) Professional employer organizations must file a (~~master~~) business license application with the state. They must register with the department under RCW 50.12.070 and obtain an employer reference number issued by the department (employment security number). This applies to professional employer organizations that have their own employees in this state and to professional employer organizations that have client employers who do business or have employees in this state.

(3) Professional employer organizations must ensure that their client employers are registered with the department under RCW 50.12.070. Professional employer organizations may only file papers to register the client employer if they also have filed with the department a power of attorney form signed by an authorized representative of the client employer.

(4) In order to represent a client employer to the department, a professional employer organization must file with the department a power of attorney in a form acceptable to the department. The signed power of attorney form may be sent by fax or in other electronic form acceptable to the department. The department will acknowledge receipt of the power of attorney to the sender and will send a letter to the client employer confirming that the professional employer organization is authorized to represent it to the department.

(5)(a) Professional employer organizations shall provide the department with the following information for client employers: Names, addresses, unified business identifier numbers, employment security numbers, names and Social Security numbers of corporate officers, owners and partners (if not a corporation or limited liability company), or limited liability company members, effective date the relationship between the professional employer organization and client employer began, and a business location in Washington state where payroll and business records for the client employer will be made available for review or inspection when requested by the department.

Information is due:

(i) By September 1, 2007, for all then existing client employers;

(ii) Within thirty days for any client employer registering with the department for the first time; and

(iii) Within thirty days of the effective date whenever the professional employer organization and a client employer enter a professional employer agreement.

## WSR 11-22-113

## EXPEDITED RULES

## PUBLIC DISCLOSURE COMMISSION

[Filed November 2, 2011, 10:46 a.m.]

(b) Professional employer organizations shall notify the department within thirty days of the termination of a relationship with a client employer. The notice shall include the name, address, unified business identifier number, employment security number, effective date, and contact information for the client employer.

(c) The department shall provide forms for the information required in this subsection. The department may require professional employer organizations to submit the information in an electronic format.

(6) Professional employer organizations shall maintain accurate payroll records for each client employer and make them available for review and inspection at a business location in Washington state when requested by the department. The location may vary for different client employers. Appropriate department facilities may be used for this purpose with the consent of the department. The department may require client employers or professional employer organizations to produce other business and financial records at an in-state location in the same manner it requires other employers to do so under WAC 192-310-050.

(7) Professional employer organizations shall file quarterly tax and wage reports for client employers they represent in a format specified by the department. Reports shall contain separate and distinct information for each client employer, regardless of the format used. Professional employer organizations may file a single electronic report for multiple client employers, separate paper or electronic reports for individual client employers, or a combination of electronic and paper filing.

(8) The department shall provide an electronic system for filing quarterly tax and wage reports which allows a professional employer organization to make payments when filing for multiple client employers with a single payment for those employers.

(9) If the professional employer organization files separate quarterly tax and wage reports for individual client employers, it shall make separate payments for each employer.

AMENDATORY SECTION (Amending WSR 07-23-131, filed 11/21/07, effective 1/1/08)

**WAC 192-350-050 What notice must a successor or partial successor provide to the department?** (1) A successor or partial successor may be liable for unemployment taxes under RCW 50.24.210.

(2) A successor or partial successor may notify the department through the ((~~master~~)) business license application that it bought, leased, or acquired all or part of an existing business. Otherwise, a successor or partial successor shall notify the department in writing within thirty days. The notice shall include the successor's or partial successor's department registration number and the name of the predecessor.

(3) In addition, a successor or partial successor shall provide the department with requested information about the transfer under WAC 192-350-060.

Title of Rule and Other Identifying Information: Title 390 WAC, amending WAC 390-05-010 Purpose, 390-05-040 Public Disclosure Act—Violation of other law, 390-05-190 Agent—Definition, 390-05-200 Definition—Candidates for public office—Time of filing, 390-05-205 Definition of term "consumable," 390-05-210 Definition—Contribution, 390-05-215 Receipt of a campaign contribution, 390-05-222 Domestic partner—Definition, 390-05-225 Registered voters—Count or number of, 390-05-235 Definition—Fair market value, 390-05-243 Ministerial functions by persons holding administrative offices, 390-05-245 Officer of a candidate's committee or political committee—Definition, 390-05-250 Definition—Public disclosure commission, 390-05-271 General applications of RCW 42.17.130, 390-05-273 Definition of normal and regular conduct, 390-05-274 Party affiliation, party preference, etc., 390-05-275 Definition—Party organization, 390-05-295 Definition—Promise or promise to pay, 390-05-300 Suspension of reporting requirements, 390-05-500 Debate or forum, 390-05-505 Electioneering communication exclusions, 390-05-515 Member, 390-05-522 Place of business—Definition, 390-05-530 Funding sources for electioneering communications, 390-12-050 Operations and procedures, 390-13-010 Optional format for requests for lists of individuals, 390-14-015 Public records officer, 390-14-025 Requests for public records, 390-14-026 Access goals to campaign and lobbying reports, 390-14-035 Exempting records from public inspection, 390-14-040 Internal review of denials of public records requests, 390-14-100 List of elected public officials, 390-14-110 List of elected public officials—Name not on list, impact, 390-16-012 Forms—Registration statement for candidates, 390-16-031 Forms for statement of contributions deposit, 390-16-032 Forms—Auction report, 390-16-033 Earmarked contributions—Reporting—Form, 390-16-034 Additional reporting requirements, 390-16-037 Purpose of campaign expenditures—Reporting, 390-16-038 Definition—Aggregate, 390-16-039 Total contributions and expenditures—Reporting, 390-16-041 Forms—Summary of total contributions and expenditures, 390-16-049 Out-of-state political committees—Implementation of RCW 42.17.093, 390-16-063 Additional information regarding C-6 report filing, 390-16-071 Annual report of major contributors and persons making independent expenditures, 390-16-105 Mini campaign reporting—Eligibility, 390-16-111 Mini campaign reporting—Special fund-raising events, 390-16-115 Mini campaign reporting—Conditions for granting use, 390-16-125 Mini campaign reporting—Exceeding limitations, 390-16-206 Ratings and endorsements, 390-16-207 In-kind contributions—Explanation and reporting, 390-16-221 Tangible property—Definition, 390-16-226 Loans, 390-16-230 Surplus campaign funds—Use in future, 390-16-232 Same office last sought, 390-16-234 Transfers of surplus and nonsurplus candidate funds, 390-16-238 Personal use of contributions—Standard, 390-16-240 Earmarked contributions—Definition and use, 390-16-245 Pledges, 390-16-309 Identification of affiliated entities, 390-16-310 Limitations on contributions, 390-16-312 Handling

contributions of uncertain origin, 390-16-313 Independent expenditure—Definition and application, 390-16-320 Candidates in small political subdivisions—Reporting, 390-17-013 Committee—Definition, 390-17-015 Conduit—Definition, 390-17-017 Facilities—Definition, 390-17-030 Sample ballots and slate cards, 390-17-060 Exempt activities—Definitions, reporting, 390-17-065 Recordkeeping and reporting of exempt contributions accounts, 390-17-070 Trade association—Definition, 390-17-071 Collective bargaining association—Definition, 390-17-100 Contribution withholding authorizations, 390-17-105 Small contributors of twenty-five dollars or less, 390-17-110 Employee notification of withholding provisions, 390-17-300 Contribution designation for primary and general election, 390-17-302 Contributions after the primary election, 390-17-303 Superior court candidates—Eligibility to receive contributions, 390-17-305 Personal funds of a candidate, 390-17-310 Doing business in Washington, 390-17-320 Contributions from corporations, businesses, unions and political committees, 390-17-400 Time limit to solicit or accept contributions, 390-17-405 Volunteer services, 390-17-410 Electioneering communications may constitute contributions and be subject to limit, 390-18-010 Advertising, political advertising, electioneering communications and independent expenditures, 390-18-020 Advertising—Political party identification, 390-18-025 Advertising—Identification of "top five contributors," 390-18-027 Medium that does not include a visual image, 390-18-030 Advertising—Exemptions from identification, 390-18-050 Commercial advertisers—Public inspection of records, 390-19-020 Electronic filing—Mandatory filing, 390-19-050 Electronic filing—Exceptions, 390-20-0101 Forms for lobbyist registration, 390-20-015 Lobbyists registration—Termination, 390-20-018 Lobbyist voluntary registration, 390-20-024 Lobbyist nonreportable expenses, 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, 390-20-054 Agency lobbying—Reporting of lobbying by independent contractors, 390-20-111 Form for lobbyist employers report of political contributions, 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, 390-20-141 Registration and reporting required when a lobbyist employs another lobbyist, 390-20-143 Application of lobbying provisions to organizations, 390-20-144 Registration and reporting by lobbyist organizations, 390-20-146 Reporting of field trips and other excursions, 390-20-148 Lobbyist direction or control of employer contributions, 390-24-010 Forms for statement of financial affairs, 390-24-020 Forms for amending statement of financial affairs, 390-24-025 Time for filing statement of financial affairs, 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 Descriptions of real property, 390-24-201 Report of compensation by limited partnerships, limited liability partnerships, limited liability companies, and similar entities,

390-24-202 Report of compensation from sales commissions, 390-24-203 Reporting of field trips and other excursions, 390-24-210 Report of officers and directors of financial institutions, 390-24-301 Changes in dollar amounts of reporting thresholds and code values, 390-28-020 Definition—Applicant, 390-28-025 Hearing to modify reporting requirements, 390-28-040 Hearing to modify reporting—Prehearing procedure and requirements, 390-28-060 Hearing to modify reporting—Administrative law judge proceedings, 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—Statement of financial affairs, 390-32-010 Fair Campaign Practices Code for candidates and political committees, 390-32-020 Filing—Fair Campaign Practices Code, 390-37-010 Enforcement procedures—General, 390-37-020 Enforcement procedures—Initiation of complaint, 390-37-030 Enforcement procedures—Citizen complaints filed with the commission, 390-37-040 Enforcement procedures—Procedures for filing complaints with the commission, 390-37-041 Enforcement procedures—Allegations submitted to the attorney general's office and/or prosecuting attorneys, 390-37-060 Enforcement procedures—Investigation of complaints—Initiation of hearing (adjudicative proceeding), 390-37-063 Enforcement procedures—Demand for information—Subpoenas, 390-37-070 Enforcement procedures—Complaints dismissed by executive director, 390-37-100 Enforcement procedures—Conduct of hearings (adjudicative proceedings), and 390-37-140 Brief enforcement hearings (adjudicative proceedings)—Authority; and repealing WAC 390-05-196.

#### NOTICE

THIS RULE IS BEING PROPOSED UNDER AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THIS USE OF THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO Lori Anderson, Public Disclosure Commission, 711 Capitol Way, Room 206, P.O. Box 40908, Olympia, WA 98504, AND RECEIVED BY January 3, 2012.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: Accommodates recodification of chapter 42.17 RCW to chapter 42.17A RCW, effective January 2012 throughout Title 390 WAC. References to RCW 42.17.550, repealed effective June 10, 2010, deleted from WAC 390-16-038, 390-16-313, and 390-17-030. Repeals WAC 390-05-196, which will be replaced by a rule the secretary of state is developing. References to RCW 42.17A.410 (judicial campaign contribution limits) are incorporated into WAC 390-05-210, 390-05-235, 390-16-240, 390-16-245, 390-17-300, which interpreted the contribution limits of RCW 42.17A.405 (state and local campaign contribution limits).

Reasons Supporting Proposal: Corrects statutory references to chapter 42.17 RCW following recodification to chapter 42.17A RCW. Removes references to a repealed statute. Repealing WAC 390-05-196, which is no longer necessary because of changed circumstances. Clarifies contribution limits as dictated by statutes.

Statutory Authority for Adoption: RCW 42.17.370(1).

Statute Being Implemented: Chapter 204, Laws of 2010.

Rule is not necessitated by federal law, federal or state court decision.

Name of Proponent: Public disclosure commission, governmental.

Name of Agency Personnel Responsible for Drafting and Implementation: Lori Anderson, 711 Capitol Way, Room 206, Olympia, WA 98504, (360) 664-2737; and Enforcement: Phil Stutzman, 711 Capitol Way, Room 206, Olympia, WA 98504, (360) 664-8853.

November 2, 2011

Lori Anderson  
Communications and  
Training Officer

AMENDATORY SECTION (Amending Order 62, filed 8/26/75)

**WAC 390-05-010 Purpose.** The purpose of these regulations is to implement the provisions of chapter ~~((42.17))~~ 42.17A 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.

AMENDATORY SECTION (Amending Order 62, filed 8/26/75)

**WAC 390-05-040 Public Disclosure Act—Violation of other law.** No provision of chapter ~~((42.17))~~ 42.17A 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.

AMENDATORY SECTION (Amending WSR 96-09-015, filed 4/8/96, effective 5/9/96)

**WAC 390-05-190 Agent—Definition.** "Agent," as that term is used in chapter ~~((42.17))~~ 42.17A RCW and Title 390 WAC, means a person, whether the authority or consent is direct or indirect, express or implied, oral or written, who:

- (1) Is authorized by another to act on his or her behalf; or
- (2) Represents and acts for another with the authority or consent of the person represented; or
- (3) Acts for or in place of another by authority from him or her.

AMENDATORY SECTION (Amending WSR 02-03-018, filed 1/4/02, effective 2/4/02)

**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(8)))~~ 42.17A.005(7):

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

(2) A public declaration of candidacy by an individual even if the candidacy is conditioned on a future occurrence; or

(3) Meeting the requirements set forth in WAC 390-16-230 (1) or (2).

AMENDATORY SECTION (Amending WSR 02-03-018, filed 1/4/02, effective 2/4/02)

**WAC 390-05-205 Definition of term "consumable."**

For the purpose of RCW ~~((42.17.020-(14)(a)(iv)))~~ 42.17A.005 (13)(a)(iv) the term "consumable" includes the amount paid for food, beverages, preparation, catering or entertainment cost furnished at the event.

AMENDATORY SECTION (Amending WSR 08-01-069, filed 12/14/07, effective 1/14/08)

**WAC 390-05-210 Definition—Contribution.** (1) The term "contribution" as defined in RCW ~~((42.17.020))~~ 42.17A.005 shall be deemed to include, among other things, furnishing services or property or rights on a discriminatory basis or at less than their fair market value as defined in WAC 390-05-235, for the purpose of assisting any candidate or political committee. When such in-kind contribution of goods or services is provided, it shall be reported at its fair market value per WAC 390-05-235 and, pursuant to RCW ~~((42.17.640))~~ 42.17A.405 and 42.17A.410, the fair market value is the amount of the contribution to be allocated to the contributor in determining compliance with the contributor's contribution limit.

(2) **Duplicating political advertising.** The financing by a person of the dissemination, distribution, or republication, in whole or in part, of broadcast, written, graphic, or other form of political advertising prepared by a candidate, a political committee, or the authorized agent of a candidate or political committee is a contribution to the candidate or political committee.

(3) **Consulting with a state, local or judicial candidate.** An expenditure made by a person in cooperation, consultation, concert or collaboration with, or at the request or suggestion of a candidate, the candidate's authorized committee or agent is a contribution to such candidate. An expenditure is presumed to be made in cooperation, consultation, concert or collaboration with, or at the request or suggestion of a candidate, the candidate's authorized committee or agent when:

(a) Any arrangement, coordination or direction by the candidate, the candidate's authorized committee or agent is given to the expending person prior to the publication, distribution, display or broadcast of political advertising or electioneering communications or prior to an expenditure being made by that person supporting that candidate or opposing one or more of that candidate's opponents; or

(b) An expenditure is made based on information about the candidate's plans, projects or needs provided to the expending person by the candidate, the candidate's autho-

rized committee or agent with a view toward having an expenditure made; or

(c) An expenditure is made by, through, in consultation with, or with the assistance of, including the fund-raising assistance of, any person who, during the twelve months preceding the expenditure, is or has been an officer of the candidate's authorized committee; or

(d) The expenditure is made by or in consultation with any person who, during the twelve months preceding the expenditure, is or has been receiving any form of campaign-related compensation or reimbursement from the candidate, the candidate's authorized committee or agent. However, there is no presumption that an expenditure is made in cooperation, consultation, concert or collaboration with, or at the request or suggestion of a candidate, the candidate's authorized committee or agent, when a person performs only ministerial functions for two or more candidates or political committees pursuant to RCW ((42.17.020)) 42.17A.005 and WAC 390-05-243.

(4) **Consulting with a caucus political committee.** An expenditure, that does not qualify as a contribution to a candidate under subsection (3) of this section, made by a person in cooperation, consultation, concert or collaboration with, or at the request or suggestion of a caucus political committee or its agent is a contribution to such caucus political committee. An expenditure is presumed to be made in cooperation, consultation, concert or collaboration with, or at the request or suggestion of a caucus political committee or its agent when:

(a) Any arrangement, coordination or direction by the caucus political committee, its agent or another political committee financed, controlled or operated by the caucus is given to the expending person prior to the publication, distribution, display or broadcast of political advertising or electioneering communications or prior to an expenditure being made by that person supporting that caucus political committee or one or more of the candidates supported by it or opposing one or more of those candidates' opponents; or

(b) An expenditure is made based on information about the caucus political committee's plans, projects or needs provided to the expending person by the caucus political committee, its agent or another political committee financed, controlled or operated by the caucus with a view toward having an expenditure made; or

(c) An expenditure is made by, through, in consultation with, or with the assistance of, including the fund-raising assistance of, any person who, during the twelve months preceding the expenditure, is or has been an officer of the caucus political committee or another political committee financed, controlled or operated by the caucus; or

(d) The expenditure is made by or in consultation with any person who, during the twelve months preceding the expenditure, is or has been receiving any form of campaign-related compensation or reimbursement from the caucus political committee, its agent or another political committee financed, controlled or operated by the caucus. However, there is no presumption that an expenditure is made in cooperation, consultation, concert or collaboration with, or at the request or suggestion of a caucus political committee or its agent, when a person performs only ministerial functions for

two or more candidates or political committees pursuant to RCW ((42.17.020)) 42.17A.005 and WAC 390-05-243.

(5) **Consulting with a bona fide political party.** An expenditure, that does not qualify as a contribution to a candidate under subsection (3) of this section, made by a person in cooperation, consultation, concert or collaboration with, or at the request or suggestion of a bona fide political party or its agent is a contribution to such bona fide political party. An expenditure is presumed to be made in cooperation, consultation, concert or collaboration with, or at the request or suggestion of a bona fide political party when:

(a) Any arrangement, coordination or direction by the bona fide political party, its agent or a political committee financed, controlled or operated by the party is given to the expending person prior to the publication, distribution, display or broadcast of political advertising or electioneering communications or prior to an expenditure being made by that person supporting that bona fide political party or one or more of the candidates supported by it or opposing one or more of those candidates' opponents; or

(b) An expenditure is made based on information about the bona fide political party's plans, projects or needs provided to the expending person by the bona fide political party or its agent with a view toward having an expenditure made; or

(c) An expenditure is made by, through, in consultation with, or with the assistance of, including the fund-raising assistance of, any person who, during the twelve months preceding the expenditure, is or has been an officer of the bona fide political party or a political committee financed, controlled or operated by the bona fide political party; or

(d) The expenditure is made by or in consultation with any person who, during the twelve months preceding the expenditure, is or has been receiving any form of campaign-related compensation or reimbursement from the bona fide political party, its agent or a political committee financed, controlled or operated by the bona fide political party. However, there is no presumption that an expenditure is made in cooperation, consultation, concert or collaboration with, or at the request or suggestion of the bona fide political party, a political committee financed, controlled, or operated by a bona fide political party or their agents, when a person performs only ministerial functions for two or more candidates or political committees pursuant to RCW ((42.17.020)) 42.17A.005 and WAC 390-05-243.

(6) **Consulting with other political committees.** An expenditure made by a person in cooperation, consultation, concert or collaboration with, or at the request or suggestion of a political committee is a contribution to such political committee. An expenditure is presumed to be made in cooperation, consultation, concert or collaboration with, or at the request or suggestion of a political committee when:

(a) Any arrangement, coordination or direction by the political committee, its agent or another political committee financed, controlled or operated by the committee is given to the expending person prior to the publication, distribution, display or broadcast of political advertising or prior to an expenditure being made by that person benefiting that political committee; or



(b) An expenditure is made based on information about the political committee's plans, projects or needs provided to the expending person by the political committee or its agent with a view toward having an expenditure made; or

(c) An expenditure is made by, through, in consultation with, or with the assistance of, including the fund-raising assistance of, any person who, during the twelve months preceding the expenditure, is or has been an officer of the political committee or another political committee financed, controlled or operated by the committee; or

(d) An expenditure is made by or in consultation with any person who, during the twelve months preceding the expenditure, is or has been receiving any form of campaign-related compensation or reimbursement from the political committee, its agent or another political committee financed, controlled or operated by the committee. However, there is no presumption that an expenditure is made in cooperation, consultation, concert or collaboration with, or at the request or suggestion of a political committee or its agent, when a person performs only ministerial functions for two or more candidates or political committees pursuant to RCW ((42.17.020)) 42.17A.005 and WAC 390-05-243.

AMENDATORY SECTION (Amending WSR 93-16-064, filed 7/30/93, effective 8/30/93)

**WAC 390-05-215 Receipt of a campaign contribution.** "Receipt" of a campaign contribution, as that term is used in chapter ((42.17)) 42.17A RCW, shall be deemed to occur at the earliest of the following:

(1) The date that the candidate, treasurer, deputy treasurer, campaign manager, campaign chairperson or similarly situated campaign official obtains possession of the contribution, or

(2) The date that the candidate, treasurer, deputy treasurer, campaign manager, campaign chairperson or similarly situated campaign official is informed of the contribution, or becomes aware that the campaign, or in the case of an earmarked contribution, the intermediary or conduit, has possession of the contribution, or

(3) The date that the contribution becomes available for use by the candidate or committee.

AMENDATORY SECTION (Amending WSR 09-01-063, filed 12/11/08, effective 1/11/09)

**WAC 390-05-222 Domestic partner—Definition.** "Domestic partner" or "domestic partners," as those terms are used in chapter ((42.17)) 42.17A RCW and Title 390 WAC, means "state registered domestic partners" as defined in RCW 26.60.020(1).

AMENDATORY SECTION (Amending WSR 08-04-021, filed 1/28/08, effective 2/28/08)

**WAC 390-05-225 Registered voters—Count or number of.** In accordance with RCW 29A.08.130, for purposes of chapter ((42.17)) 42.17A RCW and Title 390 WAC, the count or number of registered voters shall not include inactive voters.

AMENDATORY SECTION (Amending WSR 94-11-018, filed 5/5/94, effective 6/5/94)

**WAC 390-05-235 Definition—Fair market value.** (1)(a) "Fair market value" or "value" when used in the act or rules 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.

(b) If, in determining "fair market value" or "value," the amount buyer would pay and the amount a seller would accept would be based on varying standards, then the fair market value of the contribution shall be based on the amount the contributor would ordinarily accept for selling the property, rather than the amount the candidate or political committee would ordinarily pay. For example, if a contributor who sells property in the ordinary course of this or her business at a wholesale price donates such property to a candidate or political committee who would ordinarily pay the retail price as a consumer, then the fair market value of the contribution shall be the wholesale price.

(2)(a) Any person who donates an item for sale, raffle, auction or awarding at a fund-raising event is making a contribution to the recipient candidate or political committee in an amount equal to the fair market value of the item donated.

(b) Any person who buys a donated item makes a contribution equal in value to the difference between the purchase or auction price and the fair market value of the donated item.

(c) If the purchase or auction price is the same as the fair market value, the buyer's contribution is zero. If the purchase or auction price is less than the fair market value, the buyer's contribution is zero and the donor's contribution is reduced to the amount of the sale or auction price.

(3) The value of any in-kind contribution donated to any candidate or political committee subject to contribution limits pursuant to RCW ((42.17.640)) 42.17A.405 or 42.17A.410 shall not, when combined with other contributions to that candidate or political committee, exceed the donor's applicable contribution limit as set forth in RCW ((42.17.640)) 42.17A.405 or 42.17A.410. The value of an in-kind contribution donated as an exempt contribution to a bona fide political party committee or other political committee eligible to receive exempt funds is only subject to the limit imposed by RCW ((42.17.105(8))) 42.17A.420.

(4)(a) Except as provided in WAC 390-16-207, if a person permits a candidate, a candidate's authorized committee or a political committee to use the telephones of a business, union, organization or other entity without charge for the purpose of making local campaign-related calls, the telephone usage is an in-kind contribution and shall be valued at its fair market value or, if no fair market value is ascertainable, \$1 per telephone per calendar day or part thereof.

(b) If toll calls are permitted, the toll charges are also an in-kind contribution unless the candidate, the candidate's authorized committee or the political committee reimburses the person in full within 30 days of making the toll calls.

AMENDATORY SECTION (Amending WSR 08-01-069, filed 12/14/07, effective 1/14/08)

**WAC 390-05-243 Ministerial functions by persons holding administrative offices.** For the purposes of RCW ((42-17-020)) 42.17A.005 and ((42-17-040)) 42.17A.205:

(1) "Ministerial functions" mean the activities and duties of an administrative office that satisfy RCW ((42-17-020 (15) and (34))) 42.17A.005 (13) and (33) and require:

- (a) Data entry for a candidate or political committee;
- (b) Filing reports that have been reviewed and approved for filing by the candidate or political committee officer;
- (c) Maintaining campaign finance and other similar records including making them available for inspection upon direction by the candidate or political committee officer;
- (d) Writing and depositing checks at the direction of the candidate or political committee officer;
- (e) Communications related to ministerial functions (to respond to questions about data entry, to discuss or review a candidate or committee's bank account balance, to schedule times to receive contribution checks at events, to review reports with the candidate or committee prior to filing, and similar communications) but do not involve attending strategy or campaign planning meetings or portions of meetings with candidates or political committee officers or their agents; or
- (f) Other similar campaign finance activities and duties.

(2) "Administrative office" means a person performing campaign finance related clerical support or recordkeeping activities on behalf of candidates and political committees, when, for the purposes of RCW ((42-17-020 (15) and (34))) 42.17A.005 (13) and (33), those activities:

- (a) Are directed by the candidate or political committee officer and require performance of activities by the administrative office in a prescribed manner;
  - (b) Are approved by the candidate or political committee officer for whom the services are performed;
  - (c) Do not involve the exercise of personal judgment or discretion, including authorizing expenditures;
  - (d) Do not involve the disclosure, except as required by law, of any information regarding a candidate or committee's plans, projects, activities or needs, or regarding a candidate's or committee's contributions or expenditures that is not already publicly available, or otherwise engage in activity that is a contribution; and
  - (e) Do not involve the performance of functions other than ministerial functions.
- (3) A person performing only ministerial functions on behalf of two or more candidates or political committees is not:

- (a) Considered an agent so long as he or she has no authority to authorize expenditures or make decisions on behalf of the candidate or committee; or
- (b) An officer pursuant to WAC 390-05-245. However, that person's name, address and title must be reported on the C-1 or C-1pc registration form.

AMENDATORY SECTION (Amending WSR 08-01-069, filed 12/14/07, effective 1/14/08)

**WAC 390-05-245 Officer of a candidate's committee or political committee—Definition.** For purposes of chapter ((42-17)) 42.17A RCW and Title 390 WAC, "officer of a candidate's authorized committee," or "officer of a candidate's committee" or "officer of a political committee" includes the following persons: Any person designated by the committee as an officer on the C-1 or C-1pc registration statement and any person who alone or in conjunction with other persons makes, directs, or authorizes contribution, expenditure, strategic or policy decisions on behalf of the committee.

AMENDATORY SECTION (Amending Order 85-03, filed 7/9/85)

**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)) 42.17A.100. The public disclosure commission shall hereinafter be referred to as the commission.

AMENDATORY SECTION (Amending Order 80-01, filed 1/17/80)

**WAC 390-05-271 General applications of RCW ((42-17-130)) 42.17A.555.** (1) RCW ((42-17-130)) 42.17A.555 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)) 42.17A.555 does not prevent a public office or agency from (a) making facilities available on a nondiscriminatory, 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.

AMENDATORY SECTION (Amending Order 79-01, 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)) 42.17A.555, 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.

AMENDATORY SECTION (Amending WSR 11-05-047, filed 2/10/11, effective 3/13/11)

**WAC 390-05-274 Party affiliation, party preference, etc.** (1) "Party affiliation" as that term is used in chapter

~~((42.17))~~ 42.17A RCW and Title 390 WAC means the candidate's party preference as expressed on his or her declaration of candidacy. A candidate's preference does not imply that the candidate is nominated or endorsed by that party, or that the party approves of or associates with that candidate.

(2) A reference to "political party affiliation," "political party," or "party" on disclosure forms adopted by the commission and in Title 390 WAC refers to the candidate's self-identified party preference.

AMENDATORY SECTION (Amending WSR 11-05-049, filed 2/10/11, effective 3/13/11)

**WAC 390-05-275 Definition—Party organization.** "Party organization," as that term is used in chapter ~~((42.17))~~ 42.17A RCW and Title 390 WAC, means a bona fide political party as defined in RCW ~~((42.17.020))~~ 42.17A.005 and applied in WAC 390-05-196.

AMENDATORY SECTION (Amending WSR 04-12-052, filed 5/28/04, effective 6/28/04)

**WAC 390-05-295 Definition—Promise or promise to pay.** For the purposes of the definition of "expenditure" found in RCW ~~((42.17.020))~~ 42.17A.005, "promise" or "promise to pay" includes any oral or written order placed, debt or obligation to purchase goods or services or anything of value, or any offer to purchase advertising space, broadcast time or other advertising related product or service.

AMENDATORY SECTION (Amending WSR 92-05-080, filed 2/18/92, effective 3/20/92)

**WAC 390-05-300 Suspension of reporting requirements.** From the effective date of RCW ~~((42.17.405))~~ 42.17A.135, the following reporting requirements are suspended in jurisdictions with less than one thousand registered voters as of the date of the most recent general election in the jurisdiction:

(1) The F-1 financial reports of public officials required by RCW ~~((42.17.240))~~ 42.17A.700 and WAC 390-24-010, 390-24-020 and 390-24-025;

(2) The L-5 public agency lobbying report required by RCW ~~((42.17.190))~~ 42.17A.635 and WAC 390-20-120;

(3) The C-1 through C-4 campaign finance reports required for ballot issues by RCW ~~((42.17.040))~~ 42.17A.205 through ~~((42.17.090))~~ 42.17A.240 and 42.17A.425, and WAC 390-16-011, 390-16-031, 390-16-036, 390-16-041, and independent campaign expenditure reports (C-6) required for ballot issues by RCW ~~((42.17.100))~~ 42.17A.255 and WAC 390-16-050: Provided, That reporting requirements shall be reinstated by order of the commission at its next regular or special meeting if:

(a) A certified "petition for disclosure" containing the valid signatures of fifteen percent of the number of registered voters of the jurisdiction as of the date of the most recent general election in the jurisdiction is filed with the commission; or

(b) The jurisdiction has by ordinance, resolution or other official action petitioned the commission to void the suspen-

sion with respect to elected officials, candidates and ballot propositions for the jurisdiction.

If reporting requirements are reinstated by petition, the commission shall promptly notify all known affected candidates and incumbent elected officials of their duty to file disclosure reports. Such individuals and committees shall be ordered to file the required statements within thirty days of the commission order.

AMENDATORY SECTION (Amending WSR 06-11-132, filed 5/23/06, effective 6/23/06)

**WAC 390-05-500 Debate or forum.** "Debate or forum" means qualifying events under RCW ~~((42.17.020(21)(b)))~~ 42.17A.005 (19)(b)(ii) where candidates are invited based upon predefined objective criteria, including where only one candidate in an uncontested race participates.

AMENDATORY SECTION (Amending WSR 06-11-132, filed 5/23/06, effective 6/23/06)

**WAC 390-05-505 Electioneering communication exclusions.** (1) "Electioneering communication" does not include communications listed in RCW ~~((42.17.020(21)))~~ 42.17A.005 (19)(b).

(2) "Electioneering communication" also does not include:

(a) Letters to the editor or comparable communications to news media described in RCW ~~((42.17.020(21)(e)))~~ 42.17A.005 (19)(b)(iii);

(b) Communications conveyed through web sites, e-mails, telephone calls, or in-person leaflet/pamphlet drops at street addresses; or

(c) Communications conveyed in a manner not specified in RCW ~~((42.17.020(20)))~~ 42.17A.005(19).

AMENDATORY SECTION (Amending WSR 09-04-022, filed 1/27/09, effective 2/27/09)

**WAC 390-05-515 Member.** In determining whether a communication is to a "member" as that term is used in RCW ~~((42.17.020))~~ 42.17A.005 and ~~((42.17.100))~~ 42.17A.255, and for the purposes of RCW ~~((42.17.105(8), 42.17.640 and 42.17.645))~~ 42.17A.405, 42.17A.410 and 42.17A.420:

(1) The commission will examine whether the organization is a legitimate membership organization with common interest goals and objectives, taking into account such factors as the organization's permanence, structure and whether it has formal organizing documents, membership criteria and services it provides its members.

(2) With respect to the status of members of an organization, the commission will examine whether a valid, active relationship exists between the organization and its members or classes of members for purposes other than influencing the outcome of an election, taking into account such factors as whether the members affirmatively accept membership and the rights and obligations conferred on members by the organization including whether members have the right to vote for:

(a) Election of directors or officers; or

(b) Changes to the articles or bylaws; or

(c) The disposition of all or substantially all of the assets of the organization or on a merger or dissolution.

A required payment of a predetermined amount of membership dues is also a factor; however, an organization will not be considered a membership organization if it is primarily a commercial entity or for-profit entity selling products to customers even though it may refer to its customers as "members."

(3) If a membership organization and its members satisfy the criteria regarding "membership associations" and "members" established by the Federal Election Commission (FEC) in 11 C.F.R. Sec. 100.134 (e)-(g), the commission will consider the organization and its members as qualifying for the exemption in RCW ((~~42.17.020 (15)(b)(v) and (21)(g))~~) 42.17A.005 (13)(b)(v) and (19)(b)(vii), unless the communication was not sent primarily to members. However, these FEC criteria are not the only indicators of legitimate membership organizations or valid members, a determination that will be made by the commission on a case-by-case basis as necessary.

(4) In determining whether an internal political communication is "primarily" limited to the members of an organization or political committee, the commission will consider whether any distribution to nonmembers is incidental and isolated.

AMENDATORY SECTION (Amending WSR 06-18-035, filed 8/28/06, effective 9/28/06)

**WAC 390-05-522 Place of business—Definition.** "A place of business in the state of Washington" as that term is used in RCW ((~~42.17.093~~) 42.17A.250 (1)(f) means the business is headquartered in or has a primary place of business in Washington state.

For example, if a national corporation headquartered outside of Washington state has retail outlets in Washington and that national corporation contributes two hundred fifty dollars to an out-of-state political committee that is subject to reporting under RCW ((~~42.17.093~~) 42.17A.250, the out-of-state committee is not required to disclose the national corporation as a contributor under RCW ((~~42.17.093~~) 42.17A.250 (1)(f).

AMENDATORY SECTION (Amending WSR 06-11-132, filed 5/23/06, effective 6/23/06)

**WAC 390-05-530 Funding sources for electioneering communications.** (1) "Source of funds" means a person who contributes anything of value for the communication, including a loan, gift, advance, payment, pledge, or personal or professional services for less than full consideration.

(2) Goods, services, property or rights other than money or its equivalent are deemed to have a monetary value equivalent to their fair market value.

(3) "Source of funds" does not include those things of value specified in RCW ((~~42.17.020 (15)(b))~~) 42.17A.005 (13)(a)(i).

#### REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 390-05-196

Bona fide political party—  
Application of term.

AMENDATORY SECTION (Amending WSR 90-16-083, filed 7/31/90, effective 8/31/90)

#### **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 the sponsors of political advertising, 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~~) 42.17A.105, 42.17A.110, 42.17A.120, 42.17A.125, 42.17A.755, and 42.17A.760. Provisions for establishing the commission and appointing the members thereof are stated in RCW ((~~42.17.350~~) 42.17A.100.

(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 34.05 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. The instructions are intended to satisfy the requirement of RCW ((~~42.17.360~~) 42.17A.105 to publish book-keeping manuals. The staff also provides personal instruction and technical assistance to persons with specific problems and questions.

(5) Between 45,000 and 55,000 reports are received during a calendar year from an average of 9,500 reporting "clients." The staff receives these reports, records their receipt, and microfilms and files them. Every effort is made to have reports filmed 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 microfiche 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 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 there is evidence of a material violation of chapter ((42.17)) 42.17A RCW and/or lack of substantial compliance.

AMENDATORY SECTION (Amending WSR 02-03-018, filed 1/4/02, effective 2/4/02)

**WAC 390-13-010 Optional format for requests for lists of individuals.** The use of a list of individuals obtained from an agency for commercial purposes is prohibited by RCW ((42.17.260)) 42.56.070. Therefore, the following format is adopted by the commission and authorized for use by agencies, at their option, to bring uniformity to the administration of that statute.

(Name of Agency) PUBLIC RECORDS ACCESS

STATE OF WASHINGTON }  
                                  } ss. AFFIDAVIT TO  
                                  } RELEASE  
COUNTY OF \_\_\_\_\_ } PUBLIC RECORDS  
                                  } (Name and Address)

having been duly sworn, deposes and says:

- 1. I have requested copies of the following public records:
- 2. I understand that Washington state law, RCW ((42.17.260)) 42.56.070, prohibits the use of lists of individuals for commercial purposes.
- 3. I understand that the use for commercial purposes of said records may also violate the rights of the individuals named therein and may subject me to liability for such commercial use.
- 4. I understand that section 2 or 3 herein apply when I use said records for commercial purposes and when others use said records or copies of same for commercial purposes. I understand that I may be liable in either case.
- 5. I understand that "commercial purposes" means that the person requesting the record intends that the list will be

used to communicate with the individuals named in the record for the purpose of facilitating profit expecting activity.

6. Therefore, I do hereby swear and affirm on oath and under penalty of law that I will not use said records for commercial purposes and that further, it is my affirmative duty to prevent others from using said records for commercial purposes.

\_\_\_\_\_  
Signature

SUBSCRIBED AND SWORN to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

\_\_\_\_\_  
Notary Public in and for the state of Washington residing at \_\_\_\_\_.

AMENDATORY SECTION (Amending WSR 99-12-057, filed 5/27/99, effective 6/27/99)

**WAC 390-14-015 Public records officer.** The executive director is the commission's public records officer. The public records officer is responsible for implementing the commission's administrative rules regarding release of public records, coordinating the staff of the commission in this regard, and insuring compliance by the staff with the public records disclosure requirements of chapter ((42.17)) 42.56 RCW.

AMENDATORY SECTION (Amending WSR 02-03-018, filed 1/4/02, effective 2/4/02)

**WAC 390-14-025 Requests for public records.** (1) In accordance with requirements of chapter ((42.17)) 42.56 RCW that agencies provide full public access to public records, protect public records from damage or disorganization, and prevent excessive interference with essential functions of the agency, requests to inspect or copy public records may be made in person, by letter, by telephone or by electronic means.

The commission office is located at 711 Capitol Way, Room 206, Evergreen Plaza Building, Olympia, Washington. The mailing address is: Public Disclosure Commission, P.O. Box 40908, Olympia, WA 98504-0908. Telephone number: ((425))360((425))-753-1111. Toll-free telephone number: 1-877-601-2828. Facsimile number: ((425))360((425))-753-1112. Electronic mail: pdc@pdc.wa.gov.

(2) Whenever a member of the public requests assistance, the staff member to whom the request is made shall assist the member of the public in identifying the appropriate public record.

AMENDATORY SECTION (Amending WSR 00-22-058, filed 10/27/00, effective 11/27/00)

**WAC 390-14-026 Access goals to campaign and lobbying reports.** The commission sets the following goals for access to all reports, copies or reports, or copies of data or information included in reports, filed under RCW ((42.17-040, 42.17.065, 42.17.080, 42.17.100, 42.17.105, 42.17.150, 42.17.170, 42.17.175, and 42.17.180)) 42.17A.205, 42.17A.-

225, 42.17A.235, 42.17A.255, 42.17A.265, 42.17A.600, 42.17A.615, 42.17A.625, and 42.17A.630.

(1) In January of 2001, when reports are filed with the commission, staff will endeavor to make the report available as follows:

(a) Submitted by electronic means:

(i) Available in the commission office within two business days and;

(ii) ~~((Available))~~ Available on the commission web site within four business days.

(b) Submitted on paper:

(i) Available in the commission office within four business days and;

(ii) Available on the commission web site within seven business days.

(2) In January of 2002, when reports are filed with the commission, staff will endeavor to make the report available as follows:

(a) Submitted by electronic means available in the commission office and on the commission web site within two business days and;

(b) Submitted by paper, available in the commission office and on the commission web site within four business days.

AMENDATORY SECTION (Amending WSR 99-12-061, filed 5/27/99, effective 6/27/99)

**WAC 390-14-035 Exempting records from public inspection.** (1) The public records officer shall delete information from any record prior to permitting public inspection or copying if the information is exempt from disclosure according to RCW ((42.17.310)) 42.56.210, another section of chapter ((42.17)) 42.56 RCW or other law. After such data is deleted, the remainder of the record shall be made available.

(2) 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.

AMENDATORY SECTION (Amending WSR 99-12-062, filed 5/27/99, effective 6/27/99)

**WAC 390-14-040 Internal review of denials of public records requests.** (1) Any person who objects to the denial of a request for a public record may petition the commission chair for prompt review of such decision by tendering a written request for review to the public records officer. 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 shall refer it to the chair of the commission. The chair shall immediately consider the matter and either affirm or reverse, in whole or in part, 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 in accordance with RCW ((42.17.320)) 42.56.520.

AMENDATORY SECTION (Amending WSR 99-12-064, filed 5/27/99, effective 6/27/99)

**WAC 390-14-100 List of elected public officials.** (1) The public disclosure commission shall prepare a list of all state elected officials of the state of Washington. The list shall be updated annually by January 15<sup>th</sup>.

(2) The list shall contain the names of those entities that are reported by state elected officials and successful candidates for state office pursuant to RCW ((42.17.244)) 42.17A.710 (1)(g).

AMENDATORY SECTION (Amending WSR 99-12-065, filed 5/27/99, effective 6/27/99)

**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)) 42.17A RCW, if it finds after hearing that literal application of the act would work a manifestly unreasonable hardship and suspension or modification will not frustrate the purposes of the act.

(2) The commission shall presume it is a manifestly unreasonable hardship for a lobbyist employer or other person filing PDC Form C-7 pursuant to RCW ((42.17.180)) 42.17A.630 to report the compensation paid to a state elected official, a successful candidate for state office, an immediate family member of a state elected official or successful candidate for state office, or a corporation, partnership, joint venture, association, union or other entity in which one of these individuals holds any office, directorship, general partnership interest, or an ownership interest of ten percent or more, if:


(a) The name of such official, candidate, family member or entity does not appear on the most recent list of state elected officials prepared by the commission pursuant to WAC 390-14-100; and

(b) The lobbyist employer or other filer does not have actual knowledge of compensation being paid to such official, candidate, family member or entity.

AMENDATORY SECTION (Amending WSR 10-20-011, filed 9/24/10, effective 10/25/10)

**WAC 390-16-012 Forms—Registration statement for candidates.** The official form for providing the statement of organization by candidates and candidate's committees, for designating a campaign treasurer and depository and for reporting information required to qualify for mini campaign finance reporting is designated "C-1," revised ((11/10)) 1/12. Copies of this form are available at the Commission Office, 711 Capitol Way, Room 206, P.O. Box 40908, Olympia, Washington, 98504-0908. Any attachments shall be on 8-1/2" x 11" white paper.

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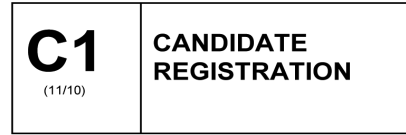
 <b>PUBLIC DISCLOSURE COMMISSION</b> 711 CAPITOL WAY RM 206 PO BOX 40908 OLYMPIA WA 98504-0908 (360) 753-1111 Toll Free 1-877-601-2828		<h1>Candidate Registration</h1>	<h1>C1</h1> (11/10)
Candidate's Name (Give candidate's full name.)		Telephone Number ( )	
Candidate's Committee Name (Do not abbreviate.)		Fax Number ( )	
Mailing Address		Candidate's E-Mail Address	
City	County	Zip + 4	Campaign E-Mail Address
1. What office are you running for?		Legislative District, County or City	Position No.
		Do you now hold this office? Yes <input type="checkbox"/> No <input type="checkbox"/>	
2. Political party (if partisan office)		3. Date of general or special election	
4. How much do you plan to spend during your entire election campaign, including the primary and general elections? Based on that estimate, choose one of the reporting options below. If no box is checked you are obligated to use Option II, Full Reporting. See instruction manuals for information about reports required and changing reporting options.			
<input type="checkbox"/> <b>Option I MINI REPORTING:</b> In addition to my filing fee of \$_____, I will raise and spend no more than \$5,000, including any charges for inclusion in state and local voters pamphlets. I will not accept more than \$500 in the aggregate from any contributor except myself.			
<input type="checkbox"/> <b>Option II FULL REPORTING:</b> I will use the Full Reporting system. I will file the frequent, detailed campaign reports required by law.			
5. Treasurer's Name and Address. Does treasurer perform <u>only</u> ministerial functions? Yes ___ No ___ See WAC 390-05-243 and next page for details. List deputy treasurers on attached sheet.		Daytime Telephone Number ( )	
		<input type="checkbox"/> Continued on attached sheet.	
6. Persons who perform only ministerial functions on your behalf <u>and</u> on behalf of other candidates or political committees. List name, title and address of these persons. See WAC 390-05-243 and next page for details.			
<input type="checkbox"/> Continued on attached sheet.			
7. Committee Officers and other persons who authorize expenditures or make decisions on your behalf. List name, title and address. See next page for definition of "officer."			
sheet. <input type="checkbox"/> Continued on attached sheet.			
8. Campaign Bank or Depository	Branch	City	
9. Related or Affiliated Political Committees. List name, address and relationship.			
<input type="checkbox"/> Continued on attached sheet.			
10. Campaign books must be open to the public by appointment between 8 a.m. and 8 p.m. during the eight days before the election, except Saturdays, Sundays, and legal holidays. In the space below, provide contact information for scheduling an appointment and the address where the inspection will take place. It is not acceptable to provide a post office box or an out-of-area address.			
<b>Street Address, Room Number, City where campaign books will be available for inspection</b>			
In order to make an appointment, contact the campaign at (telephone, fax, e-mail): ( )			
11. <b>CERTIFICATION:</b> I certify that this report is true, complete and correct to the best of my knowledge.			
Candidate's Signature		Date	

SEE INSTRUCTIONS ON NEXT PAGE

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Please consult PDC instruction manuals when completing this report. Reporting requirements are contained in and governed by RCW 42.17 and WAC 390.



**Who Must File** – Candidates who seek:

- state office (legislative or statewide executive),
- a state supreme court or state court of appeals position,
- local office in jurisdictions having 5,000 or more registered voters as of the last general election or in jurisdictions covering an entire county,
- local office in jurisdictions of any size if the candidate receives or expects to receive \$5,000 or more in contributions.

**When To File** – Within 2 weeks of becoming a candidate. A person becomes a candidate for PDC purposes when he or she **first** does any of the following:

- receives contributions, makes expenditures, or reserves space or facilities with intent to promote his or her candidacy;
- purchases commercial advertising space or broadcast time to promote his or her candidacy;
- authorizes another person to take one of these above actions on his or her behalf;
- announces publicly that he or she is seeking office; or
- files a declaration of candidacy with the appropriate elections official.

File an amended registration within 10 days of a material change to information provided on previously filed C-1. Reports are considered filed as of the postmark date or date hand-delivered to PDC.

**Where To File** – Send the **original to PDC** at the address on the reverse side. Candidates for city offices are advised to contact their City Clerk to learn if local filing is required by local ordinance. Keep a copy for the campaign’s records.

**“Officer” of a Candidate’s Committee** – Officer of a candidate’s committee includes the following persons:

- any person designated as an officer on the C-1 registration statement, and
- any person who alone or in conjunction with other persons makes, directs, or authorizes contribution, expenditure, strategic or policy decisions on behalf of the committee. [WAC 390-05-245]

**Persons who perform “Ministerial Functions” for two or more campaigns**

A person may perform ministerial functions for a candidate and a political committee without jeopardizing that political committee’s eligibility to make independent expenditures or electioneering communications regarding that candidate as long as:


- the person performs solely ministerial functions for both the candidate and the political committee;
- the person is identified on both the candidate’s and political committee’s registration statements as a person performing ministerial functions for the campaign; and
- the person does not share information from or about one of the campaigns with the other campaign, or does not use information from or about one of the campaigns to assist the other campaign. [See RCW 42.17.020 (15)(b)(ix) and WAC 390-05-243 for more detailed information.]

“Ministerial functions” means activities carried out as part of the duties of an administrative office without exercise of personal judgment or discretion. RCW 42.17.020(34). Also see WAC 390-05-243 for a non-exclusive list of ministerial functions and a definition of administrative office. Typically, persons performing ministerial functions may, under the supervision of a candidate or committee officer, file PDC reports, make deposits, pay bills and maintain campaign finance records. However, if a person performs functions for both a candidate and a political committee and those functions for one or both campaigns entail duties beyond those deemed ministerial, any expenditure by the committee benefiting the candidate may be a contribution, rather than an independent expenditure or electioneering communication. [RCW 42.17.020(34) and WACs 390-05-243 and 390-05-210]

**For Instruction Manuals and Reporting Forms click on the “Filer Resources” tab at [www.pdc.wa.gov](http://www.pdc.wa.gov)**

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 <p><b>PUBLIC DISCLOSURE COMMISSION</b>                  711 CAPITOL WAY RM 206                  PO BOX 40908                  OLYMPIA WA 98504-0908                  (360) 753-1111                  Toll Free 1-877-601-2828</p>	<h2 style="margin: 0;">Candidate Registration</h2>	<h1 style="margin: 0;">C1</h1> <p style="font-size: small;">(1/12)</p>	
Candidate's Name (Give candidate's full name.)		Telephone Number (     )	
Candidate's Committee Name (Do not abbreviate.)		Fax Number (     )	
Mailing Address		Candidate's E-Mail Address	
City	County	Zip + 4	Campaign E-Mail Address
1. What office are you running for?		Legislative District, County or City	Position No.      Do you now hold this office? Yes <input type="checkbox"/> No <input type="checkbox"/>
2. Political party (if partisan office)		3. Date of general or special election	
4. How much do you plan to spend during your entire election campaign, including the primary and general elections? Based on that estimate, choose one of the reporting options below. If no box is checked you are obligated to use Option II, Full Reporting. See instruction manuals for information about reports required and changing reporting options.			
<input type="checkbox"/> <b>Option I MINI REPORTING:</b> In addition to my filing fee of \$_____, I will raise and spend no more than \$5,000, including any charges for inclusion in state and local voters pamphlets. I will not accept more than \$500 in the aggregate from any contributor except myself.			
<input type="checkbox"/> <b>Option II FULL REPORTING:</b> I will use the Full Reporting system. I will file the frequent, detailed campaign reports required by law.			
5. Treasurer's Name and Address. Does treasurer perform <u>only</u> ministerial functions? Yes ___ No ___ See WAC 390-05-243 and next page for details. List deputy treasurers on attached sheet.		Daytime Telephone Number (     )	
		<input type="checkbox"/> Continued on attached sheet	
6. Persons who perform only ministerial functions on your behalf <u>and</u> on behalf of other candidates or political committees. List name, title and address of these persons. See WAC 390-05-243 and next page for details. <span style="float: right;"><input type="checkbox"/> Continued on attached sheet</span>			
7. Committee Officers and other persons who authorize expenditures or make decisions on your behalf. List name, title and address. See next page for definition of "officer." sheet. <span style="float: right;"><input type="checkbox"/> Continued on attached sheet</span>			
8. Campaign Bank or Depository	Branch	City	
9. Related or Affiliated Political Committees. List name, address and relationship. sheet.			<input type="checkbox"/> Continued on attached sheet
10. Campaign books must be open to the public by appointment between 8 a.m. and 8 p.m. during the eight days before the election, except Saturdays, Sundays, and legal holidays. In the space below, provide contact information for scheduling an appointment and the address where the inspection will take place. It is not acceptable to provide a post office box or an out-of-area address.			
<b>Street Address, Room Number, City where campaign books will be available for inspection</b>			
In order to make an appointment, contact the campaign at (telephone, fax, e-mail): (     )			
11. <b>CERTIFICATION:</b> I certify that this report is true, complete and correct to the best of my knowledge.		Date	
Candidate's Signature			

SEE INSTRUCTIONS ON NEXT PAGE

Please consult PDC instruction manuals when completing this report. Reporting requirements are contained in and governed by RCW 42.17A and WAC 390.



**Who Must File** – Candidates who seek:

- state office (legislative or statewide executive),
- a state supreme court or state court of appeals position,
- local office in jurisdictions having 5,000 or more registered voters as of the last general election or in jurisdictions covering an entire county,
- local office in jurisdictions of any size if the candidate receives or expects to receive \$5,000 or more in contributions.

**When To File** – Within 2 weeks of becoming a candidate. A person becomes a candidate for PDC purposes when he or she **first** does any of the following:

- receives contributions, makes expenditures, or reserves space or facilities with intent to promote his or her candidacy;
- purchases commercial advertising space or broadcast time to promote his or her candidacy;
- authorizes another person to take one of these above actions on his or her behalf;
- announces publicly that he or she is seeking office; or
- files a declaration of candidacy with the appropriate elections official.

File an amended registration within 10 days of a material change to information provided on previously filed C-1. Reports are considered filed as of the postmark date or date hand-delivered to PDC.

**Where To File** – Send the **original to PDC** at the address on the reverse side. Candidates for city offices are advised to contact their City Clerk to learn if local filing is required by local ordinance. Keep a copy for the campaign's records.

**“Officer” of a Candidate’s Committee** – Officer of a candidate’s committee includes the following persons:

- any person designated as an officer on the C-1 registration statement, and
- any person who alone or in conjunction with other persons makes, directs, or authorizes contribution, expenditure, strategic or policy decisions on behalf of the committee. [WAC 390-05-245]

**Persons who perform “Ministerial Functions” for two or more campaigns**

A person may perform ministerial functions for a candidate and a political committee without jeopardizing that political committee’s eligibility to make independent expenditures or electioneering communications regarding that candidate as long as:

- the person performs solely ministerial functions for both the candidate and the political committee;
- the person is identified on both the candidate’s and political committee’s registration statements as a person performing ministerial functions for the campaign; and
- the person does not share information from or about one of the campaigns with the other campaign, or does not use information from or about one of the campaigns to assist the other campaign. [See RCW 42.17A.005(13)(b)(ix) and WAC 390-05-243 for more detailed information.]

“Ministerial functions” means activities carried out as part of the duties of an administrative office without exercise of personal judgment or discretion. RCW 42.17A.005(33). Also see WAC 390-05-243 for a non-exclusive list of ministerial functions and a definition of administrative office. Typically, persons performing ministerial functions may, under the supervision of a candidate or committee officer, file PDC reports, make deposits, pay bills and maintain campaign finance records. However, if a person performs functions for both a candidate and a political committee and those functions for one or both campaigns entail duties beyond those deemed ministerial, any expenditure by the committee benefiting the candidate may be a contribution, rather than an independent expenditure or electioneering communication. [RCW 42.17A.005(33) and WACs 390-05-243 and 390-05-210]

**For Instruction Manuals and Reporting Forms click on the “Filer Resources” tab at [www.pdc.wa.gov](http://www.pdc.wa.gov)**

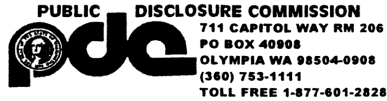
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**Reviser’s note:** The brackets and enclosed material in the text of the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

AMENDATORY SECTION (Amending WSR 02-01-014, filed 12/7/01, effective 1/7/02)

**WAC 390-16-031 Forms for statement of contributions deposit.** The official form for statement of contributions deposit is designated "C-3," revised ((1/02)) 1/12. Copies of this form are available at the Commission Office, Room 206, Evergreen Plaza Building, Olympia, Washington 98504. Any paper attachments shall be on 8-1/2" x 11" white paper.

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**CASH RECEIPTS  
MONETARY  
CONTRIBUTIONS**

**C3**  
(1/02)

THIS SPACE FOR OFFICE USE

Candidate or Committee Name (Do not abbreviate. Use full name.)		
Mailing Address		
City	Zip + 4	Office Sought (candidates) Election Date

1. MONETARY CONTRIBUTIONS DEPOSITED IN ACCOUNT

Date Received	Amount	Total
a. Anonymous .....	\$	\$
b. Candidate's personal funds deposited in the bank (include candidate loans in 1c) .....		
c. Loans, notes, security agreements. Attach Schedule L.....		
d. Miscellaneous receipts (interest, refunds, auctions, other). Attach explanation.....		
e. Small contributions \$25.00 or less not itemized and number of persons giving _____ (persons)		

2. CONTRIBUTIONS OVER \$25.00

Date Received	Contributor's Name, Address, City, State, Zip	Contributions of more than \$100: * Employer's Name, City and State	P R I	G E N	Amount	Aggregate* Total
					\$	\$
	Occupation				\$	\$
	Occupation				\$	\$
	Occupation				\$	\$
	Occupation				\$	\$
	Occupation				\$	\$
	<b>Sub-total</b>					
	<b>Amount from attached pages</b>					

\*See reverse for details.

3. TOTAL FUNDS RECEIVED AND DEPOSITED OR CREDITED TO ACCOUNT  
Sum of parts 1 and 2 above. Enter this amount in line 1, Schedule A to C4.

4. Date of Deposit	I certify that this report is true and complete to the best of my knowledge
	Treasurer's Signature _____ Date _____
Treasurer's Daytime Telephone No.: ( ) -	

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Page 2

C3

Reporting requirements are contained in and governed by chapters 42.17 RCW and 390-16 WAC.  
Consult PDC instruction manuals when completing this report.

**CONTRIBUTIONS OF MORE THAN \$100**

When an individual gives the campaign more than \$100 in the aggregate, that person's employer must be identified by name, city, state and the person's occupation must also be disclosed. Once an individual gives more than \$100, occupation and employer information will appear on every report showing additional contributions from the individual.

For all candidates – when an individual gives more than \$100 in the aggregate from the beginning of the campaign, show occupation and employer information.

For Single Election Political Committees (e.g., ballot issue committees) – when an individual gives more than \$100 in the aggregate from the beginning of the campaign, show occupation and employer.

For Continuing Political Committees (e.g., party committees & PACs) – when an individual gives more than \$100 in the aggregate from the beginning of the calendar year, show occupation and employer.

**PRIMARY/GENERAL ELECTION**

Candidates for legislative or state executive office must specify in Part 2 of the C-3 form whether a contribution is designated for the primary or the general election. If a contribution is for the primary election, put a "X" in the PRI box; if it counts toward the contributor's general election limit, put an "X" in the GEN box. If one check is used to make both a primary and a general election contribution, use two separate contributor blocks – one each for the primary and general donations. See instruction manual for example.

Local and judicial office candidates, political committees and continuing political committees – primary and general election designations not required; disregard these boxes.

**AGGREGATE TOTAL**

The total put in the Aggregate Total column for each contributor will depend on who is filing the report. See below.

Legislative or State Executive Candidates: Show the total given for each election. If the contributor is giving a primary election contribution, the Aggregate Total figure is the total of that person's primary election contributions. If the GEN box is checked, the Aggregate Total is the contributor's general election total. (Only your campaign records and PDC's computer records will keep track of the grand total for both elections.)

Local and Judicial Candidates: Show the total given since the beginning of the campaign.

Political Committees Organized for One Election Only: Show the total given since the beginning of the campaign.

Continuing Political Committees: Show the total given since the beginning of the calendar year.

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RECEIPTS CONTINUATION SHEET (Attachment to C-3 Form)

Page \_\_\_\_

Candidate or Committee Name (Do not abbreviate. Use full name.)

Deposit Date

2. CONTRIBUTIONS OVER \$25.00

Date Received	Contributor's Name, Address, City, State, Zip	Contributions of more than \$100:* Employer's Name, City and State	P R I	G E N	Amount	Aggregate Total*
		Occupation			\$	\$
		Occupation				
		Occupation				
		Occupation				
		Occupation				
		Occupation				
		Occupation				
		Occupation				
		Occupation				
		Occupation				
		Occupation				
		Occupation				

Page Total \_\_\_\_\_

\_\_\_\_\_  
STRICKEN GRAPHIC))



**CASH RECEIPTS  
MONETARY  
CONTRIBUTIONS**

**C3**  
(1/12)

THIS SPACE FOR OFFICE USE

Candidate or Committee Name (Do not abbreviate. Use full name.)		
Mailing Address		
City	Zip + 4	Office Sought (candidates)
		Election Date

1. MONETARY CONTRIBUTIONS DEPOSITED IN ACCOUNT

Date Received		Amount	Total
	a. Anonymous .....	\$	\$
	b. Candidate's personal funds deposited in the bank (include candidate loans in 1c).....		
	c. Loans, notes, security agreements. Attach Schedule L .....		
	d. Miscellaneous receipts (interest, refunds, auctions, other). Attach explanation .....		
	e. Small contributions \$25.00 or less not itemized and number of persons giving _____ (persons)		

2. CONTRIBUTIONS OVER \$25.00

Date Received	Contributor's Name, Address, City, State, Zip	Contributions of more than \$100.* Employer's Name, City and State	P R I	G E N	Amount	Aggregate* Total
					\$	\$
		Occupation			\$	\$
					\$	\$
		Occupation			\$	\$
					\$	\$
		Occupation			\$	\$
					\$	\$
		Occupation			\$	\$
	<input type="checkbox"/> Check here if additional pages are attached					
		<b>Sub-total Amount from attached pages</b>				

3. TOTAL FUNDS RECEIVED AND DEPOSITED OR CREDITED TO ACCOUNT

Sum of parts 1 and 2 above. Enter this amount in line 1, Schedule A to C4.

4. Date of Deposit	I certify that this report is true and complete to the best of my knowledge
	Treasurer's Signature _____ Date _____
Treasurer's Daytime Telephone No.: ( ) -	

**\*See reverse  
for details.**

Reporting requirements are contained in and governed by chapters 42.17A RCW and 390-16 WAC.  
Consult PDC instruction manuals when completing this report.

**CONTRIBUTIONS OF  
MORE THAN \$100**

When an individual gives the campaign more than \$100 in the aggregate, that person's employer must be identified by name, city, state and the person's occupation must also be disclosed. Once an individual gives more than \$100, occupation and employer information will appear on every report showing additional contributions from the individual.

For all candidates – when an individual gives more than \$100 in the aggregate from the beginning of the campaign, show occupation and employer information.

For Single Election Political Committees (e.g., ballot issue committees) – when an individual gives more than \$100 in the aggregate from the beginning of the campaign, show occupation and employer.

For Continuing Political Committees (e.g., party committees & PACs) – when an individual gives more than \$100 in the aggregate from the beginning of the calendar year, show occupation and employer.

**PRIMARY/GENERAL  
ELECTION**

Candidates subject to contribution limits must specify in Part 2 of the C-3 form whether a contribution is designated for the primary or the general election. If a contribution is for the primary election, put a "X" in the PRI box; if it counts toward the contributor's general election limit, put an "X" in the GEN box. If one check is used to make both a primary and a general election contribution, use two separate contributor blocks – one each for the primary and general donations. See instruction manual for example.

Candidates not subject to limits, political committees and continuing political committees – primary and general election designations not required; disregard these boxes.

**AGGREGATE TOTAL**

The total put in the Aggregate Total column for each contributor will depend on who is filing the report. See below.

Candidates subject to contribution limits: Show the total given for each election. If the contributor is giving a primary election contribution, the Aggregate Total figure is the total of that person's primary election contributions. If the GEN box is checked, the Aggregate Total is the contributor's general election total. (Only your campaign records and PDC's computer records will keep track of the grand total for both elections.)

Candidates not subject to limits: Show the total given since the beginning of the campaign.

Political Committees Organized for One Election Only: Show the total given since the beginning of the campaign.

Continuing Political Committees: Show the total given since the beginning of the calendar year.

**RECEIPTS CONTINUATION SHEET (Attachment to C-3 Form)**

Page \_\_\_\_

Candidate or Committee Name (Do not abbreviate. Use full name.)	Deposit Date
---	--------------

2. CONTRIBUTIONS OVER \$25.00										
Date Received	Contributor's Name, Address, City, State, Zip	Contributions of more than \$100.* Employer's Name, City and State	P	R	I	G	E	N	Amount	Aggregate Total*
		Occupation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	\$	\$
		Occupation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	\$	\$
		Occupation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	\$	\$
		Occupation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	\$	\$
		Occupation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	\$	\$
		Occupation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	\$	\$
		Occupation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	\$	\$
		Occupation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	\$	\$
		Occupation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	\$	\$
		Occupation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	\$	\$
		Occupation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	\$	\$
		Occupation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	\$	\$

Page Total \_\_\_\_\_



AMENDATORY SECTION (Amending WSR 02-03-018, filed 1/4/02, effective 2/4/02)

**WAC 390-16-032 Forms—Auction report.** The official form for reporting items donated and sold at auctions, as required by RCW ((42.17.090 (1)(b))) 42.17A.240 (2)(b), is designated "Attachment Au," revised ((1/02)) 1/12. This attachment shall accompany each C-3 which reports the receipt of funds from an auction. Copies of this form are available at the Commission Office, 711 Capitol Way, Room 206, Evergreen Plaza Building, P.O. Box 40908, Olympia, Washington, 98504-0908.

((STRICKEN GRAPHIC))

Item No. Description	Name and Address	P I	G N	Fair Market Value	Sale Price	Amount Over Fair Market Value	Aggregate Total*
	<b>Contributor</b>	<input type="checkbox"/>	<input type="checkbox"/>				
	*Occupation and Employer:						
	<b>Buyer</b>	<input type="checkbox"/>	<input type="checkbox"/>				
	*Occupation and Employer:						
	<b>Contributor</b>	<input type="checkbox"/>	<input type="checkbox"/>				
	*Occupation and Employer:						
	<b>Buyer</b>	<input type="checkbox"/>	<input type="checkbox"/>				
	*Occupation and Employer:						
	<b>Contributor</b>	<input type="checkbox"/>	<input type="checkbox"/>				
	*Occupation and Employer:						
	<b>Buyer</b>	<input type="checkbox"/>	<input type="checkbox"/>				
	*Occupation and Employer:						
	<b>Contributor</b>	<input type="checkbox"/>	<input type="checkbox"/>				
	*Occupation and Employer:						
	<b>Buyer</b>	<input type="checkbox"/>	<input type="checkbox"/>				
	*Occupation and Employer:						
*If an individual – whether a contributor or buyer – has given more than \$100 in the aggregate to the campaign, show his or her occupation and the name, city & state of his or her employer.		<b>Cash receipts, this page</b> Total sale price column →		<b>Total from attached pages</b> Total cash receipts (Put this amount in part 1d of C3 report) →			
I certify that the information herein is true, correct and complete to the best of my knowledge. _____ Treasurer's signature <span style="float: right;">Date</span>							

**ATTACHMENT Au**  
TO C3  
(1/02)

Page \_\_\_\_

Candidate or Committee Name (Do not abbreviate. Use full name.)

Date Auction was held

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**INSTRUCTIONS**

Item No./Description: As each item to be auctioned is received, assign it a number and a brief description.

Contributor: The person or organization that donates an item or service to be auctioned. If the campaign purchases items for auction, state "purchased by committee" under contributor's name. If auction is held by state office candidate, designate which election (PRI or GEN) contribution is for. Contribution amount is fair market value of item or service and is subject to any applicable contribution limit. Adjust fair market value amount if sold for less than initial fair market value. See No. 2 below.

Buyer: The person who buys the item or service being auctioned. If auction is held by state office candidate, designate which election (PRI or GEN) buyer is giving to when purchase price exceeds fair market value amount.

Fair Market Value: The retail value of the article. Adjust if amount paid is less than fair market value. See No. 2 below.

Sale Price: The amount the buyer paid for the item or service.

Amount Over Fair Market Value: The amount the sale price exceeds fair market value. If sale price is less than or equal to the fair market value, leave blank. The amount paid in excess of fair market value is a contribution from the buyer and is subject to any applicable contribution limit.

Aggregate Total:

Contributor: Fair market value of the donation plus all previous contributions made during campaign (for state office candidates, all contributions made for election designated; for continuing political committees, all contributions made during calendar year).

Buyer: Amount over fair market value plus all previous contributions made during campaign (for state office candidates, all contributions made for election designated; for continuing political committees, all contributions made during calendar year).

If Cash is Received: RCW 42.17.740 says that a political committee must make all of its monetary contributions by check (or other written instrument). However, individuals, businesses, unions and other entities may use currency to make small contributions. The maximum amount of a currency contribution is periodically adjusted by PDC. See WAC 390-05-400 or contact PDC. If the campaign receives cash contributions, each of which does not exceed the maximum, but is more than \$50, prepare a receipt – signed by the donor and either the candidate, treasurer or deputy treasurer – and keep it as part of the campaign records.

**Example of Auction Report**

Candidate or Committee Name (Do not abbreviate. Use full name.) Sam Smith for State Senate					Date Auction was held 09/14/XXXX		
Item No. Description	Name and Address	P R I	G E N	Fair market value	Sale price	Amount over fair market value	Aggregate Total*
No. 1 Use of Beach Cabin for Week	<b>Contributor</b> John Doe 200 "A" Street, Seattle, WA 98101 *Occupation and Employer: Accountant; CPA Firm, Seattle, WA	<input type="checkbox"/>	<input checked="" type="checkbox"/>	\$ 500.00			\$ 500.00
	<b>Buyer</b> Mary Smith 400 "B" Street, Tacoma, WA 98402 *Occupation and Employer:	<input type="checkbox"/>	<input checked="" type="checkbox"/>		\$ 600.00	\$ 100.00	\$ 100.00
No. 2 Dinner For 4	<b>Contributor</b> Sam Brown 123 Military Road, Anytown, WA 98101 *Occupation and Employer: Contractor; Sam's Decks, Anytown, WA	<input type="checkbox"/>	<input checked="" type="checkbox"/>	\$ 200.00			\$ 150.00
	<b>Buyer</b> Tom Mix Rt. 2, Box 1, Saddle Mt., WA 98900 *Occupation and Employer: Manager; ABC Retail, Saddle Mt., WA	<input type="checkbox"/>	<input type="checkbox"/>		\$ 150.00		
<b>Cash receipts, this page</b>							
Total, sale price column →					\$ 750.00		
<b>Total from attached pages</b> →					\$ 0		
<b>Total cash receipts</b>							
Put this amount in part 1d of C3 report →					\$ 750.00		

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**AUCTION REPORT**

Use this form as an attachment to C3 to report items donated and sold at auctions. Please see the reverse for an example of a report.

**ATTACHMENT TO C3**

**Au**

(1/12)

Page \_\_\_\_

Candidate or Committee Name (Do not abbreviate. Use full name.)

Date Auction was held

Item No. Description	Name and Address	P R I	G E N	Fair Market Value	Sale Price	Amount Over Fair Market Value	Aggregate Total*
	<b>Contributor</b>						
	*Occupation and Employer:						
	<b>Buyer</b>						
	*Occupation and Employer:						
	<b>Contributor</b>						
	*Occupation and Employer:						
	<b>Buyer</b>						
	*Occupation and Employer:						
	<b>Contributor</b>						
	*Occupation and Employer:						
	<b>Buyer</b>						
	*Occupation and Employer:						

\*If an individual – whether a contributor or buyer – has given more than \$100 in the aggregate to the campaign, show his or her occupation and the name, city & state of his or her employer.

<b>Cash receipts, this page</b>	_____ →
Total, sale price column	_____ →
<b>Total from attached pages</b>	_____ →
<b>Total cash receipts</b> (Put this amount in part 1d of C3 report)	_____ →

I certify that the information herein is true, correct and complete to the best of my knowledge.  
 Treasurer's signature \_\_\_\_\_ Date \_\_\_\_\_

**INSTRUCTIONS**

**Item No./Description:** As each item to be auctioned is received, assign it a number and a brief description.

**Contributor:** The person or organization that donates an item or service to be auctioned. If the campaign purchases items for auction, state "purchased by committee" under contributor's name. If auction is held by candidate subject to contribution limits, designate which election (PRI or GEN) contribution is for. Contribution amount is fair market value of item or service and is subject to any applicable contribution limit. Adjust fair market value amount if sold for less than initial fair market value. See No. 2 below.

**Buyer:** The person who buys the item or service being auctioned. If auction is held by candidate subject to contribution limits, designate which election (PRI or GEN) buyer is giving to when purchase price exceeds fair market value amount.

**Fair Market Value:** The retail value of the article. Adjust if amount paid is less than fair market value. See No. 2 below.

**Sale Price:** The amount the buyer paid for the item or service.

**Amount Over Fair Market Value:** The amount the sale price exceeds fair market value. If sale price is less than or equal to the fair market value, leave blank. The amount paid in excess of fair market value is a contribution from the buyer and is subject to any applicable contribution limit.

**Aggregate Total:**

**Contributor:** Fair market value of the donation plus all previous contributions made during campaign (for candidates subject to contribution limits, all contributions made for election designated; for continuing political committees, all contributions made during calendar year).

**Buyer:** Amount over fair market value plus all previous contributions made during campaign (for candidates subject to contribution limits, all contributions made for election designated; for continuing political committees, all contributions made during calendar year).

**If Cash is Received:** RCW 42.17A.475 says that a political committee must make all of its monetary contributions by check (or other written instrument). However, individuals, businesses, unions and other entities may use currency to make small contributions. The maximum amount of a currency contribution is periodically adjusted by PDC. See WAC 390-05-400 or contact PDC. If the campaign receives cash contributions, each of which does not exceed the maximum, but is more than \$50, prepare a receipt – signed by the donor and either the candidate, treasurer or deputy treasurer – and keep it as part of the campaign records.

**Example of Auction Report**

Candidate or Committee Name (Do not abbreviate. Use full name.)					Date Auction was held		
Sam Smith for State Senate					09/14/XXXX		
Item No. Description	Name and Address	PRI	GEN	Fair market value	Sale price	Amount over fair market value	Aggregate Total*
No. 1 Use of Beach Cabin for Week	<b>Contributor</b> John Doe 200 "A" Street, Seattle, WA 98101 *Occupation and Employer: Accountant; CPA Firm, Seattle, WA	<input type="checkbox"/>	<input checked="" type="checkbox"/>	\$ 500.00			\$ 500.00
	<b>Buyer</b> Mary Smith 400 "B" Street, Tacoma, WA 98402 *Occupation and Employer:	<input type="checkbox"/>	<input checked="" type="checkbox"/>		\$ 600.00	\$ 100.00	\$ 100.00
No. 2 Dinner For 4	<b>Contributor</b> Sam Brown 123 Military Road, Anytown, WA 98101 *Occupation and Employer: Contractor; Sam's Decks, Anytown, WA	<input type="checkbox"/>	<input checked="" type="checkbox"/>	\$ 200.00			\$ 150.00
	<b>Buyer</b> Tom Mix Rt. 2, Box 1, Saddle Mt., WA 98900 *Occupation and Employer: Manager; ABC Retail, Saddle Mt., WA	<input type="checkbox"/>	<input type="checkbox"/>		\$ 150.00		
<b>Cash receipts, this page</b>							
Total, sale price column					→	\$ 750.00	
<b>Total from attached pages</b>					→	\$ 0	
<b>Total cash receipts</b>					→	\$ 750.00	
Put this amount in part 1d of C3 report					→		

AMENDATORY SECTION (Amending WSR 02-03-018, filed 1/4/02, effective 2/4/02)

**WAC 390-16-033 Earmarked contributions—Reporting—Form.** The official form for reporting the details surrounding an earmarked contribution, as required by RCW ((42-17-125)) 42.17A.270, is designated "Special Report E," revised 1/02. This report shall be filed within two working days of receiving a contribution earmarked for another candidate or committee. Copies of this form are available at the Commission Office, Room 206, Evergreen Plaza Building, Olympia, Washington 98504-0908.



**EARMARKED CONTRIBUTION**

<b>SPECIAL REPORT E</b> 1/02	PDC OFFICE USE
	P M A R K  R E C E I V E D

1. Name of committee filing this report (Candidate or committee which received a contribution earmarked for another.)

Address \_\_\_\_\_

City \_\_\_\_\_ County \_\_\_\_\_ Zip \_\_\_\_\_

2. Original source of earmarked contribution

Name \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

3. Contribution Date	Amount/Value	Description (Fully describe in-kind contributions)	If contribution is to benefit a state office candidate, designate whether it's for Primary or General Election.
			Primary _____ General _____

4. Name of candidate or committee to be benefited

Address \_\_\_\_\_

City \_\_\_\_\_ County \_\_\_\_\_ Zip \_\_\_\_\_

If candidate, what office is the person seeking? \_\_\_\_\_

5. Certification: I certify that the information contained herein is true, complete and correct to the best of my knowledge.

Treasurer's signature \_\_\_\_\_ Date \_\_\_\_\_

The purpose of this report is to highlight receipt of an earmarked contribution. (That is, a contribution given to one candidate or political committee with the understanding, intent or instruction that it be used to benefit another candidate or committee.) This report is filed in addition to any other required reporting of the transaction.

A separate "Special Report E" is filed for each earmarked contribution received by any candidate or political committee.

File this report within two working days of receiving the earmarked contribution. Mail or deliver the original to PDC. Send a copy to the benefiting candidate or committee, also within two working days.

NOTE: Candidates for legislative and statewide executive office are subject to state contribution limits. Earmarked contributions count toward the applicable limit and are attributed to the original source of the contribution (unless another person controlled the choice of recipient). It's a violation for anyone to accept a contribution in excess of the relevant limit. Verify with the campaign of a legislative or statewide office candidate before accepting a contribution earmarked for the benefit of such a candidate.

AMENDATORY SECTION (Amending WSR 02-01-014, filed 12/7/01, effective 1/7/02)

**WAC 390-16-034 Additional reporting requirements.** Pursuant to RCW ((42.17.090)) 42.17A.240, each report required under RCW ((42.17.080)) 42.17A.235 shall disclose, in addition to the name and address of each person who has made one or more contributions in the aggregate amount of more than one hundred dollars, the occupation and the name and address of the person's employer.

AMENDATORY SECTION (Amending WSR 04-01-134, filed 12/18/03, effective 1/18/04)

**WAC 390-16-037 Purpose of campaign expenditures—Reporting.** (1) Any person required to report the "purpose" of an expenditure under RCW ((42.17.090 (1)(f) and (1), or 42.17.100)) 42.17A.240(6), or 42.17A.255 (5)(b) shall identify any candidate(s) or ballot proposition(s) that are supported or opposed by the expenditure unless such candidate(s) or ballot proposition(s) have been previously identified in a statement of organization of the person required to be filed under RCW ((42.17.040)) 42.17A.205 (2)(f) and (g)(:);

(2) Whenever an expenditure is made to a candidate or a political committee pursuant to an agreement or understanding of any kind regarding how the recipient will use the expenditure, the report shall describe in detail that agreement or understanding(:); and

(3) Describe in detail the goods and/or services to be provided by the recipient of the expenditure.

Example A: If an expenditure is for a get-out-the-vote campaign, the purpose shall include the following details:

Vendor Name	Purpose	Amount
XYZ Consulting	GOTV—phone bank 28th and 29th Legislative districts	\$1,000

Example B: If an expenditure is for printing, the purpose shall include the following details:

Vendor Name	Purpose	Amount
ABC Printing	5,000 brochures	\$3,000

Example C: If an expenditure is for broadcast political advertisements, the purpose shall include the following details:

Vendor Name	Purpose	Amount
Media King	Television ads	\$50,000
	WZUB TV	\$30,000
	WXXX TV	\$10,000
	WCRB TV	\$10,000

AMENDATORY SECTION (Amending WSR 10-20-012, filed 9/24/10, effective 10/25/10)

**WAC 390-16-038 Definition—Aggregate.** The term "aggregate" means, for purposes of:

(1) A candidate for state or local office subject to contribution limits under RCW ((42.17.640)) 42.17A.405, the total amount of contributions received by the candidate, an agent of the candidate and any political committee affiliated with the candidate from the beginning of the election cycle;

(2) A candidate for local office not subject to contribution limits under RCW ((42.17.640)) 42.17A.405 or judicial office, the total amount of contributions received by the candidate, an agent of the candidate and any political committee affiliated with the candidate from the beginning of the candidate's campaign;

(3) A bona fide political party or caucus political committee, the total amount of contributions received by the committee from January 1 of the current calendar year;

(4) A political committee, the total amount of contributions received by the committee from the date of organization;

(5) A continuing political committee, the total amount of contributions received by the committee from January 1 of the current calendar year;

(6) A contributor, the total amount of all contributions received from a person, and any person affiliated with the person, to any one candidate or political committee;

(7) A person making independent expenditures with respect to a candidate and the reporting and disclosure provisions of RCW ((42.17.100, 42.17.180, 42.17.510 and 42.17.550)) 42.17A.255, 42.17A.630, and 42.17A.320, an independent expenditure made by a person in support of a candidate shall be added to any independent expenditure by the same person in opposition to one or more of the candidate's opponents; and, for purposes of a person making independent expenditures with respect to a ballot proposition, an independent expenditure made by a person in support of a ballot proposition shall be added to any independent expenditure by the same person in opposition to the ballot proposition or in support of an alternative ballot proposition;

(8) The special reports required by RCW ((42.17.105 and 42.17.175)) 42.17A.265 and 42.17A.625, the total amount of contributions received or expenditures made by a single person or entity during the special reporting period;

(9) An employer of a registered lobbyist, the total amount of all contributions made to a political committee supporting or opposing a candidate for state office, or to a political committee supporting or opposing a statewide ballot proposition during the preceding calendar year;

(10) The sponsor of a grass roots lobbying campaign, the total amount of contributions received since the beginning of the campaign and the total amount of expenditures made during the time frames specified in RCW ((42.17.200(1)) 42.17A.640(1));

(11) RCW ((42.17.245)) 42.17A.570, the total amount of all time and demand deposits in each financial institution on December 31;

(12) RCW ((42.17.395(4)) 42.17A.755(4), the total amount of monetary penalty that the commission may impose for multiple violations of the act.

AMENDATORY SECTION (Amending Order 86-01, filed 2/5/86)

**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 or ballot proposition 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~~) 42.17A.225 and 42.17A.235)) shall contain in summary the following items remaining at the end of the year:

- (a) Funds on hand;
- (b) The total of outstanding pledges;
- (c) Unpaid loans and outstanding obligations;
- (d) 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 candidate 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.

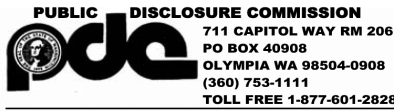
(3) This rule shall not require a report unless such report would otherwise be required by chapter ((~~42.17~~) 42.17A) RCW.

AMENDATORY SECTION (Amending WSR 10-20-011, filed 9/24/10, effective 10/25/10)

**WAC 390-16-041 Forms—Summary of total contributions and expenditures.** (1) The official form for reports of contributions and expenditures by candidates and political committees who use the "full" reporting option is designated "C-4," revised ((~~1/10~~) 1/12), and includes Schedule A, revised 1/04, Schedule B, revised 1/04, Schedule C, revised 3/93, and Schedule L, revised ((~~1/02~~) 1/12).

(2) Copies of these forms are available at the Commission Office, 711 Capitol Way, Room 206, P.O. Box 40908, Olympia, Washington 98504-0908. Any paper attachments shall be on 8-1/2" x 11" white paper.

((STRICKEN GRAPHIC))



CAMPAIGN SUMMARY RECEIPTS & EXPENDITURES

C4

(11/10)

PDC OFFICE USE

Candidate or Committee Name (Do not abbreviate. Include full name)

Mailing Address

City

Zip + 4	Office Sought (Candidates)	Election Date
Report Period Covered	From (last C-4) To (end of period)	Final Report? Yes <input type="checkbox"/> No <input type="checkbox"/>

\*For PACs, Parties & Caucus Committees: During this report period, did the committee make an independent expenditure (i.e., an expense not considered a contribution) supporting or opposing a state or local candidate?

\*See reverse Yes  No

RECEIPTS

- 1. Previous total cash and in kind contributions (From line 8, last C-4) (if beginning a new campaign or calendar year, see instruction booklet) ..... \$ \_\_\_\_\_
- 2. Cash received (From line 2, Schedule A) ..... \$ \_\_\_\_\_
- 3. In kind contributions received (From line 1, Schedule B)..... \_\_\_\_\_
- 4. Total cash and in kind contributions received this period (Line 2 plus 3)..... \_\_\_\_\_
- 5. Loan principal repayments made (From line 2, Schedule L)..... ( ) \_\_\_\_\_
- 6. Corrections (From line 1 or 3, Schedule C)..... Show + or (-) \_\_\_\_\_
- 7. Net adjustments this period (Combine line 5 & 6)..... Show + or (-) \_\_\_\_\_
- 8. Total cash and in kind contributions during campaign (Combine lines 1, 4 & 7) ..... \_\_\_\_\_
- 9. Total pledge payments due (From line 2, Schedule B)..... [ ] \_\_\_\_\_

EXPENDITURES

- 10. Previous total cash and in kind expenditures (From line 17, last C-4) (If beginning a new campaign or calendar year, see instruction booklet) ..... \_\_\_\_\_
- 11. Total cash expenditures (From line 4, Schedule A) ..... \_\_\_\_\_
- 12. In kind expenditures (goods & services) (From line 1, Schedule B) ..... \_\_\_\_\_
- 13. Total cash and in kind expenditures made this period (Line 11 plus line 12)..... \_\_\_\_\_
- 14. Loan principal repayments made (From line 2, Schedule L)..... ( ) \_\_\_\_\_
- 15. Corrections (From line 2 or 3, Schedule C)..... Show + or (-) \_\_\_\_\_
- 16. Net adjustments this period (Combine lines 14 & 15)..... Show + or (-) \_\_\_\_\_
- 17. Total cash and in kind expenditures during campaign (Combine lines 10, 13 and 16)..... \_\_\_\_\_

CANDIDATES ONLY

	Won	Lost	Unopposed	Name not on ballot
Primary election	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
General election	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Treasurer's Daytime Telephone No.: ( )

CASH SUMMARY

- 18. Cash on hand (Line 8 minus line 17) ..... [Line 18 should equal your bank account balance(s) plus your petty cash balance.] \_\_\_\_\_
- 19. Liabilities: (Sum of loans and debts owed) ..... ( ) \_\_\_\_\_
- 20. Balance (Surplus or deficit) (Line 18 minus line 19) ..... \_\_\_\_\_

CERTIFICATION: I certify that the information herein and on accompanying schedules and attachments is true and correct to the best of my knowledge.

Candidate's Signature

Date

Treasurer's Signature

Date

SEE INSTRUCTIONS ON REVERSE

STRICKEN GRAPHIC))



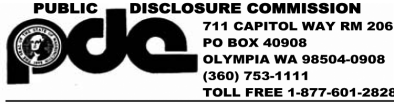
~~((STRICKEN GRAPHIC~~

Page 2	<b>C4</b> <small>(11/10)</small>	<b>CAMPAIGN SUMMARY RECEIPTS &amp; EXPENDITURES</b>
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**Please consult PDC instruction manuals when completing this report.  
Reporting requirements are contained in and governed by RCW 42.17 and WAC 390.**

<b>WHO MUST FILE</b>	Each candidate and political committee using Full Reporting.
<b>FILING DATES</b>	<ol style="list-style-type: none"> <li>1) <u>File with C-1 or C-1pc</u> (Registration form) if you received contributions or made expenditures before registering.</li> <li>2) <u>File on the 10th of each month</u> if contributions or expenditures are over \$200 since last C-4 was filed. (These 10th-of-the-month reports are not required if another C-4 must be filed during that month. See #3 below.)</li> <li>3) For each primary, general and special election in which the candidate or political committee makes an expenditure, file <ul style="list-style-type: none"> <li>• 21 days prior to the election</li> <li>• 7 days prior to the election</li> <li>• 10th of the first month after the election -- see note below</li> </ul> <p>(Note: Not required after primary election from candidates who will be in the general election or from continuing political committees.)</p> </li> <li>4) <u>File final report</u> when campaign is finished or committee closes operation. Often, this coincides with the primary or general post-election, 10th-of-the-month report.</li> </ol> <p>All reports are considered filed as of the postmark date or the date hand-delivered to PDC.</p>
<b>WHERE TO SEND REPORTS</b>	<p>Send original C-4 reports, along with all schedules and attachments, to PDC. Keep a copy for the campaign's records.</p> <p>Candidates for city offices, city ballot issue committees and other political committees who give to city candidates or ballot issue committees should check with city clerk regarding any local filing requirements.</p>
<b>*FOR ALL PACS, POLITICAL PARTIES &amp; CAUCUS POLITICAL COMMITTEES</b>	<p>The question posted near the top of the first page of this form regarding independent expenditures applies to <b>ALL POLITICAL COMMITTEES</b> required to file C-4 reports, <b>except ballot issue committees</b> that neither contribute to candidates nor make independent expenditures regarding them <b>and candidate committees</b> (because they are prohibited from making expenditures that are not directly related to their own campaigns).</p> <p><b>All other Political Committees and PACs must indicate whether they made any independent expenditures supporting or opposing one or more candidates for state or local office.</b></p> <p>If the response is "yes," the independent expenditure(s) <u>MUST</u> be itemized on the appropriate schedule (either Schedule A, or Part 3 of Schedule B), showing:</p> <ul style="list-style-type: none"> <li>• the date of the expense;</li> <li>• the name and address of the vendor or recipient of the funds;</li> <li>• if using Schedule A, an "I" in the Code column;</li> <li>• the name and office sought of the candidate supported or opposed;</li> <li>• an indication of support or opposition; and</li> <li>• a brief description of the expense (e.g., brochure mailed to absentee voters).</li> </ul>

~~STRICKEN GRAPHIC))~~



CAMPAIGN SUMMARY RECEIPTS & EXPENDITURES

C4 (1/12) PDC OFFICE USE

Candidate or Committee Name (Do not abbreviate. Include full name)

Mailing Address City

Zip + 4 Office Sought (Candidates) Election Date Report Period Covered From (last C-4) To (end of period) Final Report? Yes No

\*For PACs, Parties & Caucus Committees: During this report period, did the committee make an independent expenditure (i.e., an expense not considered a contribution) supporting or opposing a state or local candidate?

RECEIPTS

\*See reverse Yes No

- 1. Previous total cash and in kind contributions (From line 8, last C-4) (if beginning a new campaign or calendar year, see instruction booklet) \$
2. Cash received (From line 2, Schedule A) \$
3. In kind contributions received (From line 1, Schedule B)
4. Total cash and in kind contributions received this period (Line 2 plus 3)
5. Loan principal repayments made (From line 2, Schedule L) ( )
6. Corrections (From line 1 or 3, Schedule C) Show + or (-)
7. Net adjustments this period (Combine line 5 & 6) Show + or (-)
8. Total cash and in kind contributions during campaign (Combine lines 1, 4 & 7)
9. Total pledge payments due (From line 2, Schedule B) [ ]

EXPENDITURES

- 10. Previous total cash and in kind expenditures (From line 17, last C-4) (If beginning a new campaign or calendar year, see instruction booklet)
11. Total cash expenditures (From line 4, Schedule A)
12. In kind expenditures (goods & services) (From line 1, Schedule B)
13. Total cash and in kind expenditures made this period (Line 11 plus line 12)
14. Loan principal repayments made (From line 2, Schedule L) ( )
15. Corrections (From line 2 or 3, Schedule C) Show + or (-)
16. Net adjustments this period (Combine lines 14 & 15) Show + or (-)
17. Total cash and in kind expenditures during campaign (Combine lines 10, 13 and 16)

CANDIDATES ONLY table with columns: Won, Lost, Unopposed, Name not on ballot. Rows: Primary election, General election, Treasurer's Daytime Telephone No. ( )

CASH SUMMARY table with rows: 18. Cash on hand (Line 8 minus line 17) [Line 18 should equal your bank account balance(s) plus your petty cash balance.] 19. Liabilities: (Sum of loans and debts owed) ( ) 20. Balance (Surplus or deficit) (Line 18 minus line 19)

CERTIFICATION: I certify that the information herein and on accompanying schedules and attachments is true and correct to the best of my knowledge. Candidate's Signature Date Treasurer's Signature Date

SEE INSTRUCTIONS ON REVERSE

Page 2

**C4**

(1/12)

**CAMPAIGN SUMMARY  
RECEIPTS &  
EXPENDITURES**

**Please consult PDC instruction manuals when completing this report.  
Reporting requirements are contained in and governed by RCW 42.17A and WAC 390.**

<b>WHO MUST FILE</b>	Each candidate and political committee using Full Reporting.
<b>FILING DATES</b>	<ol style="list-style-type: none"> <li>1) <u>File with C-1 or C-1pc</u> (Registration form) if you received contributions or made expenditures before registering.</li> <li>2) <u>File on the 10th of each month</u> if contributions or expenditures are over \$200 since last C-4 was filed. (These 10th-of-the-month reports are not required if another C-4 must be filed during that month. See #3 below.)</li> <li>3) For each primary, general and special election in which the candidate or political committee makes an expenditure, file <ul style="list-style-type: none"> <li>• 21 days prior to the election</li> <li>• 7 days prior to the election</li> <li>• 10th of the first month after the election -- see note below</li> </ul> <p>(Note: Not required after primary election from candidates who will be in the general election or from continuing political committees.)</p> </li> <li>4) <u>File final report</u> when campaign is finished or committee closes operation. Often, this coincides with the primary or general post-election, 10th-of-the-month report.</li> </ol> <p>All reports are considered filed as of the postmark date or the date hand-delivered to PDC.</p>
<b>WHERE TO SEND REPORTS</b>	<p>Send original C-4 reports, along with all schedules and attachments, to PDC. Keep a copy for the campaign's records.</p> <p>Candidates for city offices, city ballot issue committees and other political committees who give to city candidates or ballot issue committees should check with city clerk regarding any local filing requirements.</p>
<b>*FOR ALL PACS, POLITICAL PARTIES &amp; CAUCUS POLITICAL COMMITTEES</b>	<p>The question posted near the top of the first page of this form regarding independent expenditures applies to <b>ALL POLITICAL COMMITTEES</b> required to file C-4 reports, <b>except ballot issue committees</b> that neither contribute to candidates nor make independent expenditures regarding them <b>and candidate committees</b> (because they are prohibited from making expenditures that are not directly related to their own campaigns).</p> <p><b>All other Political Committees and PACs must indicate whether they made any independent expenditures supporting or opposing one or more candidates for state or local office.</b></p> <p>If the response is "yes," the independent expenditure(s) <b>MUST</b> be itemized on the appropriate schedule (either Schedule A, or Part 3 of Schedule B), showing:</p> <ul style="list-style-type: none"> <li>• the date of the expense;</li> <li>• the name and address of the vendor or recipient of the funds;</li> <li>• if using Schedule A, an "I" in the Code column;</li> <li>• the name and office sought of the candidate supported or opposed;</li> <li>• an indication of support or opposition; and</li> <li>• a brief description of the expense (e.g., brochure mailed to absentee voters).</li> </ul>

**CASH RECEIPTS AND EXPENDITURE**

**SCHEDULE**  
to C4  
**A**  
(1/04)

Candidate or Committee Name (Do not abbreviate. Use full name.) Report Date

1 CASH RECEIPTS (Contributions) which have been reported on C3. List each deposit made since last C4 report was submitted.

Date of deposit	Amount	Date of deposit	Amount	Date of deposit	Amount	Total deposits
						\$

2. TOTAL CASH RECEIPTS Enter also on line 2 of C4 \$

**CODES FOR CLASSIFYING EXPENDITURES:** If one of the following codes is used to describe an expenditure, no other description is generally needed.

The exceptions are:

- 1) If expenditures are **in-kind or earmarked contributions** to a candidate or committee or **independent expenditures** that benefit a candidate or committee, identify the candidate or committee in the Description block;
- 2) When reporting payments to vendors for travel expenses, identify the traveler and travel purpose in the Description block; and
- 3) If expenditures are made directly or indirectly to compensate a person or entity for soliciting signatures on a statewide initiative or referendum petition, use code "V" and provide the following information in the Description block: name and address of each person/entity compensated, amount paid each during the reporting period, and cumulative total paid all persons to date to gather signatures.

<p>CODE DEFINITIONS ON NEXT PAGE</p>	<p>C - Contributions (monetary, in-kind &amp; transfers) I - Independent Expenditures L - Literature, Brochures, Printing B - Broadcast Advertising (Radio, TV) N - Newspaper and Periodical Advertising O - Other Advertising (yard signs, buttons, etc.) V - Voter Signature Gathering</p>	<p>P - Postage, Mailing Permits S - Surveys and Polls F - Fundraising Event Expenses T - Travel, Accommodations, Meals M - Management/Consulting Services W - Wages, Salaries, Benefits G - General Operation and Overhead</p>
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**3. EXPENDITURES**

- a) Expenditures of **\$50 or less**, including those from petty cash, need not be itemized. Add up these expenditures and show the total in the amount column on the first line below.
- b) Itemize each expenditure of **more than \$50** by date paid, name and address of vendor, code/description, and amount.
- c) For each payment to a candidate, campaign worker, PR firm, advertising agency, consultant or credit card company, provide a detailed breakdown in the Description block of expenses included in the payment.

Date Paid	Vendor or Recipient (Name and Address)	Code	Purpose of Expense and/or Description	Amount
N/A	Expenses of \$50 or less	N/A	N/A	
				\$

Total from attached pages \$

4. TOTAL CASH EXPENDITURES

Enter also on line 11 of C4 \$

CODE DEFINITIONS ON NEXT PAGE

Page 2 - For information only. Do not file as part of report.

## EXPENDITURE CODE DEFINITIONS AND USES

(for use on Schedule A and Schedule B)

**NOTE:** Expenditures (including debts) for payments to a candidate, campaign worker, PR firm, advertising agency, consultant or credit card company require further detail in the Description block. See expenditure description on Schedule A, WAC 390-16-037 and WAC 390-16-205.

- C MONETARY, IN-KIND AND EARMARKED CONTRIBUTIONS** your campaign legally makes to other campaigns. Put a "C" in the Code column, in the Description column specify who was benefited and, if in-kind, what was purchased.
- I INDEPENDENT EXPENDITURES** (those expenditures that benefit other candidates or committees but are made independently of them). Put an "I" in the Code column and fully describe purpose.
- L LITERATURE.** Use "L" for expenditures made for the preparation and production of campaign literature and printed solicitations, including expenditures for mailing lists, design, photography, copy, layout, printing and reproduction. Use "P" for literature mailing costs.
- B BROADCAST ADVERTISING** Use "B" for expenditures associated with the production and purchase of radio and television advertising.
- N NEWSPAPER & PERIODICAL ADVERTISING.** Use "N" for expenditures associated with the production and purchase of advertising in newspapers, periodicals and other publications.
- O OTHER ADVERTISING.** Use "O" for expenditures associated with the production and purchase of advertising on billboards, yard signs and campaign paraphernalia such as buttons, bumper stickers, T-shirts, etc.
- V VOTER SIGNATURE GATHERING.** Use "V" for expenditures made directly or indirectly to compensate a person or entity for soliciting or procuring signatures on a statewide initiative or referendum petition. Attach itemization of each such payment.
- P POSTAGE.** Use "P" for expenditures for stamps, postage, United Parcel Service, Federal Express and direct mail services (postage only). Use "L" for design and other production costs associated with producing campaign literature.
- F FUNDRAISING EVENTS.** Use "F" for expenditures associated with holding a fundraiser, including payments to restaurants, hotels, caterers, other food and refreshment vendors, entertainers and speakers. Use "L" for expenditures for printed matter produced in connection with fundraising events.
- S SURVEYS AND POLLS.** Use "S" for expenditures associated with designing or producing polls, reports on election trends, voter surveys, telemarketing, telephone banks, GOTV drives, etc.
- T TRAVEL, ACCOMMODATIONS, MEALS.** Use "T" for expenditures associated with travel. If vendor has been paid directly, identify the traveler in Description column. If travel payment was made to credit card company or traveler (for out-of-pocket expenses), itemize expenses on separate sheet and attach to Schedule A.
- M MANAGEMENT AND CONSULTING SERVICES.** Use "M" for salaries, fees and commissions paid to campaign management companies and contract consultants, including law firms, whether the person is retained or formally employed by the campaign (for tax withholding purposes).
- W WAGES, SALARIES, BENEFITS.** Use "W" for expenditures associated with hiring campaign employees and other freelance workers who provide miscellaneous services other than campaign management or consulting.
- G GENERAL OPERATION AND OVERHEAD.** Use "G" for general campaign operating expenses and overhead, including filing fees, miscellaneous campaign expenses, headquarters rental, utilities, and purchase or rental of office equipment and furniture for the campaign.

**IN KIND CONTRIBUTIONS, PLEDGES, ORDERS, DEBTS, OBLIGATIONS**

**SCHEDULE TO C4** **B**  
(1/04)

Candidate or Committee Name (Do not abbreviate. Use full name.)

Report Date

**1. IN KIND CONTRIBUTIONS RECEIVED** (goods, services, discounts, etc.)

Date Received	Contributor's Name and Address	Description of Contribution*	Fair Market Value	Aggregate Total	P R I	G E N	If more than \$100, Employer Name, City, State & Occup.
							Occupation
							Occupation
							Occupation
<input type="checkbox"/> Check here if additional pages are attached.			TOTAL (Enter also on line 3 and line 12 of C4)				

**2. PLEDGES RECEIVED BUT NOT YET PAID.** List each pledge of \$100.00 or more.

Date Notified of Pledge	Name and Address of Pledge Maker	Fair Market Value	Aggregate Total	P R I	G E N	If more than \$100, Employer Name, City, State & Occup.
						Occupation
						Occupation
<input type="checkbox"/> Check here if additional pages are attached.		TOTAL (include new pledges above and all other outstanding pledges.) (Enter also on line 9 of C4)				Occupation

**3. ORDERS PLACED, DEBTS, OBLIGATIONS.** If debt is owed to a candidate, campaign worker, PR firm, advertising agency, consultant or credit card company, provide a detailed breakdown of expenses included in the debt. (Give estimate if actual amount not known. Exclude loans. Report loans on Schedule L.)

Expenditure Date	Vendor's/Recipient's Name and Address	Amount Owed	Code	OR	Description of Obligation*
		\$			
		\$			
		\$			
		\$			
		\$			
		\$			
<input type="checkbox"/> Check here if additional pages are attached.		TOTAL (Include in line 19 of C4)			

\*SEE NOTE AND CODE DEFINITIONS ON REVERSE

## EXPENDITURE CODE DEFINITIONS AND USES

(for use on Schedule A and Schedule B)

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**NOTE: Expenditures (including debts) for payments to a candidate, campaign worker, PR firm, advertising agency, consultant or credit card company require further detail in the Description block. See expenditure description on Schedule A, WAC 390-16-037 and WAC 390-16-205.**

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- I INDEPENDENT EXPENDITURES** (those expenditures that benefit other candidates or committees but are made independently of them). Put an "I" in the Code column and fully describe purpose.
- L LITERATURE**. Use "L" for expenditures made for the preparation and production of campaign literature and printed solicitations, including expenditures for mailing lists, design, photography, copy, layout, printing and reproduction. Use "P" for literature mailing costs.
- B BROADCAST ADVERTISING**. Use "B" for expenditures associated with the production and purchase of radio and television advertising.
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- M MANAGEMENT AND CONSULTING SERVICES**. Use "M" for salaries, fees and commissions paid to campaign management companies and contract consultants, including law firms, whether the person is retained or formally employed by the campaign (for tax withholding purposes).
- W WAGES, SALARIES, BENEFITS**. Use "W" for expenditures associated with hiring campaign employees and other freelance workers who provide miscellaneous services other than campaign management or consulting.
- G GENERAL OPERATION AND OVERHEAD**. Use "G" for general campaign operating expenses and overhead, including filing fees, miscellaneous campaign expenses, headquarters rental, utilities, and purchase or rental of office equipment and furniture for the campaign.

**CORRECTIONS**

SCHEDULE **C**  
to C4

Candidate or Committee Name (Do not abbreviate. Use full name.)

Date

**1. CONTRIBUTIONS AND RECEIPTS** (Include mathematical corrections.)

Date of report	Contributor's name or description of correction	Amount reported	Corrected amount	Difference (+ or -)
		Total corrections to contributions Enter on line 6 of C4. Show + or (-).		

**2. EXPENDITURES** (Include mathematical corrections.)

Date of report	Vendor's 's name or description of correction	Amount reported	Corrected amount	Difference (+ or -)
		Total corrections to expenditures Enter on line 15 of C4. Show + or (-).		

**3. REFUNDS FROM VENDORS.** The below listed amounts have been received as refunds on expenditures previously reported. The refund has been deposited and reported on C3 report, Line 1d.


Date of refund	Source /person making refund	Amount of refund
		Total refunds Enter as (-) on line 6 & line 15 of C4.

DC form C4C (3/83) \*\*1



**LOANS**

See Instructions and Example on reverse

<b>SCHEDULE TO C3 OR C4</b>	 (1/02)
-------------------------------------	---

Candidate or Committee Name \_\_\_\_\_ Report Date \_\_\_\_\_

**1. MONETARY OR IN-KIND LOAN RECEIVED.** Loans are considered contributions and are subject to any applicable limit.

Date Loaned	Lender's Name and Address	P R I G E N	Amount of Loan	Annual Interest Rate	Repayment Schedule	Date Due
If monetary loan, also include this amount on line 1c, C3 report. If in-kind loan, itemize in Part 1 of Schedule B.						
						If Total Contributed is more than \$100, Show Lender's Occupation and Name, City & State of Employer

Name and Address of Each Loan Endorser, Co-Signer	P R I G E N	Amount Liable For (Same as Loan Amount)	Aggregate Total	If Total Contributed is more than \$100, Show Endorser's Occupation and Name, City, & State of Employer

Continued on attached sheet

**2. LOAN PAYMENTS.** Candidates may be repaid no more than amount loaned or permitted by WAC 390-05-400, whichever is less. See instruction manual.

Date Paid	Lender's Name and Address	Principal Paid	Interest Paid	Total Payment	Balance Owed
		Total Principal Paid Enter also on lines 5 and 14, C-4 report		Total Payments Enter as an expenditure on Schedule A	

**3. LOANS FORGIVEN.**

Date	Lender's Name and Address	Original Amount	Principal Repaid	Amount Forgiven	Balance Owed

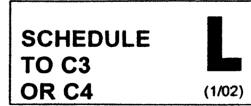
**4. LOANS STILL OWED.** List each loan that has previously been reported and still has a balance due.

Date	Lender's Name and Address	Original Amount	Principal Repaid or Forgiven	Amount Owed

Subtotal \_\_\_\_\_  
 New Loans Received (and listed in Item 1 above) \_\_\_\_\_  
 Total Loans Owed \_\_\_\_\_  
 Include in total on line 19, C-4 report

Continued on attached sheet.

**LOANS**



Please consult PDC instruction manuals when completing this schedule.  
Reporting requirements are contained in and governed by RCW 42.17 and WAC 390.

**WHO MUST FILE** Each candidate and political committee using full reporting that receives one or more campaign loans.

**FILING DATES** When a monetary loan is received by the campaign, complete Part 1 and file the Schedule L with the C-3 report that corresponds with the loan's deposit into the account. **Use a separate schedule for each loan received.**

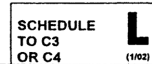
When an in-kind loan is received, complete Part 1 and file Schedule L along with the Schedule B (to the C-4) that itemizes the in-kind contribution.

When a loan is paid or forgiven, in whole or in part, complete Part 2 and/or Part 3 and file the Schedule L with the C-4 covering the period when the payment or forgiveness occurred.

When one or more loans remain unpaid, complete Part 4 and file the schedule with each C-4 report until all loans are repaid in full or forgiven. (The same schedule may be used to show loan payments, forgiveness information and to show which loans remain unpaid.)

LOAN RECEIVED  
(Information would appear on separate Schedule L)

**Example  
LOANS**



Candidate or Committee Name Adrian Adams for State Representative		Report Date 12/22/XXXX	
<b>1. MONETARY OR IN-KIND LOAN RECEIVED.</b> Loans are considered contributions and are subject to any applicable limit.			
Date Loaned	Lender's Name and Address	Amount of Loan	Annual Interest Rate
2/12/XXXX	Tyler Adams PO Box 123 Olympia, WA	\$ 500.00	12%
			Repayment Schedule: \$100/month, Not fixed
			Date Due: If Total Contributed is more than \$100, Show Lender's Occupation and Name, City, & State of Employer Accountant; Best Accounting Firm, Tacoma, WA
If monetary loan, also include this amount on line 1c, C3 report.		\$ 500.00	
If in-kind loan, itemize in Part 1 of Schedule B.			
Name and Address of Each Loan Endorser, Co-Signer	Amount Liable For (Same as Loan Amount)	Aggregate Total	If Total Contributed is more than \$100, Show Endorser's Occupation and Name, City, & State of Employer
<input type="checkbox"/> Continued on attached sheet			
<b>2. LOAN PAYMENTS.</b> Candidates may be repaid no more than amount loaned or permitted by WAC 390-05-400, which ever is less. See instruction manual.			
Date Paid	Lender's Name and Address	Principal Paid	Interest Paid
3/30/XXXX	Tyler Adams PO Box 123, Olympia, WA	\$ 100.00	\$ 10.00
3/31/XXXX	Michael Murray 201 Westway Rd, Tacoma, WA	100.00	0
			Total Payment: 110.00
			Balance Owed: 250.00
Total Principal Paid Enter also on lines 5 and 14, C-4 report		\$ 200.00	
			Total Payments Enter as an expenditure on Schedule A: \$ 210.00
<b>3. LOANS FORGIVEN.</b>			
Date	Lender's Name and Address	Original Amount	Principal Repaid
3/15/XXXX	Kelly Adams 2222 Riverfront Rd, Olympia, WA	\$ 250.00	\$ 0
			Amount Forgiven: \$ 150.00
			Balance Owed: \$ 100.00
<b>4. LOANS STILL OWED.</b> List each loan that has previously been reported and still has a balance due.			
Date	Lender's Name and Address	Original Amount	Principal Repaid or Forgiven
1/22/XXXX	Tyler Adams PO Box 123, Olympia, WA	\$ 500.00	\$ 100.00
2/12/XXXX	Michael Murray 201 Westway Rd, Tacoma, WA	350.00	100.00
3/01/XXXX	Kelly Adams 2222 Riverfront Rd, Olympia, WA	250.00	150.00
3/11/XXXX	K.M. Lawrence PO Box 3456, Olympia, WA	1,000.00	0
			Amount Owed: 1,000.00
			Subtotal: \$ 1,750.00
			New Loans Received (and listed in item 1 above): \$ 0
			Total Loans Owed Includes in total on line 19, C-4 report: \$ 1,750.00
<input type="checkbox"/> Continued on attached sheet.			

LOAN PAYMENTS

LOANS FORGIVEN

LOANS STILL OWED

AMENDATORY SECTION (Amending WSR 09-19-003 and 09-19-102, filed 9/2/09 and 9/21/09, effective 10/3/09 and 11/4/09)

**WAC 390-16-049 Out-of-state political committees—Implementation of RCW ((42.17.093)) 42.17A.250.**

(1) RCW ((42.17.093)) 42.17A.250 governs campaign reporting in Washington state by committees located outside of Washington. The statute directs that an out-of-state political committee organized for the purpose of supporting or opposing candidates or ballot propositions in another state (and that is not otherwise required to report as an in-state committee) reports the information listed in RCW ((42.17.093)) 42.17A.250 on a C5 form (WAC 390-16-050). The committee begins reporting on a C5 form when it makes an expenditure supporting or opposing a Washington state candidate or political committee.

(2) To file as an out-of-state political committee, all the criteria in (a) and (b) of this subsection must be satisfied:

(a) **Out-of-state.** First, the committee must be located out-of-state. It must be maintaining its office or headquarters in another U.S. state or the District of Columbia, and has no office, street address or corporate registered agent in Washington state. If there is no office or headquarters in another state or the District of Columbia, and no corporate registered agent in Washington state, the political committee is deemed out-of-state if its treasurer resides in another U.S. state or the District of Columbia.

(b) **Organizational purpose and campaign activities.** Second, the committee must also be currently organized primarily for engaging in campaign activities in another state. Therefore, to qualify as a current out-of-state committee, the committee must also:

(i) Be currently registered and actively filing campaign disclosure reports in one or more other states and has been so filing for the preceding two years; and

(ii) Have organizational documents showing it was originally formed and is currently organized for the purpose of making expenditures in another state or soliciting contributions for use in another state's election campaigns; and

(iii) Have spent less than twenty percent of its aggregate expenditures for all political campaign activity nationwide at any point in any calendar year to support and/or oppose Washington candidates for state, local and judicial office, Washington ballot measures and/or Washington political committees.

(3) A committee that does not satisfy the criteria in subsection (2) of this section shall file as an in-state committee under chapter ((42.17)) 42.17A RCW, including RCW ((42.17.040 through 42.17.090)) 42.17A.205 through 42.17A.240.

(4) Out-of-state political committees reporting under RCW ((42.17.093)) 42.17A.250 are also subject to reporting pursuant to RCW ((42.17.103)) 42.17A.260 (political advertising independent expenditures) and RCW ((42.17.565 through 42.17.575)) 42.17A.305 through 42.17A.315 (electioneering communications).

AMENDATORY SECTION (Amending WSR 06-11-132, filed 5/23/06, effective 6/23/06)

**WAC 390-16-063 Additional information regarding C-6 report filing.**

(1) A political committee reporting pursuant to RCW ((42.17.065, 42.17.080 and 42.17.090)) 42.17A.225, 42.17A.235 and 42.17A.240 is exempt from providing on a C-6 form itemized information concerning its sources of funds giving in excess of two hundred fifty dollars for an electioneering communication, unless the committee received funds that were requested or designated for the communication.

(2) An out-of-state political committee shall report pursuant to RCW ((42.17.565)) 42.17A.305 if it sponsors an electioneering communication defined in RCW ((42.17.020)) 42.17A.005.

(3) The sponsor of an electioneering communication shall report pursuant to RCW ((42.17.565)) 42.17A.305 and commission rules regarding electioneering communications, even if the expenditure also satisfies the definition of independent expenditure in RCW ((42.17.020 or 42.17.100)) 42.17A.005 or 42.17A.255. Persons in compliance with this subsection are deemed in compliance with RCW ((42.17.100 or 42.17.103)) 42.17A.255 or 42.17A.260.

(4) Any person making an expenditure that is reportable under RCW ((42.17.200)) 42.17A.640, grass roots lobbying campaigns, that also satisfies the definition of electioneering communication in RCW ((42.17.020)) 42.17A.005 shall file pursuant to RCW ((42.17.565)) 42.17A.305 and commission rules regarding electioneering communications.

AMENDATORY SECTION (Amending WSR 09-02-021, filed 12/30/08, effective 1/30/09)

**WAC 390-16-071 Annual report of major contributors and persons making independent expenditures.**

(1) Any person, other than an individual (a) who made contributions to state office candidates and statewide ballot proposition committees totaling more than the aggregate amount during the preceding calendar year for contributions referenced in WAC 390-05-400, code section .180(1), or (b) who made independent expenditures regarding state office candidates and statewide ballot propositions totaling more than the aggregate amount during the preceding calendar year for independent expenditures referenced in WAC 390-05-400, code section .180(1), shall file with the commission an annual report required pursuant to RCW ((42.17.180)) 42.17A.630. This report shall not be required of a lobbyist employer filing an annual L-3 report pursuant to RCW ((42.17.180)) 42.17A.630 or of a candidate's authorized committee or a political committee provided the information has been properly reported pursuant to RCW ((42.17.080 and 42.17.090)) 42.17A.235 and 42.17A.240.

(2) The report is entitled "Special Political Expenditures" and is designated "C-7" revised 12/08.



# Special Political Expenditures

**C7**  
12/08

PDC OFFICE USE

1. Name (Use complete company, association, union or entity name.)

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Attention (Identify person to whom inquiries about the information below should be directed.)

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Mailing Address Telephone

(   )   -

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City State Zip + 4

**THIS REPORT MUST BE FILED BY THE LAST DAY OF FEBRUARY.** Disclose all payments or expenditures the reporting entity made and accrued during the previous calendar year for the types of activities described below. Complete all sections. Use "none" or "0" when applicable. Follow the directions on the attached instructions.

**Summary of Expenditures**

**Amount**

- 2. Political contributions to candidates for legislative or statewide executive office, committees supporting or opposing these candidates, or committees supporting or opposing statewide ballot measures. Also complete Item 8.
    - a. Aggregate contributions made by the filer. \_\_\_\_\_
    - b. If contributions were made by a political committee associated, affiliated or sponsored by the employer, show the PAC name below. (Information reported by the PAC on C-4 reports need not be again included as part of this report.)  
 Name of PAC \_\_\_\_\_ \_\_\_\_\_
  - 3. Independent expenditures supporting or opposing a candidate for legislative or statewide executive office or a statewide ballot measure. Show aggregate amount. Also complete Item 9. \_\_\_\_\_
  - 4. Expenditures for entertainment, gifts, tickets, passes, transportation and travel expenses (including meals, lodging and related expenses) provided to legislators, state officials, state employees and members of their immediate families. Show aggregate amount. Also complete Item 10. \_\_\_\_\_
  - 5. Expenditures to or on behalf of legislators, state officials, their spouses and dependents for the purpose of influencing, honoring or benefiting the legislator or official. Show aggregate amount. Also complete Item 13. \_\_\_\_\_
  - 6. Other expenditures related to lobbying state officials, whether payment is made to, through or on behalf of a registered lobbyist. Attach list itemizing each expense. Show date, recipient, purpose and amount. \_\_\_\_\_
- 7. Total Reportable Expenses** \_\_\_\_\_  
(Items 2 thru 6)

**Itemized Expenditures**

- 8. Contributions totaling over \$25 to a legislative or statewide executive office candidate, a committee formed to support or oppose one of these candidates or a committee supporting or opposing a statewide ballot measure.

Name of Recipient	Amount	Date
	\$	

Information continued on attached pages

9. Independent expenditures in support of or opposition to a) a legislative or statewide executive office candidate or b) a statewide ballot measure. See instructions for definition of "independent expenditure."

Candidate's Name, Office Sought & Party or Ballot Measure & Brief Description	Amount \$	Date and Description of Expense (Note if Support or Oppose)
<input type="checkbox"/> Information continued on attached pages		

10. Entertainment, gifts, tickets, passes, transportation and travel expenses (including meals, lodging and related expenses) provided to legislators, state officials, state employees and members of their immediate families.

Name and Title	Cost or Value \$	Date and Description of Entertainment, Gift or Travel
<input type="checkbox"/> Information continued on attached pages		

11. Compensation of \$2,000 or more during the preceding calendar year for employment or professional services paid to state elected officials, successful candidates for state office and each member of their immediate family.

Name	Relationship to Candidate or Official, if Family Member	Amount (Code)	Description of Consideration or Services Exchanged for Compensation
<input type="checkbox"/> Information continued on attached pages			

12. Compensation of \$2,000 or more during the preceding calendar year for professional services paid to any corporation, partnership, joint venture, association or other entity in which state elected official, successful state candidate or member of their immediate family hold office, partnership, directorship or ownership interest of 10% or more.

Firm Name	Person's Name	Amount (Code)	Description of Consideration or Services Exchanged for Compensation
<input type="checkbox"/> Information continued on attached pages			

13. Any expenditure, not otherwise reported, made directly or indirectly to a state elected official, successful candidate for state office or member of their immediate family, if made to honor, influence or benefit the person because of his or her official position.

Name	Amount \$	Date and Description of Expense
<input type="checkbox"/> Information continued on attached pages		

14. This report must be certified by the president, secretary-treasurer or similar officer of reporting entity.

<b>Certification: I certify that this report is true, complete and correct to the best of my knowledge.</b>	Signature of Officer	Date
Printed Name and Title of Officer:		

AMENDATORY SECTION (Amending WSR 08-01-058, filed 12/14/07, effective 1/14/08)

**WAC 390-16-105 Mini campaign reporting—Eligibility.** (1) A candidate or candidate's authorized committee, as those terms are defined in RCW ((42.17.020)) 42.17A.005, shall not be required to comply with the provisions of RCW ((42.17.065 through 42.17.090)) 42.17A.225 through 42.17A.240 except as otherwise prescribed in WAC 390-16-038, 390-16-115, and 390-16-125 when neither aggregate contributions nor aggregate expenditures exceed the amount of the candidate's filing fee provided by law plus a sum not to exceed five thousand dollars and no contribution or contributions from any person other than the candidate within such aggregate exceed five hundred dollars. However, a bona fide political party may pay the candidate's filing fee provided by law without that payment disqualifying that candidate from eligibility under this section.

(2) A political committee, as that term is defined in RCW ((42.17.020)) 42.17A.005, shall not be required to comply with the provisions of RCW ((42.17.065 through 42.17.090)) 42.17A.225 through 42.17A.240 except as otherwise prescribed in WAC 390-16-038, 390-16-115, and 390-16-125 when neither aggregate contributions nor aggregate expenditures exceed five thousand dollars and no contribution or contributions from any person exceed five hundred dollars.

(3) A continuing political committee, as that term is defined in RCW ((42.17.020)) 42.17A.005, shall not be required to comply with the provisions of RCW ((42.17.065 through 42.17.090)) 42.17A.225 through 42.17A.240 except as otherwise prescribed in WAC 390-16-038, 390-16-115, and 390-16-125 when neither aggregate contributions nor aggregate expenditures during a calendar year exceed five thousand dollars and no contribution or contributions from any person exceed five hundred dollars.

(4) Candidates and political committees are required to comply with all applicable provisions of chapter ((42.17)) 42.17A RCW including, but not limited to, false political advertising, sponsor identification and public inspection of campaign books of account unless specifically exempted under subsections (1) through (3) of this section.

AMENDATORY SECTION (Amending WSR 08-01-058, filed 12/14/07, effective 1/14/08)

**WAC 390-16-111 Mini campaign reporting—Special fund-raising events.** The term "any person" as used in WAC 390-16-105 does not mean a fund-raising activity conducted pursuant to RCW ((42.17.067)) 42.17A.225. Candidates and committees using mini reporting as provided in chapter 390-16 WAC shall not be limited to receiving five hundred dollars from a fund-raising event provided that the payments from any person do not exceed five hundred dollars from all fund raising conducted during a campaign or calendar year as provided in WAC 390-16-105.

AMENDATORY SECTION (Amending WSR 10-20-011, filed 9/24/10, effective 10/25/10)

**WAC 390-16-115 Mini campaign reporting—Conditions for granting use.** The exemptions allowed in WAC

390-16-105 shall be granted to a candidate or political committee, including a continuing political committee, only upon compliance with the following conditions.

(1) A candidate shall, within fourteen days of first:

(a) Receiving contributions, making expenditures, reserving space or facilities or purchasing commercial advertising space or broadcast time to promote his or her candidacy;

(b) Giving his or her consent to another person to take on behalf of the candidate any of the action in (a) of this subsection; or

(c) Announcing publicly or filing a declaration of candidacy with the appropriate elections official, file the C-1 registration statement with the commission. The statement must declare that the candidate will not exceed the contribution or expenditure limits set out in WAC 390-16-105.

(2) A political committee shall, within fourteen days after its organization or after the date when it first has the expectation of receiving contributions or making expenditures in any election campaign, whichever is earlier, file the C-1pc registration statement with the commission.

(3) The statement filed under subsection (2) of this section shall declare that the political committee will not exceed the contribution or expenditure limits set out in WAC 390-16-105.

(4) In addition to complying with subsections (2) and (3) of this section, a continuing political committee shall also file a C-1pc between January 1 and January 31 for each year in which the committee intends to use the mini reporting system. Failure to file a new registration statement during January will automatically terminate the committee's entitlement to use the mini reporting system until such time as a new C-1pc is filed.

(5) A candidate or political committee shall keep current records in sufficient detail to allow the candidate or political committee to make reports otherwise required by RCW ((42.17.040 through 42.17.090)) 42.17A.205 through 42.17A.240 in the event that the filing of such reports becomes necessary as a result of exceeding the contribution or expenditure limitation pursuant to the provisions of WAC 390-16-125.

(6) A 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 registration statement at the principal campaign headquarters or, if there is no campaign headquarters, at a local address of the campaign treasurer or such other place as may be authorized by the commission.

(7) The records of contributions and expenditures shall be available for audit or examination by representatives of the public disclosure commission at any time upon request from the commission.

AMENDATORY SECTION (Amending WSR 08-01-058, filed 12/14/07, effective 1/14/08)

**WAC 390-16-125 Mini campaign reporting—Exceeding limitations.** (1) A candidate or political commit-

tee shall apply in writing to the commission for authorization to change reporting options before the limitations specified in WAC 390-16-105 are exceeded. A complete application shall include all of the following documents:

(a) An amended registration statement (Form C-1 for candidates, Form C-1pc for political committees) selecting the full reporting option as provided in RCW ((42.17.065-42.17.090)) 42.17A.225 through 42.17A.240;

(b) PDC forms C-3 and C-4 with relevant schedules and attachments disclosing all contributions and expenditures to date reportable under RCW ((42.17.090)) 42.17A.240 for the election campaign, or in the case of continuing political committees, for the calendar year; and

(c)(i) If the applicant is a candidate, a statement affirming that all candidates registered with the commission for the office being sought have been notified personally in writing of the application, and the manner and date of such notification;

(ii) If the applicant is the treasurer of a political committee supporting or opposing a ballot proposition, a statement affirming that all treasurers of all political committees registered with the commission as supporting or opposing the proposition have been notified personally in writing of the application, and the manner and date of such notification; or

(iii) If the applicant is the treasurer of a county or legislative district party committee, a statement affirming that the treasurer of that party committee's counterpart in any other major political party has been notified personally in writing of the application, and the manner and date of such notification.

(2) An application that is submitted without the required documents described in subsection (1) of this section is incomplete and will not be processed or approved. If the applicant provides the missing documents, the application will be determined to be complete on the date the documents are postmarked or delivered to the commission.

(3) If a complete application is postmarked or delivered to the commission on or before thirty business days prior to the date of the election, the application shall be approved by the executive director.

(4) If a complete application is postmarked or delivered to the commission on or after twenty-nine business days prior to the election, the application shall be approved by the executive director only if one or more of the following factors are present:

(a) The applicant's campaign had its respective C1 or C1pc on file with the commission forty-one or more days before the election and the commission staff did not send to the applicant's campaign in a timely and proper manner, either electronically or by other mail delivery service, a notice that the thirtieth business day deadline for unrestricted changes in reporting options is approaching. To be timely and proper, this notice must be sent at least forty business days before the election to the campaign's electronic mail address or postal service mailing address specified on the registration statement;

(b) The applicant is a candidate and, within thirty business days of the election, a write-in opponent has filed for office in accordance with chapter 29A.24 RCW;

(c) Within thirty business days of the election, an independent expenditure as defined in RCW ((42.17.020)) 42.17A.005 is made in support of the applicant's opponent or in opposition to the applicant; or

(d) When a candidate or political committee on one side of an election campaign or proposition has been approved to change reporting options under this section, each opponent of that candidate or political committee is approved to change options as of the date that opponent postmarks or delivers a complete application to the commission.

(5) Exceeding the aggregate contributions or aggregate expenditures specified in WAC 390-16-105 without complying with the provisions of this section shall constitute one or more violations of chapter ((42.17)) 42.17A RCW or 390-17 WAC.

AMENDATORY SECTION (Amending WSR 08-06-061, filed 3/3/08, effective 4/3/08)

**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 shall report such expenditure including all costs of preparation and distribution in accordance with chapter ((42.17)) 42.17A RCW. However, rating, endorsement or recommendation expenditures governed by the following provisions are not reportable: The news media exemptions provided in RCW ((42.17.020 (15)(b)(iv) and (21)(e))) 42.17A.005 (13)(b)(iv) and (19)(b)(iii), and WAC 390-16-313 (2)(b), and the political advertising exemption in WAC 390-05-290.

(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 to make the expenditure.

AMENDATORY SECTION (Amending WSR 09-01-068, filed 12/12/08, effective 1/12/09)

**WAC 390-16-207 In-kind contributions—Explanation and reporting.** (1) An in-kind contribution occurs when a person provides goods, services or anything of value, other than money or its equivalent, to a candidate or political committee free-of-charge or for less than fair market value, unless the item or service given is not a contribution according to RCW ((42.17.020)) 42.17A.005 or WAC 390-17-405.

(2) An in-kind contribution also occurs when a person makes an expenditure that:

- Supports or opposes a candidate or a ballot measure((:));
- Meets the definition of contribution in RCW ((42.17.020)) 42.17A.005 or WAC 390-05-210((:)); and
- Is other than a monetary contribution made directly to a candidate or political committee.

For example, an in-kind contribution occurs when a person, after collaborating with a candidate or a candidate's agent,

purchases space in a newspaper for political advertising supporting that candidate or opposing that candidate's opponent.

(3) An in-kind contribution also occurs when a person makes an electioneering communication that is a contribution as provided in RCW ((42.17.570)) 42.17A.310.

(4) According to RCW ((42.17.095)) 42.17A.430 and WAC 390-16-238, a candidate may not use his or her campaign funds to make a contribution, including an in-kind contribution, to another candidate or a political committee. However, under RCW ((42.17.095)) 42.17A.430, a candidate may use surplus funds as defined in RCW ((42.17.020)) 42.17A.005 to make a contribution to a political party or caucus political committee.

**(5) In-kind contributions to recipients who have limits under RCW ((42.17.640 or 42.17.645)) 42.17A.405 or 42.17A.410.**

(a) If a candidate receives in-kind contributions from any person valued at more than \$25 in the aggregate for an election, the contribution is reportable by the giver and the recipient pursuant to chapter ((42.17)) 42.17A RCW and is subject to the applicable contribution limit provided in RCW ((42.17.640 or 42.17.645)) 42.17A.405 or 42.17A.410.

(b) If a bona fide political party or legislative caucus committee receives in-kind contributions from any person valued at more than \$25 in the aggregate during a calendar year, the contribution is reportable by the giver and the recipient pursuant to chapter ((42.17)) 42.17A RCW and is subject to the applicable contribution limit provided in RCW ((42.17.640)) 42.17A.405.

(c) If an elected official against whom recall charges have been filed or a political committee supporting the recall of an elected official receives in-kind contributions from any person valued at more than \$25 in the aggregate during a recall campaign, the contribution is reportable by the giver and the recipient pursuant to chapter ((42.17)) 42.17A RCW and is subject to the applicable contribution limits provided in RCW ((42.17.640 or 42.17.645)) 42.17A.405 or 42.17A.410.

**(6) Political committees that make in-kind contributions.** Except as provided for in subsection (5) of this section, a political committee that makes in-kind contributions to a candidate or political committee totaling more than \$50 in the aggregate during a reporting period must identify the recipient and the amount of the contribution as part of its C-4 report covering that period.

If the in-kind contribution is in the form of an expenditure that has been obligated, but not yet paid, the identity of the recipient candidate or political committee, along with a good faith estimate of the value of the contribution, must be disclosed in part 3 of Schedule B, in addition to the other information required by the form. When the expense is paid, the recipient's name and the amount of the contribution must be disclosed on Schedule A, along with the other information required by the form.

If a political committee provides equipment, property or anything else of value owned, leased or controlled by it to a candidate or political committee, the contributing committee must attach a statement to its C-4 report showing the name of the candidate or political committee to whom the contribu-

tion was made and the date, description and fair market value of the in-kind contribution.

(7) **Reporting by recipients.** Except as provided in subsection (5) of this section, in-kind contributions from one source are not reportable by the recipient candidate or political committee until the aggregate value of all in-kind contributions received from that source during a reporting period is more than \$50. If this threshold is met, the in-kind contributions must be reported in part 1 of Schedule B to the C-4 report covering that reporting period.

(8) **Valuing in-kind contributions.**

(a) For purposes of determining the value of goods or services provided as in-kind contributions, refer to WAC 390-05-235, Definition—Fair market value.

(b) If an expenditure that constitutes an in-kind contribution is made, the value of the in-kind contribution to a particular candidate or political committee is the portion of the expense that benefits the candidate or political committee.

**(9) Application of RCW ((42.17.105)) 42.17A.420—Last-minute contributions.**

(a) If an expenditure that constitutes an in-kind contribution is made no later than twenty-two days before a general election and written notice of the in-kind contribution is in the possession of the recipient candidate committee or political committee twenty-two or more days before that general election, the contribution is not subject to the respective \$5,000 or \$50,000 maximum amounts specified in RCW ((42.17.105)) 42.17A.420.

(b) If an in-kind contribution is in the form of personal services donated to a campaign for the duration of the twenty-one days before a general election, and if written notice of the value of this donation is in the possession of the recipient candidate or political committee twenty-two or more days before the election, that in-kind contribution is not subject to the respective \$5,000 or \$50,000 maximum amounts specified in RCW ((42.17.105)) 42.17A.420.

AMENDATORY SECTION (Amending Order 86-01, filed 2/5/86)

**WAC 390-16-221 Tangible property—Definition.** (1)

All contributions received by a political committee or candidate are subject to the requirements of RCW ((42.17.095 and 42.17.125)) 42.17A.430 and 42.17A.445 whether or not the committee converts the contribution to a different form, e.g., the purchase of tangible property from monetary contributions.

(2) For the purpose of this rule, tangible property includes but is not limited to real property and improvements thereto; furniture, office desks, file cabinets, tables and machines, vehicles, printing and duplicating equipment, and computer hardware and software.

AMENDATORY SECTION (Amending WSR 02-03-018, filed 1/4/02, effective 2/4/02)

**WAC 390-16-226 Loans.** (1) Only loans which are recorded in a written loan agreement executed at the time of the loan and properly reported may be repaid by a candidate or political committee. Surplus campaign funds under RCW ((42.17.020 and 42.17.095)) 42.17A.005 and 42.17A.430



may only be used to return a contribution to the candidate if the contribution was properly reported as a loan from the candidate, as described in subsections (2) and (3).

(2) If any person gives or loans the candidate funds in connection with his or her campaign, the funds are not considered personal funds of the candidate. See WAC 390-17-305. Such funds are considered a contribution from the original source of the contribution under chapter ~~((42-17))~~ 42.17A RCW *and*, unless the loan meets the exemption provided in RCW ~~((42-17-720(3)))~~ 42.17A.465(3) and this subsection, the contribution is subject to the contribution limits provided in chapter ~~((42-17))~~ 42.17A RCW.

(a) If a candidate or candidate's own political committee or campaign or authorized committee receives a loan from a commercial lending institution, the loan is exempt from the contribution limits of RCW ~~((42-17-640))~~ 42.17A.405 and WAC 390-16-310 only if all the following criteria are met:

- (i) The loan is not guaranteed by any other person;
- (ii) The loan is made in the regular course of business; and,
- (iii) The loan is made on the same terms ordinarily available to the public.

(b) A commercial loan to a candidate's own committee or campaign or authorized committee is presumed to be guaranteed by the candidate. The presumption is rebuttable by clear, cogent and convincing evidence.

(3) The amount of campaign contributions which may be used to repay a loan made by the candidate to the candidate's own political committee or campaign, or to repay a commercial loan to a candidate's own political committee or campaign where the candidate is the borrower or guarantor, is limited to the loan repayment limit in RCW ~~((42-17-125(3)))~~ 42.17A.445(3) as adjusted by WAC 390-05-400. For purposes of the loan repayment limit, these loans are aggregated for each primary, general, special or recall election and must be designated accordingly by the candidate at the time the loan is made.

(4) If a candidate makes documented out-of-pocket campaign expenditures on behalf of his or her campaign expecting repayment (not intending to make an in-kind contribution), the campaign committee must repay the candidate within 21 days of the expenditure or the candidate will be deemed to have made a loan to his or her campaign committee which must qualify for repayment under subsections (1) and (2) in order for the candidate to be repaid. Undocumented out-of-pocket campaign expenditures by the candidate are in-kind contributions not eligible for repayment.

**AMENDATORY SECTION** (Amending WSR 07-07-005, filed 3/8/07, effective 4/8/07)

**WAC 390-16-230 Surplus campaign funds—Use in future.** (1) If at any time in the future or after the last day of the election cycle for candidates as defined in RCW ~~((42-17-020(9)))~~ 42.17A.005(7) any contribution is received or an expenditure is made from surplus funds for any purpose which would qualify the recipient or person who made the expenditure as a candidate or political committee, it will be presumed the recipient or person who made the expenditure of such funds has initiated a new candidacy or committee.

Surplus funds may only be expended for a new candidacy if the candidate is seeking the same office sought at his or her last election. Within fourteen days of the day such contribution is received or expenditure is 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))~~ 42.17A.235 and 42.17A.240 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))~~ 42.17A.205, 42.17A.235 and 42.17A.240. The surplus funds may be carried forward to the new campaign, reported as one sum and listed as a contribution identified as "funds from previous campaign." All augmentations to and all expenditures made from the retained surplus funds after the last day of the election cycle shall be reported in detail as to source, recipient, purpose, amount and date of each transaction.

(2) For candidates as defined in RCW ~~((42-17-020(9)))~~ 42.17A.005(7), if at any time after the last day of the election cycle, any contribution is received or expenditure is made from such surplus funds for any purpose which would qualify the recipient or person who made the expenditure as a candidate or authorized committee, it will be presumed the recipient or person who made the expenditure of such funds has initiated a new candidacy or committee. Surplus funds may only be expended for a new candidacy if the candidate is seeking the same office sought at his or her last election. Within fourteen days of the day such contribution is received or expenditure is made, such candidate or authorized committee shall file (a) a final report for the previous campaign as provided in RCW ~~((42-17-080 and 42-17-090))~~ 42.17A.235 and 42.17A.240 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))~~ 42.17A.205, 42.17A.235 and 42.17A.240. The surplus funds as of the last day of the election cycle may be carried forward to the new campaign, reported as one sum and listed as a contribution identified as "funds from previous campaign." "Funds from previous campaign" carried forward by a candidate to his or her new campaign are not subject to contribution limits set forth in RCW ~~((42-17-640))~~ 42.17A.405.

(3) A political committee formed to support or oppose a particular ballot proposition or particular candidates which retains surplus funds to use in support or opposition of other candidates or of other ballot propositions has become a continuing political committee and must thereafter register and report in accordance with chapter ~~((42-17))~~ 42.17A RCW.

**AMENDATORY SECTION** (Amending WSR 93-16-064, filed 7/30/93, effective 8/30/93)

**WAC 390-16-232 Same office last sought.** A candidate is considered to be seeking the "same office last sought," as that term is used in RCW ~~((42-17-095))~~ 42.17A.430, when the candidate seeks:

- (1) The identical office last sought; or
- (2) A different position or seat of the same office last sought within the same jurisdiction; or
- (3) The same office, whether a different seat or position, in a revised district or political subdivision whenever the boundaries of a district or political subdivision are officially

altered through redistricting, consolidation or other official procedure.

AMENDATORY SECTION (Amending WSR 02-23-001, filed 11/6/02, effective 12/7/02)

**WAC 390-16-234 Transfers of surplus and nonsurplus candidate funds.** (1) One candidate may reimburse another for the former's proportionate share of documented and properly reported joint campaign expenses without the transaction constituting a "transfer" within the meaning of RCW ((42-17-095)) 42.17A.430.

(2) Candidate surplus funds may be transferred without limit to a bona fide political party or to a caucus political committee.

(3) Except as provided in subsections (1) and (2) of this section, no candidate or candidate's authorized committee may transfer surplus or nonsurplus funds to any other candidate or political committee.

AMENDATORY SECTION (Amending WSR 04-12-055, filed 5/28/04, effective 6/28/04)

**WAC 390-16-238 Personal use of contributions—Standard.** (1) Except as specifically allowed by chapter ((42-17)) 42.17A RCW, any expenditure of a candidate's campaign funds that is not directly related to the candidate's election campaign is a personal use of campaign funds prohibited under RCW ((42-17-125)) 42.17A.445.

(2) An expenditure of a candidate's campaign funds shall be considered personal use if it fulfills or pays for any commitment, obligation or expense that would exist irrespective of the candidate's election campaign.

(3) If an activity or expenditure is both personal and campaign related, the campaign may pay no more than the fair market value of its share of the activity or expenditure. For example, if a candidate uses a personal vehicle for campaign purposes, the campaign may reimburse the candidate for:

(a) The prorated share of documented gasoline, maintenance and insurance costs directly related to the campaign's usage of the vehicle; or

(b) The standard mileage rate established by the Internal Revenue Service for those documented miles directly related to the campaign's usage.

(4) Examples of expenditures presumed to be for personal use include, but are not limited to:

(a) Mortgage, rent, utility or maintenance expenses for personal living accommodations;

(b) Clothing purchases and maintenance expenses not related to the campaign;

(c) Automobile expenses not related to the campaign;

(d) Travel expenses not related to the campaign;

(e) Household food items;

(f) Restaurant expenses except for in-person fund-raising or campaign organizational activities;

(g) Tuition payments not related to the campaign;

(h) Admission to sporting events, concerts, theaters, or other forms of entertainment unless the event is primarily related to the candidate's campaign;

(i) Country club membership fees, dues and payments;

(j) Health club or recreational facility membership fees, dues and payments;

(k) Social, civic, fraternal, or professional membership dues, fees and payments unless the expenditure occurs during an election year and membership is required to gain access to the organization's mailing list for campaign purposes or other facilities for the candidate's campaign;

(l) Home or business internet service provider costs;

(m) Home or business newspaper and periodical subscriptions;

(n) Greeting cards to persons who would customarily receive such cards (e.g., family, friends and business associates).

AMENDATORY SECTION (Amending WSR 93-16-064, filed 7/30/93, effective 8/30/93)

**WAC 390-16-240 Earmarked contributions—Definition and use.** (1) Earmarked contributions, as that term is used in RCW ((42-17-135 and 42-17-670)) 42.17A.270 and 42.17A.460, means any contribution given to an intermediary or conduit, either a political committee, candidate or third party, with a designation, instruction, or encumbrance, whether direct or indirect, express or implied, oral or written, which is intended to result in or which does result in all or any part of the contribution being made to or for the promotion of a certain candidate, state official, or ballot proposition.

(2) For purposes of RCW ((42-17-640)) 42.17A.405 and 42.17A.410, an earmarked contribution is deemed to be for the promotion of, and attributable to any limit applicable to the candidate, authorized committee, bona fide political party, caucus of the state legislature or political committee designated by the original contributor.

(3) If an earmarked contribution is given to an intermediary or conduit to be spent on behalf of a candidate and the entire amount given is not used for this purpose, the remainder of the contribution shall be given to the designated candidate unless its use is redesignated by the original contributor. If the conduit or intermediary exercise any direction or control over the use of the remainder of the contribution, then the amount of the remainder shall be considered a contribution from the original contributor and the conduit or intermediary to the recipient.

(4) The intermediary or conduit receiving the earmarked contribution shall notify the candidate or political committee for whose use or benefit the contribution is designated within two working days after receipt of the contribution.

(5) If an earmarked contribution is refused by the designated recipient candidate or political committee, the earmarked contribution must be returned by the intermediary or conduit to the original contributor within five working days of refusal.

AMENDATORY SECTION (Amending WSR 03-12-033, filed 5/29/03, effective 6/29/03)

**WAC 390-16-245 Pledges.** (1) A pledge shall not be made or redeemed within twenty-one days of an election specified in RCW ((42-17-105(8))) 42.17A.420 if the amount of the pledge or redemption exceeds the maximum amount provided in RCW ((42-17-105(8))) 42.17A.420. However, if

payment of a pledge is in the possession of the recipient twenty-two or more days before the election, that payment may be deposited into the campaign account within five business days of receipt in accordance with RCW ((42.17.060)) 42.17A.220.

(2) If a pledge is made in an election campaign subject to the contribution limits provided in RCW ((42.17.640)) 42.17A.405 and 42.17A.410:

(a) Except as provided in WAC 390-17-302, a pledge made with respect to the primary election shall not be made or redeemed after the date of the primary; however, if the payment of a pledge is made on or before the date of the primary, that payment may be deposited into the campaign account within five business days of receipt in accordance with RCW ((42.17.060)) 42.17A.220; and

(b) A pledge made with respect to the general election shall not be made or redeemed after the final day of the applicable election cycle; however, if the payment of a pledge is made on or before the final day of the election cycle, that payment may be deposited into the campaign account within five business days of receipt in accordance with RCW ((42.17.060)) 42.17A.220.

(3) During the time limit specified in RCW ((42.17.710)) 42.17A.560, a state official or a person employed by or acting on behalf of a state official shall not solicit or accept a pledge or the redemption of a pledge for any purpose specified in RCW ((42.17.710)) 42.17A.560.

AMENDATORY SECTION (Amending WSR 10-20-012, filed 9/24/10, effective 10/25/10)

**WAC 390-16-309 Identification of affiliated entities.**

(1) Two or more entities are treated as a single person and share one contribution limit under RCW ((42.17.640 and 42.17.645)) 42.17A.405 and 42.17A.410 if one of the entities is:

(a) A corporation and the other is a subsidiary, branch or division of the corporation;

(b) A national or international labor union, or state body of such national or international labor union, and the other is a local union or other subordinate organization of such national or international labor union or state body;

(c) A trade association or state body of such trade association and the other is a branch or local unit of such trade association;

(d) A national or state collective bargaining organization and the other is a branch or local unit of such national or state collective bargaining organization;

(e) A national or international federation of labor unions, or a state federation of labor unions, and the other is a local body of such federation;

(f) A membership organization and the other is a local unit or branch of such membership organization;

(g) Any entity referenced in (a) through (f) above and a political committee established, financed, maintained or controlled by that entity.

(2) For purposes of RCW ((42.17.640 and 42.17.645)) 42.17A.405 and 42.17A.410, two entities shall not be treated as a single entity solely because one of the entities is a dues paying member of the other entity.

(3) In addition to paragraph (1) above, two or more entities shall be treated as one entity and share a contribution limit under RCW ((42.17.640 and 42.17.645)) 42.17A.405 and 42.17A.410 if one of the entities is established, financed, maintained or controlled by the other, as evidenced by any one of the following factors:

(a) Whether one entity owns a controlling interest in the voting stock or securities of another entity; or

(b) Whether one entity has authority or the ability to direct or participate, other than through a vote as a member, in the governance of another entity through provisions of constitution, bylaws, contract or other formal or informal procedure or has authority or the ability to hire, appoint, demote or otherwise control, other than through a vote as a member, the officers or other decision making employees or members of another entity; or

(c) Whether (i) one entity has a common or overlapping membership with another which indicates either a formal or ongoing relationship between the two organizations or the creation of a successor entity and (ii) the entity has an active or significant role in the formation of the other entity and (iii) the entities have similar patterns of contributions or contributors which indicate a formal or ongoing relationship between the entities; or

(d) Whether one entity provides, causes or arranges, funds, services or goods in a significant amount or on an ongoing basis, through direct or indirect means to the other entity, for less than full consideration. Full consideration includes the payment of membership dues.

AMENDATORY SECTION (Amending WSR 09-09-126, filed 4/22/09, effective 5/23/09)

**WAC 390-16-310 Limitations on contributions.** The limitations on contributions as provided in RCW ((42.17.105 (8), 42.17.640, and 42.17.645)) 42.17A.420, 42.17A.405, and 42.17A.410 shall be as follows:

(1)(a) The limitation on contributions in RCW ((42.17.640 or 42.17.645)) 42.17A.405 or 42.17A.410 shall not apply to a "candidate" as that term is defined in RCW ((42.17.020)) 42.17A.005 when the candidate is contributing to his or her own campaign using his or her own personal funds as defined in WAC 390-17-305.

(b) The limitation on contributions in RCW ((42.17.105 (8), 42.17.640, or 42.17.645)) 42.17A.420, 42.17A.405, or 42.17A.410 shall apply to contributions to the candidate from the candidate's spouse, domestic partner or other immediate family members.

(2) Contributions by a husband and wife are considered separate contributions. Contributions by domestic partners are considered separate contributions.

(3) Emancipated minor children (children under 18 years of age) may make contributions which do not exceed the limitations on contributions and the contribution is properly attributed to the emancipated minor child if(±):

(a) The decision to contribute is made knowingly and voluntarily by the emancipated minor child;

(b) The funds, goods, or services contributed are owned or controlled exclusively by the emancipated minor child, such as income earned by the child, the proceeds of a trust for

which the child is the beneficiary, or a savings account opened and maintained exclusively in the child's name; and

(c) The contribution is not made from the proceeds of a gift, the purpose of which was to provide funds to be contributed, or is not in any other way controlled by another person.

Contributions by emancipated minor children which do not meet these requirements and contributions by unemancipated minor children shall be considered contributions by the child's parents. Fifty percent of the contributions will be attributed to each parent, or in the case of a single custodial parent, the total amount is attributed to that parent.

(4) Contributions from a business organized as a sole proprietorship and contributions from the owner of the sole proprietorship shall be aggregated for purposes of determining the limitations of contributions under RCW ((~~42.17.105(8), 42.17.640, or 42.17.645~~)) 42.17A.420, 42.17A.405, or 42.17A.410.

(5) The limitations on contributions shall apply separately to the contributions made by a partnership, limited liability partnership and limited liability corporation from the contributions made by an individual partner or member. However, contributions made from or charged against the capital account of an individual partner, or member of a limited liability partnership or limited liability corporation shall be aggregated with the partner's or member's individual contributions for purposes of determining the limitations on contributions under RCW ((~~42.17.105(8), 42.17.640, or 42.17.645~~)) 42.17A.420, 42.17A.405, or 42.17A.410.

(6) The limitations on contributions in RCW ((~~42.17.105(8), 42.17.640, and 42.17.645~~)) 42.17A.420, 42.17A.405, and 42.17A.410 shall apply separately to the contributions made by an entity (corporation, subsidiary or branch, national union and local unions, collective bargaining organizations and local units, membership organizations and local units and other organizations and their local units) unless the criteria in RCW ((~~42.17.660~~)) 42.17A.455 and WAC 390-16-309 are met.

AMENDATORY SECTION (Amending WSR 93-16-064, filed 7/30/93, effective 8/30/93)

**WAC 390-16-312 Handling contributions of uncertain origin.** No contribution shall be deposited by any candidate or treasurer who believes, from the face of the contribution instrument or for any other reason, the contribution was made in a fictitious name, by one person through an agent, relative, political committee, or any other person so as to conceal the source of the contribution or to exceed the contribution limits provided in RCW ((~~42.17.105(8) or 42.17.640~~)) 42.17A.420, 42.17A.405, or 42.17A.410. The candidate or treasurer shall return such contributions within ten calendar days to the original contributor if his or her identity is known. Otherwise, the contribution instrument shall be endorsed and made payable to "Washington state treasurer" and the contribution sent to the public disclosure commission for deposit in the state's general fund.

AMENDATORY SECTION (Amending WSR 97-10-055, filed 5/1/97, effective 6/1/97)

**WAC 390-16-313 Independent expenditure—Definition and application.** (1) "Independent expenditure," as that term is used in chapter ((~~42.17~~)) 42.17A RCW, except RCW ((~~42.17.100~~)) 42.17A.255, means an "expenditure" as defined in RCW ((~~42.17.020~~)) 42.17A.005 that has each of the following elements:

(a) It is made in support of or in opposition to a candidate for public office, except federal elective office or precinct committee officer, by a person who is not (i) a candidate for that office, (ii) an authorized committee of that candidate for that office, (iii) a person who has received the candidate's encouragement or approval to make the expenditure, if the expenditure pays in whole or in part for any political advertising supporting that candidate or promoting the defeat of any other candidate or candidates for that office, or (iv) a person with whom the candidate has collaborated for the purpose of making the expenditure, if the expenditure pays in whole or in part for any political advertising supporting that candidate or promoting the defeat of any other candidate or candidates for that office;

(b) The expenditure pays in whole or in part for any political advertising that either specifically names the candidate supported or opposed, or clearly and beyond any doubt identifies the candidate without using the candidate's name;

(c) The expenditure, alone or in conjunction with another expenditure or other expenditures of the same person in support of or opposition to that candidate, has a value equal to or greater than the amount specified for independent expenditures in WAC 390-05-400. A series of expenditures, each of which is under the applicable amount in WAC 390-05-400, constitutes one independent expenditure if their cumulative value is equal to or greater than the amount specified in WAC 390-05-400; and

(d) The expenditure is not a contribution as defined in RCW ((~~42.17.020~~)) 42.17A.005 and clarified by WAC 390-05-210.

(2) **Exempt Activities.** The following activities are not considered independent expenditures for purposes of RCW ((~~42.17.100, [42.17].180, [42.17].510 or [42.17].550~~)) 42.17A.255, 42.17A.630, or 42.17A.320:

(a) Ordinary home hospitality;

(b) A news item, feature, commentary, or editorial in a regularly scheduled news medium that is of primary interest to the general public, that is in a news medium controlled by a person whose business is that news medium, and that is not controlled by a candidate or a political committee;

(c) An internal political communication primarily limited to (i) the members of or contributors to a political party organization or political committee, (ii) the officers, management staff or stockholders of a corporation or similar enterprise, or (iii) the members of a labor organization or other membership organization;

(d) Messages in the form of reader boards, banners, or yard or window signs displayed on a person's own property or the property occupied by a person. However, a facility used for such political advertising for which a rental charge is normally made shall be reported as an in-kind contribution at its

fair market value and counts towards any applicable contribution limit of the person providing the facility; or

(e) The rendering of personal services of the sort commonly performed by volunteer campaign workers or incidental expenses personally incurred by volunteer campaign workers not in excess of fifty dollars personally paid by the worker.

AMENDATORY SECTION (Amending WSR 07-08-044, filed 3/28/07, effective 4/28/07)

**WAC 390-16-320 Candidates in small political subdivisions—Reporting.** (1) According to RCW ((~~42.17.030 and 42.17.405(7)~~) 42.17A.200 and 42.17A.135(7)), a candidate for election in any political subdivision must report pursuant to chapter ((~~42.17~~) 42.17A) RCW and Title 390 WAC if the candidate receives five thousand dollars or more in contributions or expects to receive five thousand dollars or more in contributions during an election cycle.

(2) It is presumed the candidate "expects to receive" five thousand dollars or more when any one of the following first occurs:

(a) The candidate or candidate's authorized committee receives at least five thousand dollars in aggregate contributions, including contributions from the candidate;

(b) The candidate is seeking the same office last sought, the candidate's election is in the current calendar year, and his or her campaign contributions in the previous election for the same office were five thousand dollars or more in the aggregate;

(c) The contributions received on or before March 31 of the election year total one thousand two hundred fifty dollars or more;

(d) The contributions received on or before June 30 of the election year total two thousand five hundred dollars or more;

(e) The contributions received on or before September 30 of the election year total three thousand seven hundred fifty dollars or more; or

(f) The candidate otherwise anticipates that five thousand dollars or more will be received during the election cycle.

(3) Surplus funds carried over from a candidate's previous campaign are not contributions to the candidate's new campaign and do not count toward the five thousand dollar reporting threshold.

(4) A candidate or candidate's authorized committee that receives, or expects to receive, five thousand dollars or more shall:

(a) Within two weeks of the date the reporting obligation begins under subsection (1) or (2) of this section, file:

(i) A candidate registration, PDC form C1;

(ii) A personal financial affairs statement, PDC form F1 and, if relevant, the F1 Supplement; and

(iii) Contribution and expenditure reports, PDC forms C3 and C4 with appropriate attachments and schedules; and

(b) Otherwise comply with the campaign finance reporting and other provisions of chapter ((~~42.17~~) 42.17A) RCW and Title 390 WAC.

AMENDATORY SECTION (Amending WSR 93-16-064, filed 7/30/93, effective 8/30/93)

**WAC 390-17-013 Committee—Definition.** "Committee" as that term is used in RCW ((~~42.17.610—42.17.790~~) 42.17A.105, 42.17A.405 through 42.17A.485, and 42.17A.-565) means political committee and authorized committee.

AMENDATORY SECTION (Amending WSR 93-16-064, filed 7/30/93, effective 8/30/93)

**WAC 390-17-015 Conduit—Definition.** (1) "Conduit," as that term is used in chapter ((~~42.17~~) 42.17A) RCW, is defined as a person, other than an individual, who receives and spends earmarked contributions on behalf of a designated candidate, bona fide political party, caucus of the state legislature or other political committee.

(2) Pursuant to RCW ((~~42.17.730~~) 42.17A.470), a conduit may not make or transmit contributions on behalf of another.

AMENDATORY SECTION (Amending WSR 96-05-001, filed 2/7/96, effective 3/9/96)

**WAC 390-17-017 Facilities—Definition.** "Facilities," as that term is used in RCW ((~~42.17.020(8)~~) 42.17A.005(7)), means that which facilitates or makes some campaign activity possible, including but not limited to: Use of stationary, postage, machines and equipment, use of employees of an entity during working hours, vehicles, office space, room or building, publications of an entity or client list of an entity.

AMENDATORY SECTION (Amending WSR 07-07-005, filed 3/8/07, effective 4/8/07)

**WAC 390-17-030 Sample ballots and slate cards.** (1) **Intent.** The commission finds that, under certain conditions, expenditures for slate cards and other candidate listings fall within the scope of RCW ((~~42.17.640(15)~~) 42.17A.405(15)) and are, therefore, exempt from contribution limits and eligible for payment with a bona fide political party's exempt funds. Slate cards and other candidate listings remain reportable under chapter ((~~42.17~~) 42.17A) RCW and subject to the political advertising provisions of the law.

The purpose of this exemption from the contribution limits is to allow political parties and other sponsors to tell the general public which candidates they support. The exemption is not intended as a device to circumvent the contribution limits and full reporting requirements by undertaking any degree of significant campaigning on behalf of candidates.

(2) For purposes of RCW ((~~42.17.020(21)~~) 42.17A.005(19)) and ((~~42.17.640(15)~~) 42.17A.405(15)), "**sample ballots**" means slate cards, or other candidate listings, whether written or oral, that satisfy the qualifying criteria specified in subsection (10) of this section.

(3) Sample ballots constitute political advertising for a slate or list of candidates and must be properly identified and otherwise in compliance with the provisions of RCW ((~~42.17.510~~) 42.17A.320) through ((~~42.17.550~~) 42.17A.340).

(4)(a) **A bona fide political party** may use contributions it receives pursuant to RCW ((42-17-640(15))) 42.17A.405(15) to produce and distribute sample ballots.

(b) Expenditures for sample ballots do not count against a bona fide political party's contribution limit to the candidates listed on the sample ballot. Further, when reporting sample ballot expenditures, a bona fide political party is not required to attribute a portion of the expenditure to each of the candidates listed on the sample ballot, but the names of the candidates must be reported along with the other information required by chapter ((42-17)) 42.17A RCW and chapter 390-17 WAC.

(5) **Any person**, as defined by RCW ((42-17-020)) 42.17A.005, who makes an expenditure for sample ballots has made an expenditure that does not count against that person's contribution limit to the candidates listed.

(6) **An in-state political committee**, when disclosing expenditures for sample ballots as part of its C-4 report, is not required to attribute a portion of the expenditure to the candidates listed on the sample ballot, but the names of the candidates and their respective party affiliations must be reported along with other information required by chapter ((42-17)) 42.17A RCW and chapter 390-17 WAC.

(7) **An out-of-state committee**, when disclosing expenditures for sample ballots on a C-5 report, is not required to allocate a portion of the expenditure to the candidates listed on the sample ballot, but must report that an expenditure for sample ballots was made, the name and address of the person to whom the expenditure was made, the full amount of the expenditure, and the name, office sought and party affiliation of each candidate listed on the sample ballot. The report is due no later than the 10th day of the month following the month in which the expenditure was made.

(8) If a **lobbyist or lobbyist employer** makes expenditures for sample ballots, those expenditures are required to be reported in detail on the lobbyist's monthly L-2 report. Itemization of these expenditures must include the names and respective party affiliations of the candidates listed on the sample ballot, but no portion of the expenditure need be allocated to individual candidates listed on the sample ballot.

(9) **The candidates listed on a sample ballot** are not required to report any portion of the expenditure as an in-kind contribution to their campaigns.

(10) **Qualifying criteria for sample ballots, slate cards and other candidate listings.** In order not to count against a person's contribution limit to the candidates listed on a sample ballot and, in the case of a bona fide political party, in order to be eligible for payment with contributions received pursuant to RCW ((42-17-640(15))) 42.17A.405(15), a sample ballot must satisfy **all** of the criteria in (a) through (d) of this subsection.

(a) The sample ballot must list the names of at least three candidates for election to public office in Washington state and be distributed in a geographical area where voters are eligible to vote for at least three candidates listed. The candidate listing may include any combination of three or more candidates, whether the candidates are seeking federal, state or local office in Washington.

(b) The sample ballot must not be distributed through public political advertising; for example, through broadcast

media, newspapers, magazines, billboards or the like. The sample ballot may be distributed through direct mail, telephone, electronic mail, Web sites, electronic bulletin boards, electronic billboards or personal delivery by volunteers.

(c) The content of a sample ballot is limited to:

- The identification of each candidate (pictures may be used);
- The office or position currently held;
- The office sought;
- Party affiliation; and
- Information about voting hours and locations.

Therefore, the sample ballot must exclude any additional biographical data on candidates and their positions on issues as well as statements about the sponsor's philosophy, goals or accomplishments. The list must also exclude any statements, check marks or other indications showing support of or opposition to ballot propositions.

(d) The sample ballot is a stand-alone political advertisement. It must not be a portion of a more comprehensive message or combined in the same mailing or packet with any other information, including get-out-the-vote material, candidate brochures, or statements about the sponsor's philosophy, goals or accomplishments. On Web sites, electronic bulletin boards or electronic billboards, the sample ballot must be a separate document.

AMENDATORY SECTION (Amending WSR 11-05-050, filed 2/10/11, effective 3/13/11)

**WAC 390-17-060 Exempt activities—Definitions, reporting.** (1)(a) "Exempt contributions" are contributions made to a political committee which are earmarked for exempt activities as described in RCW ((42-17-640)) 42.17A.405. Such contributions are required to be reported under RCW ((42-17-090)) 42.17A.240, are subject to the restrictions in RCW ((42-17-105(8))) 42.17A.420, but are not subject to the contribution limits in RCW ((42-17-640)) 42.17A.405. Any written solicitation for exempt contributions must be so designated. Suggested designations are "not for individual candidates" or "for exempt activities."

(b) Contributions made to a caucus political committee, to a candidate or candidate's authorized committee which are earmarked for voter registration, absentee ballot information, get-out-the-vote campaigns, sample ballots are presumed to be for the purpose of promoting individual candidates and are subject to the contribution limits in RCW ((42-17-640)) 42.17A.405.

(c) Contributions made to a caucus political committee, to a candidate or candidate's authorized committee which are earmarked for internal organization expenditures or fundraising are presumed to be with direct association with individual candidates and are subject to the contribution limits in RCW ((42-17-640)) 42.17A.405.

(2) "Exempt contributions account" is the separate bank account into which only exempt contributions are deposited and out of which only expenditures for exempt activities shall be made.

(3) "Exempt activities" are those activities referenced in RCW ((42-17-640)) 42.17A.405 as further clarified by sub-

sections (4), (5), and (6) of this section. Only exempt activities are eligible for payment with exempt contributions.

(4)(a) Activities referenced in RCW ((~~42.17.640~~) 42.17A.405) (15)(a) that do not promote, or constitute political advertising for, one or more clearly identified candidates qualify as exempt activities. For example, get-out-the-vote telephone bank activity that only encourages persons called to "vote republican" or "vote democratic" in the upcoming election may be paid for with exempt contributions regardless of the number of candidates who are benefited by this message. Expenditures or contributions for electioneering communications made in cooperation, consultation, concert or collaboration with, or at the request or suggestion of a candidate, the candidate's authorized committee or agent do not qualify as exempt activities, under WAC 390-05-210.

(b) Except as permitted under WAC 390-17-030, Sample ballots and slate cards, activities referenced in RCW ((~~42.17.640~~) 42.17A.405) (15)(a) that promote or constitute political advertising for one or more clearly identified candidates do not qualify as exempt activities.

(c) A candidate is deemed to be clearly identified if the name of the candidate is used, a photograph or likeness of the candidate appears, or the identity of the candidate is apparent by unambiguous reference.

(5)(a) "Internal organization expenditures" referenced in RCW ((~~42.17.640~~) 42.17A.405) (15)(b) are expenditures for organization purposes, including legal and accounting services, rental and purchase of equipment and office space, utilities and telephones, postage and printing of newsletters for the organization's members or contributors or staff when engaged in organizational activities such as those previously listed, all without direct association with individual candidates.

(b) "Fund-raising expenditures" referenced in RCW ((~~42.17.640~~) 42.17A.405) (15)(b) are expenditures for fund-raising purposes, including facilities for fund-raisers, consumables furnished at the event and the cost of holding social events and party conventions, all without direct association with individual candidates.

(c) If expenditures made pursuant to ((~~subsections~~)) (a) and (b) ((~~above~~)) of this subsection are made in direct association with individual candidates, they shall not be paid with exempt contributions.

(6) For purposes of RCW ((~~42.17.640~~) 42.17A.405) and this section, activities that oppose one or more clearly identified candidates are presumed to promote the opponent(s) of the candidate(s) opposed.

**AMENDATORY SECTION** (Amending WSR 07-07-005, filed 3/8/07, effective 4/8/07)

**WAC 390-17-065 Recordkeeping and reporting of exempt contributions accounts.** (1) Any political committee that receives exempt contributions as defined by RCW ((~~42.17.640~~) 42.17A.405) and WAC 390-17-060 shall keep the contributions in a separate bank account. Exempt contributions commingled with contributions subject to contribution limits are presumed to be subject to the limits. Expenditures to promote candidates or which are made for purposes other than those specified in RCW ((~~42.17.640~~) 42.17A.405)

shall not be made with funds from the exempt contributions account.

(2)(a) Separate campaign disclosure reports shall be completed and filed for an exempt contributions account.

(b) Political committees maintaining an exempt contributions account shall make known the existence of the account by filing a statement of organization for the account pursuant to RCW ((~~42.17.040~~) 42.17A.205).

(c) Political committees maintaining an exempt contributions account shall be subject to the provisions of chapter ((~~42.17~~) 42.17A) RCW and file the disclosure reports required by this chapter for the account pursuant to RCW ((~~42.17.080~~) 42.17A.235).

(3) Contributors shall not use a single written instrument to make simultaneous contributions to an exempt contributions account and any other committee account; separate written instruments must be used to make contributions to an exempt contributions account.

**AMENDATORY SECTION** (Amending WSR 93-22-002, filed 10/20/93, effective 11/20/93)

**WAC 390-17-070 Trade association—Definition.** "Trade association," as that term is used in RCW ((~~42.17.660~~) 42.17A.455), means a membership organization of persons engaging in a similar or related line of commerce, organized to promote and improve business conditions in that line of commerce and not to engage in a regular business of a kind ordinarily carried on for profit and for which no part of net earnings inures to the benefit of any member.

**AMENDATORY SECTION** (Amending WSR 94-05-010, filed 2/3/94, effective 3/6/94)

**WAC 390-17-071 Collective bargaining association—Definition.** "Collective bargaining association" and "collective bargaining organization" as those terms are used in RCW ((~~42.17.660~~) 42.17A.455) means any organization which negotiates, on behalf of labor or management, with respect to wages, hours or conditions of employment.

**AMENDATORY SECTION** (Amending WSR 03-08-052, filed 3/28/03, effective 4/28/03)

**WAC 390-17-100 Contribution withholding authorizations.** (1) Each employer or other person who withholds or otherwise diverts a portion of wages or salary of a Washington resident or a nonresident whose primary place of work is in the state of Washington,

(a) For the purpose of making one or more contributions to any political committee required to report pursuant to RCW ((~~42.17.040, 42.17.050, 42.17.065, 42.17.080 or 42.17.090~~)) 42.17A.205, 42.17A.215, 42.17A.225, 42.17A.235 or 42.17A.240; or

(b) For use, specifically designated by the contributing employee, for political contributions to candidates for state or local office is required for (a) and (b) of this subsection to have on file the written authorization of the individual subject to the payroll withholding or diversion of wages.

(2) Forms used for payroll deduction may either conform to the suggested format below or in a different format if it provides the following information:

- (a) The name of the individual authorizing the withholding or diversion;
- (b) The name of the individual's employer;
- (c) The name of each political committee for which contributions are to be withheld;
- (d) If more than one political committee is specified, the total dollar amount per pay period (or per week, month or year) to be withheld for each committee;
- (e) A statement specifying that the authorization may be revoked at any time and such revocation shall be in writing;

- (f) A statement that reads: "No employer or labor organization may discriminate against an officer or employee in the terms or conditions of employment for (i) the failure to contribute to, (ii) the failure in any way to support or oppose, or (iii) in any way supporting or opposing a candidate, ballot proposition, political party, or political committee"; or a statement that informs the employee of the prohibition against employer and labor organization discrimination described in RCW ((42.17.680(2))) 42.17A.495;
  - (g) The individual's signature; and
  - (h) The date on which the form was completed.
- (3) Forms used for payroll deduction may have information in addition to that listed above.

**Political Contribution Withholding Authorization**

**No employer or other person may withhold a portion of a Washington State resident's earnings (or that of a nonresident whose primary place of work is in Washington) in order to make contributions to a political committee that must report to the Public Disclosure Commission or to a candidate for state or local office without written permission from that individual. Completion of this form entitles the entity specified to make such a withholding. This authorization form remains in effect until revoked in writing by the employee.**

I, \_\_\_\_\_, authorize \_\_\_\_\_

First Name	Middle Initial	Last Name	Name of Employer or Other Person
to withhold \$ _____			per/pay period/week/month/year/
Amount			Circle One

from my earnings in order to make political contributions to \_\_\_\_\_

Name of \_\_\_\_\_

political committee(s) and/or candidate(s) to receive deductions  
 If more than one recipient is indicated, each is to receive the following portion of the deduction made: \_\_\_\_\_.

**Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

*According to state law, no employer or labor organization may discriminate against an officer or employee in the terms or conditions of employment for (a) the failure to contribute to, (b) the failure in any way to support or oppose, or (c) in any way supporting or opposing a candidate, ballot proposition, political party, or political committee.*

AMENDATORY SECTION (Amending WSR 04-01-129, filed 12/18/03, effective 1/18/04)

**WAC 390-17-105 Small contributors of twenty-five dollars or less.** (1) To comply with RCW ((42.17.680(4))) 42.17A.495(4), each person or entity who withholds contributions of individuals shall, in lieu of disclosing the names and signatures, substitute unique numerical identifiers for persons making contributions in the amount of twenty-five dollars or less during a calendar or fiscal year on the signed withholding authorization form or on other documents (such as payroll deductions) subject to RCW ((42.17.680(4))) 42.17A.495(4).

(2) Contribution withholding authorization forms or payroll deduction documentation of contributors whose annual aggregate contribution is twenty-five dollars or less during any calendar or fiscal year are not required by the commission to be made available for public inspection or copying when such records display the names, signatures, home

addresses, Social Security numbers, or other information capable of personally identifying contributors whose annual aggregate contribution is twenty-five dollars or less during any calendar or fiscal year.

(3) The names, signatures, home addresses, Social Security numbers or other information capable of personally identifying contributors whose annual aggregate contribution to a person or entity is twenty-five dollars or less during any calendar or fiscal year shall not be provided by the commission to the public or made available for public inspection or copying.

(4) Each person or entity who withholds contributions under RCW ((42.17.680)) 42.17A.495 shall, upon request, deliver to the commission documents of books and accounts described in RCW ((42.17.680(4))) 42.17A.495(4).



AMENDATORY SECTION (Amending WSR 03-08-050, filed 3/28/03, effective 4/28/03)

**WAC 390-17-110 Employee notification of withholding provisions.** (1)(a) By June 30, 2003, and at least annually by June 30 thereafter, employees from whom funds are being withheld for contributions to a candidate or political committee under RCW ((42.17.680)) 42.17A.495 shall be notified, in writing, of the nondiscriminatory provisions of RCW ((42.17.680(2))) 42.17A.495(2). Employee notification shall include the following language:

"No employer or labor organization may discriminate against an officer or employee in the terms or conditions of employment for:

- (i) The failure to contribute to;
- (ii) The failure in any way to support or oppose; or
- (iii) In any way supporting or opposing a candidate, ballot proposition, political party, or political committee."

(b) The written notification shall be provided by the employer or labor organization. The employer or labor organization may agree on which entity shall send the notification.

(2)(a) Pursuant to RCW ((42.17.680(3))) 42.17A.495(3), by June 30, 2003, and at least annually by June 30 thereafter, each employer or other person or entity responsible for the disbursement of funds in payment of wages or salaries shall ensure written notification is directly provided to the employees from whom funds are being withheld for contributions to a candidate or political committee stating that the employee authorization for withholding of wages or salary for such contributions may be revoked at any time. The employer or other person or entity responsible for the disbursement of funds in payment of wages or salaries and the candidate, political committee, or sponsor of the political committee may agree on which of them shall send the notification.

(b) The written notification shall identify where an employee can submit the revocation, which shall be either:

- (i) The name and address of employer's contact; or
- (ii) The name and address of the person or entity responsible for the disbursement of funds in payment of wages or salaries.

(c) The employee withholding authorization is revoked as of:

- (i) The date specified in the revocation; or
- (ii) If no date is specified, as of the date the written notification is received by the employer or other person or entity responsible for the disbursement of funds in payment of wages or salaries pursuant to RCW ((42.17.680)) 42.17A.495.

(3) "Written notification" means notice provided by mail, e-mail, newsletter, payroll insert or other similar direct communication in writing that is addressed to the employee. Posting information on web sites, bulletin boards and other passive communication vehicles shall not constitute notification under RCW ((42.17.680)) 42.17A.495. If the written notification appears in a newsletter or similar publication, the notice shall be prominently displayed or announced on the first page of the written communication.

(4) Each employer or other person who provides notice pursuant to subsection (1) or (2) of this section shall maintain

a copy of the annual notification and a listing of employees notified for a period of no less than five years.

AMENDATORY SECTION (Amending WSR 07-07-005, filed 3/8/07, effective 4/8/07)

**WAC 390-17-300 Contribution designation for primary and general election.** (1) Pursuant to RCW ((42.17.640)) 42.17A.405 and 42.17A.410, if a contribution is designated in writing by the contributor for a specific election, the contribution will be attributed to the contributor's limit for that designated election.

(2) An undesignated contribution made prior to the date of a primary election shall be attributed to the contributor's limit for the primary election. Undesignated contributions made after the date of the primary shall be attributed to the contributor's limit for the general election.

(3) Any portion of an undesignated contribution made prior to the date of the primary which exceeds the contributor's primary election contribution limit shall be attributed to the contributor's limit for the general election.

(4) Contributions for the primary election shall be accounted for separately from those for the general election, such that campaign records reflect one aggregate contribution total for each contributor giving in the primary election as well as one aggregate contribution total for each contributor giving in the general election.

(5) General election contributions shall not be spent for the primary election if to do so would cause the contributor of the general election contribution to exceed that contributor's contribution limit for the primary election.

(6) If a candidate loses in the primary election, or otherwise is not a candidate in the general election, all contributions attributed to the primary election remaining after repayment of outstanding campaign obligations shall be considered surplus funds, disposal of which is governed by RCW ((42.17.095)) 42.17A.430. If a candidate loses in the primary election, or otherwise is not a candidate in the general election, all contributions attributed to the general election shall be returned to the contributors of the funds in an amount equal to the contributor's general election aggregate total. If a portion of a contributor's general election contribution was spent on the primary election consistent with subsection (5) of this section, the amount returned to the contributor may be reduced by the amount of the contribution spent on the primary election.

AMENDATORY SECTION (Amending WSR 10-20-012, filed 9/24/10, effective 10/25/10)

**WAC 390-17-302 Contributions after the primary election.** (1) Pursuant to RCW ((42.17.640)) 42.17A.405 and ((42.17.645)) 42.17A.410, the date of the primary is the last day for making primary-related contributions unless a candidate subject to contribution limits loses in the primary, that candidate's authorized committee has insufficient funds to pay debts outstanding as of the date of the primary, and the contributions are used to satisfy this outstanding debt.

(2) For purposes of the contribution limit in RCW ((42.17.640)) 42.17A.405 and ((42.17.645)) 42.17A.410, any contribution made up to thirty days after the primary election

pursuant to RCW ((42.17.640)) 42.17A.405 and ((42.17.645)) 42.17A.410 is aggregated with contributions made on or before the date of the primary from the same contributor and any person with whom that contributor shares a limit under RCW ((42.17.660)) 42.17A.455 and WAC 390-16-309.

(3) The day following the primary election is considered the first day of the thirty-day period during which contributions may be made to candidates subject to contribution limits who lose in the primary election and who have outstanding primary debts.

(4) For purposes of RCW ((42.17.640)) 42.17A.405 and ((42.17.645)) 42.17A.410, "outstanding primary debts," "outstanding debts" and "debts outstanding" all mean:

(a) Unpaid primary-election related debts incurred on or before the date of the primary by the authorized committee of a candidate who lost the primary election for an office subject to contribution limits; and

(b) Reasonable costs associated with activities of the losing candidate's authorized committee necessary to retire the primary-related debts it incurred on or before the date of the primary. Examples of such reasonable costs include:

(i) Necessary administrative expenses (office space rental, staff wages, taxes, supplies, telephone and computer costs, postage, and the like) for activities actually and directly related to retiring the committee's debt; and

(ii) Necessary expenses actually and directly related to the fund-raising activities undertaken to retire the debt, as long as all persons solicited for contributions are notified that the contributions are subject to that contributor's primary election limit for that losing candidate.

(5) Nothing in this section is to be construed as authorizing contributors to make, or candidates subject to contribution limits who lose the primary to receive, contributions that are used for a purpose not specifically authorized by RCW ((42.17.640)) 42.17A.405 or ((42.17.645)) 42.17A.410, including use for some future election or as surplus funds.

(6) All contributions received in excess of the sum needed to satisfy outstanding primary debts shall be returned to the original contributors in an amount not to exceed the amount contributed in accordance with the first in, first out accounting principle wherein the most recent contribution received is the first to be returned until all excess funds are returned to contributors.

**AMENDATORY SECTION** (Amending WSR 07-14-126, filed 7/3/07, effective 11/7/07)

**WAC 390-17-303 Superior court candidates—Eligibility to receive contributions.** (1) Candidates for judicial office are subject to the contribution limits in RCW ((42.17.645)) 42.17A.410 and the timing restriction on contributions of a candidate's personal funds in RCW ((42.17.105(8))) 42.17A.420. Pursuant to Article 4, Section 29, Amendment 41 of the state Constitution and RCW ((42.17.645)) 42.17A.410, candidates for the office of judge of the superior court may only receive contributions for each election in which the candidate is on the ballot or appears as a write-in candidate.

(2) For purposes of RCW ((42.17.645)) 42.17A.410:

(a) Only superior court candidates who appear on the primary election ballot or as write-in candidates in the primary election may receive contributions with respect to that primary; and

(b) Only superior court candidates who appear on the general election ballot or as write-in candidates in the general election may receive contributions with respect to that general election.

(3)(a) A superior court candidate who is issued a certificate of election before the primary election and whose name does not appear on either the primary or general election ballot may receive contributions pursuant to RCW ((42.17.645)) 42.17A.410:

(i) Through the last day for withdrawal of declarations of candidacy pursuant to RCW 29A.24.131; or

(ii) If there is a reopening of filing for the position and no other candidate files, the last day for reopening of filing pursuant to RCW 29A.24.171 and 29A.24.181.

(b) Contributions remaining in the account of such a superior court candidate who is issued a certificate of election must be returned to contributors within two weeks of certification. Primary election related contributions are to be returned using the first-in, first-out accounting method. Any contributions received with respect to the general election must be returned in full to contributors.

(4) A superior court candidate who is issued a certificate of election after the primary election and whose name does not appear on the general election ballot may receive contributions pursuant to RCW ((42.17.645)) 42.17A.410. However, contributions received with respect to the general election must be returned in full to contributors within two weeks of certification.

**AMENDATORY SECTION** (Amending WSR 09-01-063, filed 12/11/08, effective 1/11/09)

**WAC 390-17-305 Personal funds of a candidate.** (1)

The personal funds of a candidate include:

(a) Assets which the candidate has legal access to or control over, and which he or she has legal title to or an equitable interest in, at the time of candidacy;

(b) Income from employment;

(c) Dividends and proceeds from stocks and other investments;

(d) Income from trusts, if established before candidacy;

(e) Income from trusts established from bequests, even if established after candidacy;

(f) Personal gifts, if customarily received; and

(g) Proceeds from lotteries and similar games of chance.

(2) A candidate may also use, as personal funds, his or her portion of assets owned jointly with a spouse or domestic partner. If the candidate's financial interest is not specified, then the candidate's share is deemed to be half the value of the asset.

(3) If any person gives or loans the candidate funds in connection with his or her campaign, the funds are not considered personal funds of the candidate. Such funds are considered a contribution under chapter ((42.17)) 42.17A RCW unless the loan meets the exemption provided in RCW ((42.17.720(3))) 42.17A.465(3).

AMENDATORY SECTION (Amending WSR 07-07-005, filed 3/8/07, effective 4/8/07)

**WAC 390-17-310 Doing business in Washington.** A corporation or business entity is "doing business in Washington state" for purposes of RCW ((42.17.640)) 42.17A.405 if it conducts continuous or substantial activities in Washington state of such character as to give rise to a legal obligation.

In determining whether a corporation or business entity is doing business in Washington state, the commission will take into consideration the following nonexclusive list of indicators:

- Purposefully availing itself of the privilege of conducting business in the state by invoking both benefits and protections of state law.
- Appointing an agent for service of process in Washington state.
- Registering as a corporation in Washington.
- Operating business locations in Washington.
- Hiring employees to work in Washington.
- Purchasing or selling goods or services in Washington.
- Operating an interactive internet web site for the purpose of conducting business.

AMENDATORY SECTION (Amending WSR 07-07-005, filed 3/8/07, effective 4/8/07)

**WAC 390-17-320 Contributions from corporations, businesses, unions and political committees.** Pursuant to RCW ((42.17.640)) 42.17A.405, entities prohibited from contributing to a candidate for state office, a state official against whom recall charges have been filed or a political committee having the expectation of making expenditures in support of the recall of the official shall not earmark or otherwise direct a contribution to one of these recipients through a political committee.

AMENDATORY SECTION (Amending WSR 08-01-062 and 08-06-067, filed 12/14/07 and 3/3/08, effective 1/14/08 and 4/3/08)

**WAC 390-17-400 Time limit to solicit or accept contributions.** The purpose of this rule is to clarify and implement RCW ((42.17.710)) 42.17A.560.

(1) **"Campaign debt,"** as used in RCW ((42.17.710)) 42.17A.560 and this rule, means any debt incurred by a candidate seeking election to a nonfederal public office, including campaigns for state, county, city, town, school district, special district or other state political subdivision elective office.

(2) **"Known candidates"** means individuals who are, or who become, candidates for state or local office during a legislative session freeze period.

(3) **"Legislative session freeze period"** means the period of time in RCW ((42.17.710)) 42.17A.560 within which contributions shall not be solicited or accepted by a state official or a person employed by or acting on behalf of a state official.

(a) The freeze period begins at 12:01 a.m. on the thirtieth day before the start of the regular legislative session and ends

at 11:59 p.m. on the day of adjournment of the regular legislative session.

(b) If a special session is held immediately following the end of the regular legislative session, the freeze period ends at 11:59 p.m. on the day the special session adjourns.

(c) If a special session is held other than within thirty days before a regular legislative session, the freeze period begins at 12:01 a.m. on the first day of the special session and ends at 11:59 p.m. on the final day of the special session.

(4) A successful candidate for state office who does not already hold a state office is not required to comply with RCW ((42.17.710)) 42.17A.560 until sworn into office.

(5) A state official must comply with RCW ((42.17.710)) 42.17A.560 until he or she no longer holds state office.

(6) **"Person employed by or acting on behalf of a state official"** includes a caucus political committee or any political committee financed or controlled by a legislative caucus as a whole or by one or more officers of a caucus political committee.

(7) **State officials may do the following.** During a legislative session freeze period, the activities in which state officials may engage include, but are not limited to:

(a) Soliciting or accepting contributions to assist his or her own campaign for federal office;

(b) Accepting gifts or other items permitted under chapter 42.52 RCW, so long as the gift or other item is not

- A contribution to an incumbent state official or known candidate,
- A contribution to a public office fund,
- Used to pay a nonreimbursed public office related expense, or
- Used to retire a campaign debt;

(c) Attending and speaking at a fund raising event held by or on behalf of a bona fide political party, so long as the contributions raised are not earmarked or otherwise designated for any incumbent state official or known candidate;

(d) Transferring their own personal funds, as defined in WAC 390-17-305, or their own surplus funds, as defined in RCW ((42.17.020)) 42.17A.005, to their own campaign account, so long as the funds are properly reported;

(e) Soliciting or accepting contributions on behalf of a nonprofit charity; or

(f) Soliciting or accepting contributions on behalf of any political committee, including a caucus political committee, a bona fide political party or a ballot measure committee, so long as the political committee does not spend the contributions for the benefit of incumbent state officials or known candidates.

(8) **State officials may not do the following.** During a legislative session freeze period, a state official, or a person employed by or acting on behalf of a state official, may not solicit or accept contributions that:

- (a) Go to an incumbent state official or known candidate;
- (b) Go to a public office fund;
- (c) Are used to pay a nonreimbursed public office related expense;
- (d) Are used to retire a campaign debt;

(e) Go to a caucus political committee if the committee spends the contributions for the benefit of incumbent state officials or known candidates; or

(f) Go to a bona fide political party or a political committee if the political party or committee spends the contributions for the benefit of incumbent state officials or known candidates.

(9) **Caucus political committees.** During a legislative session freeze period, a caucus political committee

(a) May solicit or accept contributions from caucus members if the members make the contributions with their own personal funds, as defined in WAC 390-17-305, or with their own surplus funds, as defined in RCW ((42.17.020)) 42.17A.005;

(b) May not solicit or accept contributions for any of the purposes specified in subsection (8) of this rule.

(10) **Persons acting on behalf of state officials.** During a legislative session freeze period, a person employed by or acting on behalf of a state official may not solicit or accept contributions for any of the purposes specified in subsection (8) of this ((rule)) section.

(11) **Bona fide political parties.** During a legislative session freeze period, a bona fide political party may not solicit or accept contributions that are

- Used for a public office fund,
- Used for a state official's nonreimbursed public office related expenses,
- Used for retiring a state official's campaign debt, or
- Earmarked contributions to specific incumbent state officials or known candidates.

However, a bona fide political party may solicit or accept contributions for its own fund raising purposes.

(12) **Segregating session freeze funds.** During a legislative session freeze period, if a state official, a caucus political committee, or another person employed by or acting on behalf of a state official solicits or accepts contributions to

- A caucus political committee,
- A bona fide political party, or
- Any political committee that supports or opposes state or local office candidates, the contributions are presumed to violate RCW ((42.17.710)) 42.17A.-560, unless the contributions are
- Deposited into a separate bank account and
- Not spent for the benefit of incumbent state officials or known candidates.

However, nothing in this subsection authorizes a state official, a caucus political committee or any person employed by or acting on behalf of a state official to take any of the actions prohibited by subsection((s)) (8) or (9)(b) of this ((rule)) section.

(13) **Session freeze solicitations.** If a person is solicited for a contribution during the legislative session freeze period

- By a state official, a caucus political committee, or another person employed by or acting on behalf of a state official, and
- The contribution is to a caucus political committee, a bona fide political party, or a political committee

that supports or opposes candidates for state or local office, and

- The person makes a contribution during or after the freeze period in response to this solicitation, the contribution is subject to RCW ((42.17.710)) 42.17A.560 and subsection (12) of this ((rule)) section.

(14) **Spending contributions to benefit incumbents or known candidates.** For purposes of complying with subsections (7)(f), (8)(e) and (f), and (12) of this ((rule)) section, contributions are considered spent for the benefit of incumbent state officials or known candidates if the contributions are used at any time for one or more of the following purposes.

(a) Contributions to incumbent state officials or known candidates.

(b) Independent expenditures supporting incumbent state officials or known candidates, or opposing their opponents, whether or not the opponents are themselves known candidates during a legislative session freeze period.

(c) Payments to staff, consultants or advisors for performing activities that directly assist or promote the election of incumbent state officials or known candidates.

(d) Polls or surveys that relate to incumbent state officials, known candidates or their districts, or to general voter attitudes or preferences, unless

- A poll or survey is produced, conducted, tabulated and analyzed according to the terms of a written confidentiality agreement and, if the agreement is breached, all reasonable steps are taken to enforce it, and
- The results of a poll or survey are not provided by the spender, or with the spender's permission or prior knowledge, to incumbent state officials, known candidates or their agents.

However, candidate recruitment poll or survey results may be provided to an individual who later becomes a known candidate without the expenditure being considered as benefiting a known candidate so long as the poll or survey does not constitute a contribution to the individual or does not otherwise support or promote his or her election to state or local office. For purposes of this subsection, a "candidate recruitment poll or survey" is a poll or survey that is conducted for the sole purpose of recruiting candidates to run for public office and only determines

- The respondent's party preference,
- The level of support the incumbent currently has and how strong that support is, but not why he or she has that support,
- Whether respondents recognize the names of individuals who may decide to seek that elective office,
- Whether respondents currently hold a favorable opinion about these individuals, their abilities or fitness for elective office, but not why such opinions are held,
- Whether respondents would likely vote for one or more of these individuals were they to seek office, but not why respondents would vote in the manner

they indicated or whether they could be persuaded to change their vote, and

- The validity of the poll or survey results.

(e) Any other expenditure that directly benefits or promotes the election to state or local office of incumbent state officials or known candidates.

**AMENDATORY SECTION** (Amending WSR 07-07-005, filed 3/8/07, effective 4/8/07)

**WAC 390-17-405 Volunteer services.** (1) In accordance with RCW ((~~42.17.020 (15)(b)(vi)~~) 42.17A.005 (13)(b)(vi)), an individual may perform services or labor for a candidate or political committee without incurring a contribution, so long as the individual is not compensated by any person for the services or labor rendered and the services are of the kind commonly performed by volunteer campaign workers. These commonly performed services include:

- (a) Office staffing;
- (b) Doorbelling or leaflet drops;
- (c) Mail handling (folding, stuffing, sorting and postal preparation);
- (d) Political or fund raising event staffing;
- (e) Telephone bank activity (conducting voter identification, surveys or polling, and get-out-the-vote campaigns);
- (f) Construction and placement of yard signs, hand-held signs or in-door signs;
- (g) Acting as a driver for candidate or candidate or committee staff;
- (h) Scheduling of campaign appointments and events;
- (i) Transporting voters to polling places on election day;
- (j) Except as provided in subsection (2) of this section, preparing campaign disclosure reports required by chapter ((~~42.17~~) 42.17A) RCW and otherwise helping to ensure compliance with state election or public disclosure laws;
- (k) Campaign consulting and management services, polling and survey design, public relations and advertising, or fund-raising performed by any individual, so long as the individual does not ordinarily charge a fee or receive compensation for providing the service; and
- (l) All similar activities as determined by the commission.

(2) An attorney or accountant may donate his or her professional services to a candidate, a candidate's authorized committee, a political party or a caucus political committee, without making a contribution in accordance with RCW ((~~42.17.020 (15)(b)(viii)~~) 42.17A.005 (13)(b)(viii)), if the attorney or accountant is:

- (a) Employed and his or her employer is paying for the services rendered;
- (b) Self-employed; or
- (c) Performing services for which no compensation is paid by any person. However, neither RCW ((~~42.17.020 (15)(b)(viii)~~) 42.17A.005 (13)(b)(viii)) nor this section authorizes the services of an attorney or an accountant to be provided to a political committee without a contribution ensuing, unless the political committee is a candidate's authorized committee, political party or caucus political committee and the conditions of RCW ((~~42.17.020 (15)(b)(viii)~~) 42.17A.005 (13)(b)(viii)) and (a), (b) or (c) of this subsection

are satisfied, or unless the political committee pays the fair market value of the services rendered.

**AMENDATORY SECTION** (Amending WSR 06-11-132, filed 5/23/06, effective 6/23/06)

**WAC 390-17-410 Electioneering communications may constitute contributions and be subject to limit.** (1) Electioneering communications are contributions when they satisfy the definition of contribution in RCW ((~~42.17.020(15) or 42.17.570~~) 42.17A.005(13) or 42.17A.310).

(2) Contributions are subject to all applicable provisions of chapter ((~~42.17~~) 42.17A) RCW and Title 390 WAC, including RCW ((~~42.17.105(8)~~) 42.17A.405, 42.17A.410 and ((~~42.17.640~~) 42.17A.420).

**AMENDATORY SECTION** (Amending WSR 11-05-051, filed 2/10/11, effective 3/13/11)

**WAC 390-18-010 Advertising, political advertising, electioneering communications, and independent expenditures.** (1) For the purposes of chapter ((~~42.17~~) 42.17A) RCW and Title 390 WAC:

(a) "Sponsor of an electioneering communication, independent expenditure or political advertising" is defined in RCW ((~~42.17.020~~) 42.17A.005).

(b) Unless the context clearly provides otherwise, "advertising" or "advertisement" means political advertising, electioneering communications, or independent expenditures that are for political advertising and/or electioneering communications subject to the provisions of chapter ((~~42.17~~) 42.17A) RCW and as defined in RCW ((~~42.17.020~~) 42.17A.005 or ((~~42.17.100~~) 42.17A.255).

(2) With advertising for which no payment is demanded or for which a cost is not readily ascertainable, the sponsor is the candidate, political committee or person who solicits or arranges for the advertising to be displayed or broadcast.

(3) If more than one person sponsors specific advertising, the identity of each sponsor must be shown. However, if a person contributes in cash or in-kind to a candidate or political committee to assist in paying the cost of advertising, that person is not deemed a sponsor provided the contribution is reported in accordance with applicable provisions of chapter ((~~42.17~~) 42.17A) RCW and Title 390 WAC.

(4) Printed advertising shall clearly state, in an area set apart from any other printed matter, that it has been paid for by the sponsor (Example: (1) Paid for by the XYZ committee, mailing address, city, state, zip code; (2) Vote for John Doe, paid for by John Doe, mailing address, city, state, zip code). However, printed advertising undertaken as an independent expenditure or electioneering communication shall comply with the "no candidate authorized this ad" sponsor identification and, if relevant, the "top five contributors" and identification of the individual, corporation, union, association, or other entity that established, maintains, or controls the sponsoring political committee provisions of RCW ((~~42.17.510~~) 42.17A.320) and provide this information in an area set apart from any other printed matter. Political committees that sponsor independent expenditure or electioneering communication printed advertising are required to provide the "top five contributors" to that political committee

pursuant to WAC 390-18-025; however, this requirement does not apply to bona fide political parties sponsoring independent expenditures.

(5)(a) Advertising consisting of more than one page but intended to be presented as a single item (e.g., 3-page letter with return envelope) must identify the sponsor on the first page or fold of the advertising. Identification on an enclosed return envelope or the envelope in which the advertising is sent is not sufficient.

(b) Advertising which is a collection of several items relating to more than one candidate or committee and distributed simultaneously must show the respective sponsor on the respective items.

(6) The name of the sponsor of all radio or television advertising shall be clearly spoken or identified as required in RCW ((42-17-510)) 42.17A.320.

(a) All radio, telephone and television advertising undertaken as an independent expenditure as defined in RCW ((42-17-020)) 42.17A.005 shall comply with the "no candidate authorized this ad" sponsor identification and, if relevant, the "top five contributors" provisions of RCW ((42-17-510)) 42.17A.320 and this information shall be clearly spoken or identified as provided in RCW ((42-17-510)) 42.17A.320.

(b) All radio and television advertising undertaken as an electioneering communication as defined in RCW ((42-17-020)) 42.17A.005 shall comply with the "no candidate authorized this ad" sponsor identification and, if relevant, the "top five contributors" provisions of RCW ((42-17-510)) 42.17A.320 and this information shall be clearly spoken or identified as provided in RCW ((42-17-510)) 42.17A.320.

(c) Political committees that sponsor independent expenditure or electioneering communication radio and television advertising are required to clearly speak or otherwise identify the "top five contributors" to that political committee pursuant to WAC 390-18-025; however, this requirement does not apply to bona fide political parties sponsoring independent expenditures.

AMENDATORY SECTION (Amending WSR 06-11-132, filed 5/23/06, effective 6/23/06)

**WAC 390-18-020 Advertising—Political party identification.** (1) According to RCW ((42-17-510)) 42.17A.320, sponsors of advertising supporting or opposing a candidate who has expressed a party or independent preference on the declaration of candidacy must clearly identify the candidate's political party or independent status in the advertising.

(2) According to RCW ((42-17-510)) 42.17A.320, sponsors of electioneering communications identifying a candidate who has expressed a party or independent preference on the declaration of candidacy must clearly identify the candidate's political party or independent status in the advertising.

(3) To assist sponsors in complying with this requirement, the commission shall publish a list of abbreviations or symbols that clearly identify political party affiliation or independent status. These abbreviations may be used by sponsors to identify a candidate's political party.

AMENDATORY SECTION (Amending WSR 07-08-044, filed 3/28/07, effective 4/28/07)

**WAC 390-18-025 Advertising—Identification of "top five contributors."** (1) For purposes of RCW ((42-17-510)) 42.17A.320 (2), (4) and (5), "top five contributors" means the five persons, as defined in RCW ((42-17-020)) 42.17A.005, giving the largest aggregate contributions exceeding seven hundred dollars during the twelve-month period preceding the date on which the advertisement is published or otherwise presented to the public. If more than five contributors give an amount equal to the largest aggregate contribution exceeding seven hundred dollars and the funds are received during the relevant twelve-month period, the political committee sponsoring the advertisement shall select five of these contributors to identify as the top five contributors.

(2) For independent expenditure advertisements or electioneering communications, the "top five contributors" identification requirement of RCW ((42-17-510)) 42.17A.320 applies to all political committees that make independent expenditures, including continuing political committees and out-of-state political committees subject to chapter ((42-17)) 42.17A RCW other than a bona fide political party committee.

(3) If a political committee keeps records necessary to track contributions according to the use intended by contributors, and the committee subsequently makes independent expenditures for advertisements supporting or opposing a candidate or slate of candidates or an electioneering communication identifying a specific candidate or slate of candidates, that committee may identify the top five contributors giving for that purpose, as opposed to identifying the overall top five contributors to the committee as is otherwise required by RCW ((42-17-510)) 42.17A.320 and this section.

However, a contributor's contributions earmarked for independent expenditures supporting or opposing a specific candidate or slate of candidates or electioneering communications identifying a specific candidate or slate of candidates shall not be used with respect to a different candidate or slate of candidates without the contributor being identified as one of the top five contributors for the actual expenditure if that contributor is one of the top five contributors for that expenditure.

AMENDATORY SECTION (Amending WSR 06-11-132, filed 5/23/06, effective 6/23/06)

**WAC 390-18-027 Medium that does not include a visual image.** (1) For electioneering communications identifying sponsors and top five contributors as required by RCW ((42-17-510)) 42.17A.320 a "medium that does not include a visual image" means radio.

(2) For independent expenditures identifying sponsors and top five contributors as required by RCW ((42-17-510)) 42.17A.320 a "medium that does not include a visual image" means radio or telephone transmissions.

AMENDATORY SECTION (Amending WSR 11-05-051, filed 2/10/11, effective 3/13/11)

**WAC 390-18-030 Advertising—Exemptions from identification.** Pursuant to RCW ((42.17.510)) 42.17A.320(6), the following forms of advertising need not include the sponsor's name and address, the "no candidate authorized this ad" sponsor identification, the "top five contributors," or the identification of the individual, corporation, union, association, or other entity that established, maintains, or controls the sponsoring political committee as otherwise required by RCW ((42.17.510)) 42.17A.320 (1) and (2) because such identification is impractical: Ashtrays, badges and badge holders, balloons, bingo chips, brushes, bumper stickers—size 4" x 15" or smaller, buttons, cigarette lighters, clothes pins, clothing, coasters, combs, cups, earrings, emery boards, envelopes, erasers, frisbees, glasses, golf balls, golf tees, hand-held signs, hats, horns, ice scrapers, inscriptions, key rings, knives, labels, letter openers, magnifying glasses, matchbooks, nail clippers, nail files, newspaper ads of one column inch or less, noisemakers, paper and plastic cups, paper and plastic plates, paper weights, pencils, pendants, pennants, pens, pinwheels, plastic tableware, pocket protectors, pot holders, reader boards where message is affixed in moveable letters, ribbons, 12-inch or shorter rulers, shoe horns, skywriting, staple removers, stickers—size 2-3/4" x 1" or smaller, sunglasses, sun visors, swizzle sticks, state or local voters pamphlets published pursuant to law, tickets to fund raisers, water towers, whistles, yard signs—size 4' x 8' or smaller, yo-yos, and all other similar items.

AMENDATORY SECTION (Amending WSR 06-11-132, filed 5/23/06, effective 6/23/06)

**WAC 390-18-050 Commercial advertisers—Public inspection of records.** (1) Pursuant to RCW ((42.17.110)) 42.17A.345, any person, without reference to or permission from the public disclosure commission, is entitled to inspect the advertising records of a commercial advertiser.

(2) No commercial advertiser shall be required to make available for public inspection information regarding advertising prior to the time when the advertisement has initially received public distribution or broadcast.

(3) The documents and books of account that must be maintained open for public inspection pursuant to RCW ((42.17.110)) 42.17A.345(1) are:

(a) The name of the candidate or ballot measure supported or opposed;

(b) The name and address of the person who sponsored the advertising;

(c) The total cost of the advertising, how much of that amount has been paid, who made the payment, when it was paid, and what method of payment was used; and

(d) Date(s) the commercial advertiser rendered service.

(4) In addition to subsection (3) of this section and pursuant to RCW ((42.17.110)) 42.17A.345 (1)(b), the documents and books of account open for public inspection must include a description of the major work components or tasks, as specified in (a) through (f) of this subsection, that were required to provide the advertising services.

(a) For printers, reproducers and other persons who provide commercial duplicating services: Quantity of items, item description, design, layout, typesetting, photography, printing, silk screening, binding.

(b) For mailing services: Quantity of items mailed, binding, stuffing, labeling, list or directory services, postage or delivery.

(c) For broadcast media: Time and number of spot advertisements. If the broadcaster provides additional services such as copy writing, talent, production, and tape reproduction, some type of record or notation evidencing the additional service must be available.

(d) For billboard or sign companies: Number and location of signs, design, printing and art work, erection/removal costs.

(e) For specialty or novelty commercial advertisers: Quantity of items provided, silk screening, design, printing and art work.

(f) For newspapers and other print media: Amount of advertising space and dates of publication. If the advertiser provides additional services such as design or layout, some type of record evidencing such additional services must be available.

AMENDATORY SECTION (Amending WSR 10-04-058, filed 1/29/10, effective 3/1/10)

**WAC 390-19-020 Electronic filing—Mandatory filing.** (1) RCW ((42.17.3691)) 42.17A.245 mandates that persons satisfying the qualifying criteria in that section file all contribution and expenditure reports by electronic means.

(2) Persons filing by electronic means shall register with the PDC and receive a filer identification number and password. Filers must have a current C-1 Candidate Registration Statement or a C-1pc Committee Registration Statement and an original signature on file with the PDC prior to receiving a filer identification number.

(3) A filer subject to RCW ((42.17.3691)) 42.17A.245 shall file all PDC C-3 and C-4 reports and all appropriate schedules electronically in compliance with subsection (5) of this section.

(4) Any filer required to file electronically, but who files on paper, is in violation of RCW ((42.17.3691)) 42.17A.245 and may be subject to enforcement action unless the filer is a candidate who has sought and been granted an exception from electronic filing under WAC 390-19-050.

(5) A filer subject to electronic filing shall file reports using one of the following:

(a) The ORCA software (Online Reporting of Campaign Activity) provided free-of-charge by the PDC; or

(b) Any other electronic filing application provided or approved by the PDC.

AMENDATORY SECTION (Amending WSR 01-22-052, filed 10/31/01, effective 1/1/02)


**WAC 390-19-050 Electronic filing—Exceptions.** (1) The commission may make exceptions on a case-by-case basis for candidates whose authorized committees lack the technological ability to file reports electronically.

(2) A candidate seeking an exception under RCW ((42.17.3691) 42.17A.245) shall file with the PDC a written statement of reasons why the authorized committee lacks the ability to file reports electronically.

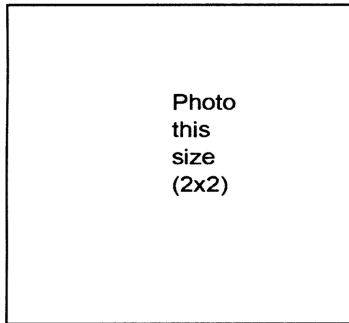


AMENDATORY SECTION (Amending WSR 05-06-070, filed 3/1/05, effective 4/1/05)

**WAC 390-20-0101 Forms for lobbyist registration.** The official form for lobbyist registration as required by RCW ((42.17.150)) 42.17A.600 is designated "L-1," revised 2/05. Copies of this form are available at the commission office, Room 206, Evergreen Plaza Building, Olympia, Washington 98504. Any paper attachments shall be on 8-1/2" x 11" white paper.

 <p style="font-size: small;">PUBLIC DISCLOSURE COMMISSION 711 CAPITOL WAY RM 206 PO BOX 40908 OLYMPIA WA 98504-0908 (360) 753-1111</p>	<h2 style="margin: 0;">LOBBYIST REGISTRATION</h2>	L1	THIS SPACE FOR OFFICE USE																				
1. Lobbyist Name																							
Permanent Business Address		Business Telephone Numbers																					
City State Zip		Permanent ( ) Temporary ( ) Cell Phone ( ) or Pager																					
2. Temporary Thurston County address during legislative session		E-Mail Address																					
3. Employer's name and address (person or group for which you lobby)		Employer's occupation, business or description of purpose of organization																					
4. Name and address of person having custody of accounts, receipts, books or other documents which substantiate lobbyist reports.		E-Mail Address																					
5. What is your pay (compensation) for lobbying? \$ _____ per _____ (hour, day, month, year) Other: Explain:		Description of employment (check one or more boxes)																					
		<input type="checkbox"/> Full time employee <input type="checkbox"/> Part time or temporary employee <input type="checkbox"/> Contractor, retainer or similar agreement <input type="checkbox"/> Unsalariated officer or member of group <input type="checkbox"/> Sole duty is lobbying <input type="checkbox"/> Lobbying is only a part of other duties																					
6. Are you reimbursed for lobbying expenses? Explain which expenses. <input type="checkbox"/> Yes: \$ _____ per _____ <input type="checkbox"/> Yes: I am reimbursed for expenses. <input type="checkbox"/> No: I am not reimbursed for expenses.		Does employer pay any of your lobbying expenses directly? If yes, explain which ones.																					
7. How long do you expect to lobby for this organization? <input type="checkbox"/> Permanent lobbyist <input type="checkbox"/> Only during legislative session <input type="checkbox"/> Other, Explain:																							
8. Is your employer a business or trade association or similar organization which lobbies on behalf of its members? If "yes," attach a list showing the name and address of each member who has paid the association fees, dues or other payments over \$500 during either of the past two years or is expected to pay over \$500 this year. <input type="checkbox"/> No <input type="checkbox"/> Yes. However, no member has paid, pays, or is expected to pay over \$500. <input type="checkbox"/> Yes. The list is attached																							
9. Does your employer have a connected, related or closely affiliated political action committee which will provide funds for you to make political contributions including purchase tickets to fund raising events? If so, list the name of that political action committee. <input type="checkbox"/> No <input type="checkbox"/> Yes. Name of the committee is:																							
11. Areas of interest. Lobbying is most frequent before legislative committee members or state agencies concerned with following subjects:		Remarks:																					
<table style="width:100%; font-size: x-small;"> <tr> <td>CODE SUBJECT</td> <td>CODE SUBJECT</td> </tr> <tr> <td>01 <input type="checkbox"/> Agriculture</td> <td>08 <input type="checkbox"/> Fiscal</td> </tr> <tr> <td>02 <input type="checkbox"/> Business and consumer affairs</td> <td>09 <input type="checkbox"/> Higher education</td> </tr> <tr> <td>03 <input type="checkbox"/> Constitutions and elections</td> <td>10 <input type="checkbox"/> Human services</td> </tr> <tr> <td>04 <input type="checkbox"/> Education</td> <td>11 <input type="checkbox"/> Labor</td> </tr> <tr> <td>05 <input type="checkbox"/> Energy and utilities</td> <td>12 <input type="checkbox"/> Law and justice</td> </tr> <tr> <td>06 <input type="checkbox"/> Environmental affairs - natural resources - parks</td> <td>13 <input type="checkbox"/> Local government</td> </tr> <tr> <td>07 <input type="checkbox"/> Financial institutions and insurance</td> <td>14 <input type="checkbox"/> State government</td> </tr> <tr> <td></td> <td>15 <input type="checkbox"/> Transportation</td> </tr> <tr> <td></td> <td>16 <input type="checkbox"/> Other - Specify:</td> </tr> </table>		CODE SUBJECT	CODE SUBJECT	01 <input type="checkbox"/> Agriculture	08 <input type="checkbox"/> Fiscal	02 <input type="checkbox"/> Business and consumer affairs	09 <input type="checkbox"/> Higher education	03 <input type="checkbox"/> Constitutions and elections	10 <input type="checkbox"/> Human services	04 <input type="checkbox"/> Education	11 <input type="checkbox"/> Labor	05 <input type="checkbox"/> Energy and utilities	12 <input type="checkbox"/> Law and justice	06 <input type="checkbox"/> Environmental affairs - natural resources - parks	13 <input type="checkbox"/> Local government	07 <input type="checkbox"/> Financial institutions and insurance	14 <input type="checkbox"/> State government		15 <input type="checkbox"/> Transportation		16 <input type="checkbox"/> Other - Specify:		
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	15 <input type="checkbox"/> Transportation																						
	16 <input type="checkbox"/> Other - Specify:																						
<b>CERTIFICATION:</b> I hereby certify that the above is a true, complete and correct statement.		<b>EMPLOYER'S AUTHORIZATION:</b> Confirming the employment authority to lobby described in this registration statement.																					
12. LOBBYIST'S SIGNATURE		EMPLOYER'S SIGNATURE, NAME TYPED OR PRINTED, AND TITLE																					
DATE		DATE																					

**LOBBYIST IDENTIFICATION FORM**



**NAME:**  
**BUSINESS ADDRESS:**

**PHONE:**

**OLYMPIA ADDRESS:**

**PHONE:**

**EMPLOYERS' NAMES:**

**YEAR FIRST EMPLOYED AS A LOBBYIST:**  
**BIOGRAPHY:**

**INSTRUCTIONS**

- ATTACH THIS PAGE TO YOUR L-1 REGISTRATION.
- ATTACH 2" x 2" PASSPORT TYPE PHOTO. PHOTO SHOULD BE HEAD AND SHOULDERS, FULL FACE, AND TAKEN WITHIN LAST 12 MONTHS.
- PLEASE WRITE NAME, LIGHTLY IN PENCIL, ON BACK OF PHOTO BEFORE ATTACHING.
- PHOTOS WILL NOT BE RETURNED.
- PLEASE SEE INSTRUCTION BOOKLET FOR EXAMPLE OF BIOGRAPHY.
- LIST ALL EMPLOYERS ON THIS PAGE.

PDC FORM L-1, PAGE 2 (Rev. 2/05)

AMENDATORY SECTION (Amending WSR 99-12-070, filed 5/27/99, effective 6/27/99)

**WAC 390-20-015 Lobbyists registration—Termination.** A lobbyist who ceases lobbying activity may terminate his or her registration at any time by filing with the commission a signed statement, consistent with RCW ((42.17.150)) 42.17A.600(3), indicating that he or she is not lobbying or being compensated to lobby. This notice of termination may be provided on an L-2 report for the month in which termination has taken place. A lobbyist who terminates his or her registration shall file all reports required by chapter ((42.17)) 42.17A RCW for the period during which he or she was registered as a lobbyist. The employer of a lobbyist who terminates his or her registration shall not be relieved of any duty to file the reports otherwise required by chapter ((42.17)) 42.17A RCW.

AMENDATORY SECTION (Amending Order 85-05, filed 11/26/85)

**WAC 390-20-018 Lobbyist voluntary registration.** A person, exempt from registration under RCW ((42.17.160)) 42.17A.600, who voluntarily registers as a lobbyist, shall not be required to file the reports required by RCW ((42.17.170)) 42.17A.615.

The employer of any voluntarily registered lobbyist shall not be required to file the reports provided in RCW ((42.17.180)) 42.17A.630.

AMENDATORY SECTION (Amending Order 85-05, filed 11/26/85)

**WAC 390-20-024 Lobbyist nonreportable expenses.** A registered lobbyist who is not compensated for lobbying and, who in advance, informs the commission that the only expenses to be incurred are those exempt from reporting as provided in RCW ((42.17.170 (2)(a)(i-iv))) 42.17A.615 (3)(a) through (d) shall not be required to file an L-2 report.

AMENDATORY SECTION (Amending Order 62, filed 8/26/75)

**WAC 390-20-025 Lobbyists expenditures—Apportionment of expenses.** For the purposes of compliance with RCW ((42.17.170)) 42.17A.615 (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.

AMENDATORY SECTION (Amending Order 70, filed 2/25/76)

**WAC 390-20-026 Definition of term "other expenses."** The term "other expenses" in RCW ((42.17.170)) 42.17A.615 shall be deemed to include only expenses or services paid or incurred or performed in connection with lobbying.

AMENDATORY SECTION (Amending WSR 95-01-074A, filed 12/16/94, effective 1/16/95)

**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)) 42.17A.630, 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 and state representative.

AMENDATORY SECTION (Amending WSR 96-05-001, filed 2/7/96, effective 3/9/96)

**WAC 390-20-052 Application of ((RCW 42.17.190)) 42.17A.635—Reports of agency lobbying.** Pursuant to the authority granted in RCW ((42.17.190)) 42.17A.635(8), the commission adopts the following interpretations regarding the reporting of lobbying by public agencies pursuant to RCW ((42.17.190)) 42.17A.635:

(1) The phrase "in-person lobbying" contained in RCW ((42.17.190)) 42.17A.635 (5)(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)) 42.17A.635 (5)(d)(ii) includes an oral request from a member of the legislature or its staff.

(3)(a) When any subagency (i.e. department, bureau, board, commission or agency) within a state agency, county, city, town, municipal corporation, quasi-municipal corporation or special purpose district (i.e. primary agency) has independent authority to expend public funds for lobbying, that subagency may file a separate L-5 reporting the information required by RCW ((42.17.190)) 42.17A.635(5).

(b) When a subagency elects to file its own, separate L-5, it shall notify the commission and the administrative head of the primary agency of its intentions in writing. The primary agency shall not thereafter include information for the subagency in its L-5, and shall have no legal obligation for the filings of the subagency.

(4) Pursuant to RCW ((42.17.190)) 42.17A.635(6), 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 42.17.170)) 42.17A.600 and 42.17A.615:

(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)) 42.17A.635(5) in the same manner as lobbyists who are required to register and report under RCW ((42.17.150 and 42.17.170)) 42.17A.600 and 42.17A.615. Such a local agency shall report pursuant to RCW ((42.17.180)) 42.17A.630.

(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)) 42.17A.635(5) thereafter.

(d) The exemptions from reportable lobbying activity contained in RCW ((42.17.190)) 42.17A.635 (5)(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)) 42.17A.600, 42.17A.615, and 42.17A.630. The exemptions contained in RCW ((42.17.160)) 42.17A.610 (1), (4) and (5) do not apply to any agency.

(5) Unless an agency has elected to report its lobbying pursuant to RCW ((42.17.190)) 42.17A.635(6) and subsection (3) of this section, 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.

(6) 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 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)) 42.17A.635 (5)(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 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)) 42.17A.635 (5)(d)(v)(B).

(c) When limits in (a) or (b) of this subsection 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.

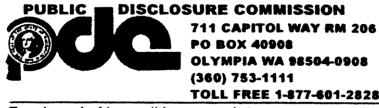
AMENDATORY SECTION (Amending Order 81-01, filed 3/26/81)

**WAC 390-20-054 Agency lobbying—Reporting of lobbying by independent contractors.** (1) An independent contractor who is retained to lobby on behalf of an agency shall register and report as a lobbyist pursuant to RCW ((42.17.150 and 42.17.170)) 42.17A.600 and 42.17A.615.

(2) An agency which retains an independent contractor as a lobbyist and reports all of its expenditures in connection therewith pursuant to RCW ((42.17.190)) 42.17A.635 shall not be obligated to file a report pursuant to RCW ((42.17.180)) 42.17A.630 with regard to that lobbyist.

AMENDATORY SECTION (Amending WSR 02-03-018, filed 1/4/02, effective 2/4/02)

**WAC 390-20-111 Form for lobbyist employers report of political contributions.** The official form entitled "Employer of Lobbyist Monthly Political Contribution Report" as required by RCW ((42-17-180)) 42.17A.630 (2)(a) is designated "L-3c" revised 1/02. Copies of this form are available at the Commission Office, Room 206, Evergreen Plaza Building, Olympia, Washington, 98504-0908. Any attachments must be on 8-1/2" x 11" white paper.



**Employer of Lobbyist Monthly Political Contribution Report**

**L-3c**  
1/02

THIS SPACE FOR OFFICE USE

Employer's Name (Use complete company, association, union or entity name.)  
 Mailing Address  
 City State Zip

**Who Must File Report:** Employers of lobbyists registered in Washington State making one or more contributions, including in-kind contributions, during one calendar month totaling more than \$100 to a candidate for state or local office, an elected state or local official, an officer or employee of any public agency, or a political committee. *Employer contributions made through and reported by a registered lobbyist or an employer-affiliated PAC are not reportable on an L-3c*

**What Must Be Reported:** Contributions, including a loan, gift, deposit, subscription, forgiveness of indebtedness, donation, advance, pledge, payment, or transfer of anything of value, including personal and professional services for less than full consideration. Contributions to campaign accounts and public office fund accounts are reportable.

**When Is The Report Filed:** Within 15 days after the last day of each calendar month during which reportable contributions were made. Reports are considered filed as of the post mark or hand-delivery date to PDC.

**Itemize contributions that alone, or together with other contributions to the same recipient, total over \$100 during the calendar month specified above.** If space provided is insufficient, use additional L-3c forms or 8 1/2" x 11" white paper.

Date of Contribution	Name and Address of Recipient	Description of Contribution*	Amount or Value*
			\$

\*See next page for details.

**Certification:** I certify that the information contained herein is true and complete to the best of my knowledge.

Name and title of person authorized to sign on employer's behalf	Signature	Date
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**Description of Contribution**


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**Monetary** Monetary contributions are those made in cash or by check, money order or other negotiable instrument. If total in amount column represents aggregate total given that recipient during the month (i.e., more than one contribution), indicate the date and amount of each contribution figured into the total.

For contributions given to incumbent candidates and elected officials, indicate whether the contribution is for the recipient's campaign account or public office account.

**In-Kind** Donated goods or services qualify as reportable contributions. In-kind contributions include such things as discounts on products or services, free transportation, free or reduced-rate office space, personal services, polling services, professional assistance to campaign managers and help with preparation of political advertising.

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**Amount or Value of Contribution**


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If the aggregate amount or value contributed to one recipient (candidate, elected official, agency officer or employee, or political committee) during a calendar month was over \$100 -- and the aggregate contribution was not reported by your lobbyist on his/her monthly report or the aggregate contribution was not made through and reported by your affiliated PAC -- put the total contributed in the Amount or Value column and provide the other required information.

**In-Kind** Value in-kind contributions at the amount you actually paid for the donated item or service or, if no purchase was made, value them at their fair market value. Fair market value is the amount a well-informed buyer or lessee, willing but not obligated to buy or lease, would pay; and what a well-informed seller, or lessor, willing but not obligated to sell or lease, would accept.

AMENDATORY SECTION (Amending WSR 02-03-018, filed 1/4/02, effective 2/4/02)

**WAC 390-20-125 Forms for registration and reporting by sponsors of grass roots lobbying campaigns.** The official form for registration and reporting by sponsors of grass roots lobbying campaigns as required by RCW ((42.17.200)) 42.17A.640 is designated "L-6," revised 1/02. Copies of this form are available at the Commission Office, Room 206, Evergreen Plaza Building, Olympia, Washington 98504-0908. Any attachments shall be on 8-1/2" x 11" white paper.



**PUBLIC DISCLOSURE COMMISSION**  
 711 CAPITOL WAY RM 206  
 PO BOX 40908  
 OLYMPIA WA 98504-0908  
 (360) 753-1111  
 TOLL FREE 1-877-601-2828

**GRASS ROOTS LOBBYING**

PDC FORM  
**L-6**  
 (1/02)

THIS SPACE FOR OFFICE USE

Sponsor's name \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_ Telephone \_\_\_\_\_ ( ) -

1. Describe the topic(s) or legislation about which the campaign is conducted. Include bill, rule, rate, standard number, if any. \_\_\_\_\_

2. This report covers:

Registration (Initial report)

Monthly report From \_\_\_\_\_ To \_\_\_\_\_

Final report (Campaign is ended)

3. List the principal officers of the group or organization if the sponsor is a business, union, association, political organization or other entity.

NAME	TITLE	ADDRESS

4. Who is organizing or managing the campaign? List persons or firms hired to assist in the campaign, including public relations and advertising agents.

NAME AND ADDRESS	OCCUPATION OR BUSINESS	TERMS OF COMPENSATION

5. Expenditures Made Or Incurred In The Campaign:

1. Previous expenditures (from line 4, last L-6 report)		\$ _____
2. Expenses this reporting period:	\$ _____	
A. Radio	_____	
B. Television	_____	
C. Newspapers, magazines	_____	
D. Brochures, signs	_____	
E. Printing and mailing	_____	
F. Consultants, public relations	_____	
G. Office expense, travel, salaries	_____	
H. Contributions	_____	
I. Entertainment	_____	
J. Other expenses	_____	
3. Total expenditures this period (lines 2a-2j)		\$ _____
4. Total expenditures in the campaign (lines 1 + 3)		\$ _____

Continue On Reverse






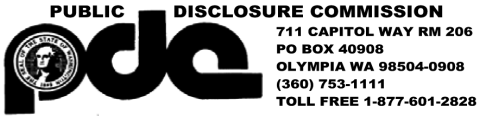
AMENDATORY SECTION (Amending WSR 05-11-002, filed 5/4/05, effective 6/4/05)

**WAC 390-20-130 Forms for statement of employment of legislators, state officers, and state employees.** The official form for statement of employment of legislators, state officers, and state employees as required by RCW ((42.17.210)) 42.17A.645 is designated "L-7" revised ((5/05)) 1/12. Copies of this form are available at the Commission Office, Room 206, Evergreen Plaza Building, Olympia, Washington 98504-0908. Any paper attachments shall be on 8-1/2" x 11" white paper.

((STRICKEN GRAPHIC))

 <p><b>PUBLIC DISCLOSURE COMMISSION</b>                  711 CAPITOL WAY RM 206                  PO BOX 40908                  OLYMPIA WA 98504-0908                  (360) 753-1111                  TOLL FREE 1-877-601-2828</p>	<p style="font-size: 2em; font-weight: bold;">L7</p> <p>5/05</p>	<p>TO BE FILED BY  <b>EMPLOYERS OF STATE LEGISLATORS                  STATE OFFICERS OR                  STATE EMPLOYEES</b></p>				
<p><b>EMPLOYER'S NAME AND BUSINESS ADDRESS</b></p>		<p><b>THIS SPACE FOR OFFICE USE</b></p> <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:50%; text-align: center;">POSTMARK</td> <td style="width:50%; text-align: center;">DATE RECEIVED</td> </tr> </table>	POSTMARK	DATE RECEIVED		
POSTMARK	DATE RECEIVED					
DATE PREPARED: _____	THIS FORM	<input type="checkbox"/> <b>AMENDS</b> PREVIOUS FILING <input type="checkbox"/> <b>REPLACES</b> PREPARED (DATE) _____				
ITEM 1	NAME OF PERSON BEING EMPLOYED					
ITEM 2	DESCRIPTION OF WORK BEING PERFORMED					
ITEM 3	AMOUNT OF COMPENSATION					
ITEM 4	DESCRIPTION OF COMPENSATION					
ITEM 5	STATE OFFICE OR POSITION HELD BY PERSON NAMED IN #1 ABOVE (include title and employing agency, board, or commission)					
<p style="text-align: center;"><b>INSTRUCTIONS</b></p> <p><b>WHO SHOULD FILE THIS FORM:</b> Any person registered or required to be registered as a lobbyist under this act or any employer of any person registered or required to be registered as a lobbyist under this act, who employs a member of the legislature, an employee of the legislature, a member of a state board or commission, or a full-time state employee, if that employee remains partially employed by the state.</p> <p><b>FILING DEADLINE:</b> Within 15 days after commencement of employment.</p> <p><b>FORM TO BE SUBMITTED TO:</b> Public Disclosure Commission.</p>		<p><b>CERTIFICATION:</b> I certify under penalty of perjury that the information contained in this report is true and correct to the best of my knowledge.</p> <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td colspan="2" style="height: 20px;">SIGNATURE</td> </tr> <tr> <td style="width:50%; height: 20px;">TITLE</td> <td style="width:50%; height: 20px;">DATE</td> </tr> </table>	SIGNATURE		TITLE	DATE
SIGNATURE						
TITLE	DATE					
<p><b>EXCERPT FROM PUBLIC DISCLOSURE LAW</b>                  RCW 42.17.210 — Employment of legislators, board or commission members, or state employees -- Statement, contents and filing.                  If any person registered or required to be registered as a lobbyist under this chapter employs, or if any employer of any person registered or required to be registered as a lobbyist under this chapter, employs any member of the legislature, or any member of any state board or commission, or any employee of the legislature, or any full-time state employee, if such new employee shall remain in the partial employ of the state or any agency thereof, then the new employer shall file a statement under oath with the commission setting out the nature of the employment, the name of the person to be paid thereunder, and the amount of pay or consideration to be paid thereunder. The statement shall be filed within fifteen days after the commencement of such employment.</p>						

((STRICKEN GRAPHIC))



**L7**  
1/12

TO BE FILED BY  
**EMPLOYERS OF STATE LEGISLATORS  
STATE OFFICERS OR  
STATE EMPLOYEES**

<b>EMPLOYER'S NAME AND BUSINESS ADDRESS</b>	<b>THIS SPACE FOR OFFICE USE</b>	
	POSTMARK	DATE RECEIVED

DATE PREPARED: _____	THIS FORM	<input type="checkbox"/> <b>AMENDS</b> <input type="checkbox"/> <b>REPLACES</b>	PREVIOUS FILING PREPARED (DATE) _____
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ITEM <b>1</b>	<b>NAME OF PERSON BEING EMPLOYED</b>
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ITEM <b>2</b>	<b>NATURE OF EMPLOYMENT BY REPORTING EMPLOYER</b>
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ITEM <b>3</b>	<b>AMOUNT AND NATURE OF PAY OR CONSIDERATION</b>
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ITEM <b>4</b>	<b>NATURE OF STATE OFFICE OR EMPLOYMENT</b>
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<p style="text-align: center;"><b>INSTRUCTIONS</b></p> <p><b>WHO SHOULD FILE THIS FORM:</b> Any person registered or required to be registered as a lobbyist under this act or any employer of any person registered or required to be registered as a lobbyist under this act, who employs a member of the legislature, an employee of the legislature, a member of a state board or commission, or a full time state employee, if that employee remains partially employed by the state.</p> <p><b>FILING DEADLINE:</b> Within 15 days after commencement of employment.</p> <p><b>FORM TO BE SUBMITTED TO:</b> Public Disclosure Commission.</p>	<p>CERTIFICATION: I hereby certify under oath, that the above is a true, complete and correct statement in accordance with RCW 42.17A.645.</p> <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td colspan="2" style="padding: 5px;">SIGNATURE</td> </tr> <tr> <td style="width:70%; padding: 5px;">TITLE</td> <td style="width:30%; padding: 5px;">DATE</td> </tr> </table>	SIGNATURE		TITLE	DATE
SIGNATURE					
TITLE	DATE				
<p><b>EXCERPT FROM PUBLIC DISCLOSURE LAW</b>                  RCW 42.17A.645 — <u>Employment of legislators, board or commission members, or state employees -- Statement, contents.</u>                  If any person registered or required to be registered as a lobbyist, or any employer of any person registered or required to be registered as a lobbyist, employs a member or an employee of the legislature, a member of a state board or commission, or a full-time state employee, and that new employee remains in the partial employ of the state, the new employer must file within fifteen days after employment a statement with the commission, signed under oath, setting out the nature of the employment, the name of the person employed, and the amount of pay or consideration.</p>					

AMENDATORY SECTION (Amending Order 85-05, filed 11/26/85)

**WAC 390-20-140 Loss of RCW ((42.17.160)) 42.17A.610 exemptions.** (1) For the purpose of determining compliance with RCW ((42.17.220)) 42.17A.650, a lobbyist's employer shall be responsible for the applicability of all of the exemptions provided in RCW ((42.17.160)) 42.17A.610 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)) 42.17A.610(4) may thereafter become ineligible for that exemption, thus violating RCW ((42.17.150 and/or 42.17.170)) 42.17A.600 and/or 42.17A.615 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 or her employer in circumstances described in subsection (2) of this section if the lobbyist:

(a) Registers pursuant to RCW ((42.17.150)) 42.17A.600 before doing any lobbying in excess of the exemption limitations in RCW ((42.17.160)) 42.17A.610(4); and

(b) Files a report on Form L-2 when next due under RCW ((42.17.170)) 42.17A.615, 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)) 42.17A.655(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)) 42.17A.610(4) exemption limitations to be reached and exceeded.

(5) A lobbyist whose only compensation or other consideration for lobbying is payment of or reimbursement for expenditures not required to be reported per RCW ((42.17.170 (2)(a)(i-iv))) 42.17A.615 (3)(a) through (d), does not qualify for exemption from registration and reporting per RCW ((42.17.160(3))) 42.17A.610(4).

AMENDATORY SECTION (Amending Order 86-05, filed 6/27/86)

**WAC 390-20-141 Registration and reporting required when a lobbyist employs another lobbyist.** (1) If a registered lobbyist employs another lobbyist to perform lobbying activities in excess of the exemptions specified in RCW ((42.17.150(2) or 42.17.160)) 42.17A.600(2) or 42.17A.610 then such registered lobbyist is also an employer of a registered lobbyist.

(2) Any person who becomes an employer of a registered lobbyist under such circumstances must (a) confirm such employment on the employee's L-1 registration statement; (b) in a written instrument filed with such employee's L-1 registration statement identify which clients the employee is authorized to represent; (c) file an annual L-3 report as an employer of a registered lobbyist; and (d) continue to file monthly L-2 reports as a registered lobbyist.

AMENDATORY SECTION (Amending Order 85-05, filed 11/26/85)

**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 and is eligible for the RCW ((42.17.160(4))) 42.17A.610 (5) "casual lobbying" exemption during any three-month period in which its agents or employees do not make an expenditure of more than twenty-five dollars for or on behalf of legislators, state elected officials, public officers or employees of the state of Washington.

(2) A lobbyist other than a natural person which does sponsor or coordinate or directly make unreported expenditures exceeding twenty-five dollars during a three-month period, as fully described in subsection (1), must register and report as required by RCW ((42.17.150 and 42.17.170)) 42.17A.600 and 42.17A.615: Provided, That it can satisfy these requirements by having an individual agent (a) register and reports as a lobbyist, and (b) include as part of Form L-2 a report of these and all other lobbying expenditures made on behalf of the nonnatural person during that three-month period.

(3) An entity, including but not limited to a law firm, consulting firm, advertising agency, or other similar organization, which receives or expects to receive compensation for lobbying from any person, must register and report as a lobbyist pursuant to RCW ((42.17.150 and 42.17.170)) 42.17A.600 and 42.17A.615: 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)) 42.17A.630 as a lobbyist's employer.

AMENDATORY SECTION (Amending Order 85-05, filed 11/26/85)

**WAC 390-20-144 Registration and reporting by lobbyist organizations.** (1) Any firm, company, association or similar organization required to register as a lobbyist shall file one registration statement (PDC Form L-1) for each employer for whom the organization will lobby.

(a) The lobbying organization will attach to the registration statement a photo and the biographical information required by RCW ((42.17.155)) 42.17A.605 (page 3 of the L-1 Form) for each individual agent of the organization who is authorized to lobby for that particular employer.

(b) If the agent is authorized to lobby for several employers, only one photo and biographical sheet need be submitted.

(c) The organization will notify the commission in writing when there is any change in the employment or assignment of agents who lobby.

(2) One monthly expenditure report (PDC Form L-2) shall be submitted showing all expenditures made by the organization and its agents. It is unnecessary to prorate or attribute expenditures to individual agents of the organization. However, expenditures for entertainment exceeding \$25

per occasion shall identify the individual agent(s) who were present at the occasion. The L-2 report shall be signed by the president or chief executive officer of the lobbying organization.

(3) If any individual agent of the organization ceases to lobby or the organization terminates that agent's authority to lobby, the organization shall notify PDC in writing or by notation on the L-2 report of the termination.

AMENDATORY SECTION (Amending WSR 00-22-059, filed 10/27/00, effective 11/27/00)

**WAC 390-20-146 Reporting of field trips and other excursions.** (1) All persons required to file reports pursuant to RCW ((42.17.170)) 42.17A.615 who provide field trips or other excursions to elected and appointed officials, and other individuals required to file the Personal Financial Affairs Statement (PDC Form F-1) shall file, on the appropriate monthly L-2 or L-2 Memo Report, the identity of persons attending the field trip or other excursion along with the date, pro rata cost, and a brief description of the field trip or other excursion.

(2) All persons required to file pursuant to RCW ((42.17.241)) 42.17A.710 who attend a field trip or other excursion paid for or provided by a lobbyist, lobbyist employer, or other person paying for or providing field trips or other excursions shall report the date, name of the person paying for or providing the field trip or excursion, pro rata cost attributable to the filer, applicable code value, and a brief description of the field trip or other excursion as part of the F-1 statement that covers the date of the field trip or other excursion.

AMENDATORY SECTION (Amending WSR 94-11-016, filed 5/5/94, effective 6/5/94)

**WAC 390-20-148 Lobbyist direction or control of employer contributions.** For purposes of RCW ((42.17.670)) 42.17A.460, a lobbyist shall be deemed to be exercising direction or control over the choice of the recipient state office candidate, state official against whom recall charges have been filed or a political committee if the lobbyist:


(1) Officially decides to which state office candidates, state officials against whom recall charges have been filed or political committees the lobbyist employer or the employer's political committee contributes; or

(2) Has the ability, on his or her own initiative, to execute or authorize payment of a contribution by the lobbyist employer or the employer's political committee to a state office candidate, a state official against whom recall charges have been filed or a political committee.

AMENDATORY SECTION (Amending WSR 09-14-061, filed 6/29/09, effective 7/30/09)

**WAC 390-24-010 Forms for statement of financial affairs.** The official form for statements of financial affairs as required by RCW ((42-17-240)) 42.17A.700 is designated "F-1," revised ((7/09)) 1/12. Copies of this form are available at the Commission Office, 711 Capitol Way, Room 206, Evergreen Plaza Building, P.O. Box 40908, Olympia, Washington 98504-0908. Any paper attachments must be on 8-1/2" x 11" white paper.

((STRICKEN GRAPHIC))

 <b>PUBLIC DISCLOSURE COMMISSION</b> 711 CAPITOL WAY RM 206 PO BOX 40908 OLYMPIA WA 98504-0908 (360) 753-1111 TOLL FREE 1-877-601-2828		PDC FORM <b>F-1</b> (7/09)	<b>PERSONAL FINANCIAL AFFAIRS STATEMENT</b>	P M PDC OFFICE USE O A S R T K  R E C E I V E D
Refer to instruction manual for detailed assistance and examples. <b>Deadlines: Incumbent elected and appointed officials -- by April 15.</b> <b>Candidates and others -- within two weeks of becoming a candidate or being newly appointed to a position.</b> <b>SEND REPORT TO PUBLIC DISCLOSURE COMMISSION</b>		<b>DOLLAR CODE</b> <b>AMOUNT</b> A      \$1 to \$3,999 B      \$4,000 to \$19,999 C      \$20,000 to \$39,999 D      \$40,000 to \$99,999 E      \$100,000 or more		
Last Name      First      Middle Initial  Mailing Address (Use PO Box or Work Address) *  City      County      Zip + 4		Names of immediate family members, including registered domestic partner. If there is no reportable information to disclose for dependent children, or other dependents living in your household, do not identify them. Do identify your spouse or registered domestic partner. See F-1 manual for details.		
Filing Status (Check only one box.) <input type="checkbox"/> An elected or state appointed official filing annual report <input type="checkbox"/> Final report as an elected official. Term expired: _____ <input type="checkbox"/> Candidate running in an election: month _____ year _____ <input type="checkbox"/> Newly appointed to an elective office <input type="checkbox"/> Newly appointed to a state appointive office <input type="checkbox"/> Professional staff of the Governor's Office and the Legislature		Office Held or Sought Office title: _____ County, city, district or agency of the office, name and number: _____ Position number: _____ Term begins: _____ ends: _____		
<b>1 INCOME</b> List each employer, or other source of income (pension, social security, legal judgment, etc.) from which you or a family member, including registered domestic partner, received \$2,000 or more during the period. Include stock options received during the reporting period that had a value of \$2,000 or more. (Report interest and dividends in Item 3.)				
Show Self (S) Spouse (SP,DP) Dependent (D)	Name and Address of Employer or Source of Compensation		Occupation or How Compensation Was Earned	Amount: (Use Code)
Check Here <input type="checkbox"/> if continued on attached sheet				
<b>2 REAL ESTATE</b> List street address, assessor's parcel number, or legal description AND county for each parcel of Washington real estate with value of over \$10,000 in which you or a family member, including registered domestic partner, held a personal financial interest during the reporting period. (Show partnership, company, etc. real estate on F-1 supplement.)				
Property Sold or Interest Divested	Assessed Value (Use Code)	Name and Address of Purchaser		Nature and Amount (Use Code) of Payment or Consideration Received
Property Purchased or Interest Acquired		Creditor's Name/Address	Payment Terms	Security Given      Mortgage Amount - (Use Code) Original      Current
All Other Property Entirely or Partially Owned				
Check here <input type="checkbox"/> if continued on attached sheet				

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<p><b>3 ASSETS / INVESTMENTS - INTEREST / DIVIDENDS</b></p> <p>A. Name and address of each bank or financial institution in which you, a family member, including registered domestic partner, had an account over \$20,000 any time during the report period.</p> <p>B. Name and address of each insurance company where you, a family member, including registered domestic partner, had a policy with a cash or loan value over \$20,000 during the period.</p> <p>C. Name and address of each company, association, government agency, etc. in which you, a family member, including registered domestic partner, owned or had a financial interest worth over \$2,000. Include stocks, bonds, ownership, retirement plan, IRA, notes, stock options, and other intangible property. If you, your spouse, registered domestic partner and/or dependents had decision making authority regarding individual assets/investments list each asset or investment, the value and any income amount. EXAMPLE: If you self-directed an investment account identify each stock or other asset in that account.</p> <p>Check here <input type="checkbox"/> if continued on attached sheet.</p>	<p>List bank and savings accounts, insurance policies, stock, bonds and other intangible property (including but not limited to stock options) held during the reporting period.</p>		
	<p>Type of Account or Description of Asset</p>	<p>Asset Value (Use Code)</p>	<p>Income Amount (Use Code)</p>

<p><b>4 CREDITORS</b></p> <p>List each creditor you or a family member, including registered domestic partner, owed \$2,000 or more any time during the period. Don't include retail charge accounts, credit cards, or mortgages or real estate reported in Item 2.</p> <p>Creditor's Name and Address</p> <p>Check here <input type="checkbox"/> if continued on attached sheet.</p>	<p>Terms of Payment</p>	<p>Security Given</p>	<p><b>AMOUNT (USE CODE)</b></p>	
	<p>Original</p>	<p>Present</p>		

**5 All filers answer questions A thru D below. If the answer is YES to any of these questions, the F-1 Supplement must also be completed as part of this report. If all answers are NO and you are a candidate for state or local office, an appointee to a vacant elective office, or a state executive officer filing your initial report, no F-1 Supplement is required.**

**Incumbent elected officials and state executive officers filing an annual financial affairs report also must answer question E. An F-1 Supplement is required of these officeholders unless all answers to questions A thru E are NO.**

A. At any time during the reporting period were you, your spouse, registered domestic partner or dependents (1) an officer, director, general partner or trustee of any corporation, company, union, association, joint venture or other entity or (2) a partner or member of any limited partnership, limited liability partnership, limited liability company or similar entity including but not limited to a professional limited liability company? \_\_\_\_ If yes, complete Supplement, Part A.

B. Did you, your spouse, registered domestic partner or dependents have an ownership of 10% or more in any company, corporation, partnership, joint venture or other business at any time during the reporting period? \_\_\_\_ If yes, complete Supplement, Part A.

C. Did you, your spouse, registered domestic partner or dependents own a business at any time during the reporting period? \_\_\_\_ If yes, complete Supplement, Part A.


D. Did you, your spouse, registered domestic partner or dependents prepare, promote or oppose state legislation, rules, rates or standards for compensation or deferred compensation (other than pay for a currently-held public office) at any time during the reporting period? \_\_\_\_ If yes, complete Supplement, Part B.

E. **Only for Persons Filing Annual Report.** Regarding the receipt of items not provided or paid for by your governmental agency during the previous calendar year: 1) Did you, your spouse, registered domestic partner or dependents (or any combination thereof) accept a gift of food or beverages costing over \$50 per occasion? \_\_\_\_ or 2) Did any source other than your governmental agency provide or pay in whole or in part for you, your spouse, registered domestic partner and/or dependents to travel or to attend a seminar or other training? \_\_\_\_ If yes to either or both questions, complete Supplement, Part C.

<p><b>ALL FILERS EXCEPT CANDIDATES.</b> Check the appropriate box.</p> <p><input type="checkbox"/> I hold a state elected office, am an executive state officer or professional staff. I have read and am familiar with RCW 42.52.180 regarding the use of public resources in campaigns.</p> <p><input type="checkbox"/> I hold a local elected office. I have read and am familiar with RCW 42.17.130 regarding the use of public facilities in campaigns.</p> <p><small>*CANDIDATES: Do not use public agency addresses or telephone numbers for contact information.</small></p>	<p><b>CERTIFICATION:</b> I certify under penalty of perjury that the information contained in this report is true and correct to the best of my knowledge.</p> <p>Signature _____ Date _____</p> <p>Contact Telephone: (    ) *</p> <p>Email: _____(work) *</p> <p>Email: _____(Home) Optional</p>
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REPORT NOT ACCEPTABLE WITHOUT FILER'S SIGNATURE  
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 <p><b>PUBLIC DISCLOSURE COMMISSION</b>                  711 CAPITOL WAY RM 206                  PO BOX 40908                  OLYMPIA WA 98504-0908                  (360) 753-1111                  TOLL FREE 1-877-601-2828                  EMAIL: <a href="mailto:pdcc@pdcc.wa.gov">pdcc@pdcc.wa.gov</a></p>	PDC FORM <b>F-1</b> SUPPLEMENT (7/09)	<b>SUPPLEMENT PAGE</b> PERSONAL FINANCIAL AFFAIRS STATEMENT									
<b>PROVIDE INFORMATION FOR YOURSELF, SPOUSE, REGISTERED DOMESTIC PARTNER, DEPENDENT CHILDREN AND OTHER DEPENDENTS IN YOUR HOUSEHOLD</b>											
Last Name	First	Middle Initial	DATE								
<p><b>A OFFICE HELD, BUSINESS INTERESTS:</b> Provide the following information if, during the reporting period, you, your spouse, registered domestic partner or dependents</p> <ul style="list-style-type: none"> <li>(1) were an officer, director, general partner, trustee, or 10 percent or more owner of a corporation, non-profit organization, union, partnership, joint venture or other entity; and/or</li> <li>(2) were a partner or member of a limited partnership, limited liability partnership, limited liability company or similar entity, including but not limited to a professional limited liability company.</li> </ul> <ul style="list-style-type: none"> <li>• Legal Name: Report name used on legal documents establishing the entity.</li> <li>• Trade or Operating Name: Report name used for business purposes if different from the legal name.</li> <li>• Position or Percent of Ownership: The office, title and/or percent of ownership held.</li> <li>• Brief Description of the Business/Organization: Report the purpose, product(s), and/or the service(s) rendered.</li> <li>• Payments from Governmental Unit: If the governmental unit in which you hold or seek office made payments to the business entity concerning which you're reporting, show the purpose of each payment and the actual amount received.</li> <li>• Payments from Business Customers and Other Government Agencies: List each corporation, partnership, joint venture, sole proprietorship, union, association, business or other commercial entity and each government agency (other than the one you seek/hold office) which paid compensation of \$10,000 or more during the period to the entity. Briefly say what property, goods, services or other consideration was given or performed for the compensation.</li> <li>• Washington Real Estate: Identify real estate owned by the business entity if the qualifications referenced below are met.</li> </ul>											
<p><b>ENTITY NO. 1</b> Reporting For: Self <input type="checkbox"/> Spouse <input type="checkbox"/></p> <p style="text-align: right;">Registered Domestic Partner <input type="checkbox"/> Dependent <input type="checkbox"/></p> <p>LEGAL NAME: POSITION OR PERCENT OF OWNERSHIP</p> <p>TRADE OR OPERATING NAME:</p> <p>ADDRESS:</p> <p>BRIEF DESCRIPTION OF THE BUSINESS/ORGANIZATION:</p> <p>PAYMENTS ENTITY RECEIVED FROM GOVERNMENTAL UNIT IN WHICH YOU SEEK/HOLD OFFICE:</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 60%;">Purpose of payments</td> <td style="width: 40%;">Amount (actual dollars)</td> </tr> <tr> <td></td> <td style="text-align: center;">\$</td> </tr> </table> <p>PAYMENTS ENTITY RECEIVED FROM OTHER GOVERNMENT AGENCIES OF \$10,000 OR MORE:</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 60%;">Agency name:</td> <td style="width: 40%;">Purpose of payment (amount not required)</td> </tr> </table> <p>PAYMENTS ENTITY RECEIVED FROM BUSINESS CUSTOMERS OF \$10,000 OR MORE</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 60%;">Customer name:</td> <td style="width: 40%;">Purpose of payment (amount not required)</td> </tr> </table> <p>WASHINGTON REAL ESTATE IN WHICH ENTITY HELD A DIRECT FINANCIAL INTEREST (Complete only if ownership in the ENTITY is 10% or more and assessed value of property is over \$20,000. List street address, assessor parcel number, or legal description and county for each parcel):</p> <p>Check here <input type="checkbox"/> if continued on attached sheet</p>				Purpose of payments	Amount (actual dollars)		\$	Agency name:	Purpose of payment (amount not required)	Customer name:	Purpose of payment (amount not required)
Purpose of payments	Amount (actual dollars)										
	\$										
Agency name:	Purpose of payment (amount not required)										
Customer name:	Purpose of payment (amount not required)										
<b>CONTINUE PARTS B AND C ON NEXT PAGE</b>											

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Page 2

F-1 Supplement

Name

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**ENTITY NO. 2** Reporting For: Self  Spouse   
Registered Domestic Partner  Dependent   
LEGAL NAME: POSITION OR PERCENT OF OWNERSHIP  
TRADE OR OPERATING NAME:  
ADDRESS:  
BRIEF DESCRIPTION OF THE BUSINESS/ORGANIZATION:  
PAYMENTS ENTITY RECEIVED FROM GOVERNMENTAL UNIT IN WHICH YOU SEEK/HOLD OFFICE:  
Purpose of payments Amount (actual dollars)  
\$  
PAYMENTS ENTITY RECEIVED FROM OTHER GOVERNMENT AGENCIES OF \$10,000 OR MORE:  
Agency name: Purpose of payment (amount not required)  
PAYMENTS ENTITY RECEIVED FROM BUSINESS CUSTOMERS OF \$10,000 OR MORE  
Customer name: Purpose of payment (amount not required)  
WASHINGTON REAL ESTATE IN WHICH ENTITY HELD A DIRECT FINANCIAL INTEREST (Complete only if ownership in the ENTITY is 10% or more and assessed value of property is over \$20,000. List street address, assessor parcel number, or legal description and county for each parcel):  
Check here  if continued on attached sheet

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**B LOBBYING:** List persons for whom you, or any immediate family member, including registered domestic partner, lobbied or prepared state legislation or state rules, rates, or standards for compensation or deferred compensation. Do not list pay from government body in which you are an elected official or professional staff member.

Person to Whom Services Rendered	Description of Legislation, Rules, Etc.	Compensation (Use Code)
Check here <input type="checkbox"/> if continued on attached sheet		

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**C FOOD TRAVEL SEMINARS** Complete this section if a source other than your own governmental agency paid for or otherwise provided all or a portion of the following items to you, your spouse, registered domestic partner or dependents, or a combination thereof: 1) Food and beverages costing over \$50 per occasion; 2) Travel occasions; or 3) Seminars, educational programs or other training.

Date Received	Donor's Name, City and State	Brief Description	Actual Dollar Amount	Value (Use Code)
Check here <input type="checkbox"/> if continued on attached sheet				

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<b>3</b>	<b>ASSETS / INVESTMENTS - INTEREST / DIVIDENDS</b>	List bank and savings accounts, insurance policies, stock, bonds and other intangible property (including but not limited to stock options) held during the reporting period.		
A.	Name and address of each bank or financial institution in which you, a family member, including registered domestic partner, had an account over \$20,000 any time during the report period.	Type of Account or Description of Asset	Asset Value (Use Code)	Income Amount (Use Code)
B.	Name and address of each insurance company where you, a family member, including registered domestic partner, had a policy with a cash or loan value over \$20,000 during the period.			
C.	Name and address of each company, association, government agency, etc. in which you, a family member, including registered domestic partner, owned or had a financial interest worth over \$2,000. Include stocks, bonds, ownership, retirement plan, IRA, notes, stock options, and other intangible property. If you, your spouse, registered domestic partner and/or dependents had decision making authority regarding individual assets/investments list each asset or investment, the value and any income amount. EXAMPLE: If you self-directed an investment account identify each stock or other asset in that account.			
Check here <input type="checkbox"/> if continued on attached sheet.				

<b>4</b>	<b>CREDITORS</b>	List each creditor you or a family member, including registered domestic partner, owed \$2,000 or more any time during the period. Don't include retail charge accounts, credit cards, or mortgages or real estate reported in Item 2.		<b>AMOUNT (USE CODE)</b>	
	Creditor's Name and Address	Terms of Payment	Security Given	Original	Present
Check here <input type="checkbox"/> if continued on attached sheet.					

**5** All filers answer questions A thru D below. If the answer is YES to any of these questions, the F-1 Supplement must also be completed as part of this report. If all answers are NO and you are a candidate for state or local office, an appointee to a vacant elective office, or a state executive officer filing your initial report, no F-1 Supplement is required.

**Incumbent elected officials and state executive officers filing an annual financial affairs report also must answer question E. An F-1 Supplement is required of these officeholders unless all answers to questions A thru E are NO.**

A. At any time during the reporting period were you, your spouse, registered domestic partner or dependents (1) an officer, director, general partner or trustee of any corporation, company, union, association, joint venture or other entity or (2) a partner or member of any limited partnership, limited liability partnership, limited liability company or similar entity including but not limited to a professional limited liability company? \_\_\_\_ If yes, complete Supplement, Part A.

B. Did you, your spouse, registered domestic partner or dependents have an ownership of 10% or more in any company, corporation, partnership, joint venture or other business at any time during the reporting period? \_\_\_\_ If yes, complete Supplement, Part A.

C. Did you, your spouse, registered domestic partner or dependents own a business at any time during the reporting period? \_\_\_\_ If yes, complete Supplement, Part A.

D. Did you, your spouse, registered domestic partner or dependents prepare, promote or oppose state legislation, rules, rates or standards for compensation or deferred compensation (other than pay for a currently-held public office) at any time during the reporting period? \_\_\_\_ If yes, complete Supplement, Part B.

E. **Only for Persons Filing Annual Report.** Regarding the receipt of items not provided or paid for by your governmental agency during the previous calendar year: 1) Did you, your spouse, registered domestic partner or dependents (or any combination thereof) accept a gift of food or beverages costing over \$50 per occasion? \_\_\_\_ or 2) Did any source other than your governmental agency provide or pay in whole or in part for you, your spouse, registered domestic partner and/or dependents to travel or to attend a seminar or other training? \_\_\_\_ If yes to either or both questions, complete Supplement, Part C.

<p><b>ALL FILERS EXCEPT CANDIDATES.</b> Check the appropriate box.</p> <p><input type="checkbox"/> I hold a state elected office, am an executive state officer or professional staff. I have read and am familiar with RCW 42.52.180 regarding the use of public resources in campaigns.</p> <p><input type="checkbox"/> I hold a local elected office. I have read and am familiar with RCW 42.17A.555 regarding the use of public facilities in campaigns.</p> <p><small>*CANDIDATES: Do not use public agency addresses or telephone numbers for contact information.</small></p>	<p><b>CERTIFICATION:</b> I certify under penalty of perjury that the information contained in this report is true and correct to the best of my knowledge.</p> <p>Signature _____ Date _____</p> <p>Contact Telephone: (    ) *</p> <p>Email: _____(work) *</p> <p>Email: _____(Home) Optional</p>
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**REPORT NOT ACCEPTABLE WITHOUT FILER'S SIGNATURE**

 <p><b>PUBLIC DISCLOSURE COMMISSION</b>                  711 CAPITOL WAY RM 206                  PO BOX 40908                  OLYMPIA WA 98504-0908                  (360) 753-1111                  TOLL FREE 1-877-601-2828                  EMAIL: <a href="mailto:pdc@pdc.wa.gov">pdc@pdc.wa.gov</a></p>	PDC FORM <b>F-1</b> SUPPLEMENT (1/12)	<b>SUPPLEMENT PAGE</b> PERSONAL FINANCIAL AFFAIRS STATEMENT
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**PROVIDE INFORMATION FOR YOURSELF, SPOUSE, REGISTERED DOMESTIC PARTNER, DEPENDENT CHILDREN AND OTHER DEPENDENTS IN YOUR HOUSEHOLD**

Last Name	First	Middle Initial	DATE
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**A**

**OFFICE HELD, BUSINESS INTERESTS:**

Provide the following information if, during the reporting period, you, your spouse, registered domestic partner or dependents

- (1) were an officer, director, general partner, trustee, or 10 percent or more owner of a corporation, non-profit organization, union, partnership, joint venture or other entity; and/or
- (2) were a partner or member of a limited partnership, limited liability partnership, limited liability company or similar entity, including but not limited to a professional limited liability company.

- Legal Name: Report name used on legal documents establishing the entity.
- Trade or Operating Name: Report name used for business purposes if different from the legal name.
- Position or Percent of Ownership: The office, title and/or percent of ownership held.
- Brief Description of the Business/Organization: Report the purpose, product(s), and/or the service(s) rendered.
- Payments from Governmental Unit: If the governmental unit in which you hold or seek office made payments to the business entity concerning which you're reporting, show the purpose of each payment and the actual amount received.
- Payments from Business Customers and Other Government Agencies: List each corporation, partnership, joint venture, sole proprietorship, union, association, business or other commercial entity and each government agency (other than the one you seek/hold office) which paid compensation of \$10,000 or more during the period to the entity. Briefly say what property, goods, services or other consideration was given or performed for the compensation.
- Washington Real Estate: Identify real estate owned by the business entity if the qualifications referenced below are met.

**ENTITY NO. 1**

Reporting For: Self  Spouse   
 Registered Domestic Partner  Dependent

LEGAL NAME: \_\_\_\_\_ POSITION OR PERCENT OF OWNERSHIP \_\_\_\_\_

TRADE OR OPERATING NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

BRIEF DESCRIPTION OF THE BUSINESS/ORGANIZATION: \_\_\_\_\_

PAYMENTS ENTITY RECEIVED FROM GOVERNMENTAL UNIT IN WHICH YOU SEEK/HOLD OFFICE:  
 Purpose of payments \_\_\_\_\_ Amount (actual dollars) \_\_\_\_\_  
 \$ \_\_\_\_\_

PAYMENTS ENTITY RECEIVED FROM OTHER GOVERNMENT AGENCIES OF \$10,000 OR MORE:  
 Agency name: \_\_\_\_\_ Purpose of payment (amount not required) \_\_\_\_\_

PAYMENTS ENTITY RECEIVED FROM BUSINESS CUSTOMERS OF \$10,000 OR MORE  
 Customer name: \_\_\_\_\_ Purpose of payment (amount not required) \_\_\_\_\_

WASHINGTON REAL ESTATE IN WHICH ENTITY HELD A DIRECT FINANCIAL INTEREST (Complete only if ownership in the ENTITY is 10% or more and assessed value of property is over \$20,000. List street address, assessor parcel number, or legal description and county for each parcel): \_\_\_\_\_

Check here  if continued on attached sheet

**CONTINUE PARTS B AND C ON NEXT PAGE**

Name				
<b>ENTITY NO. 2</b>		Reporting For: Self <input type="checkbox"/> Spouse <input type="checkbox"/>		
LEGAL NAME:		Registered Domestic Partner <input type="checkbox"/> Dependent <input type="checkbox"/>		
TRADE OR OPERATING NAME:		POSITION OR PERCENT OF OWNERSHIP		
ADDRESS:				
BRIEF DESCRIPTION OF THE BUSINESS/ORGANIZATION:				
PAYMENTS ENTITY RECEIVED FROM GOVERNMENTAL UNIT IN WHICH YOU SEEK/HOLD OFFICE:		Amount (actual dollars)		
Purpose of payments		\$		
PAYMENTS ENTITY RECEIVED FROM OTHER GOVERNMENT AGENCIES OF \$10,000 OR MORE:		Purpose of payment (amount not required)		
Agency name:				
PAYMENTS ENTITY RECEIVED FROM BUSINESS CUSTOMERS OF \$10,000 OR MORE:		Purpose of payment (amount not required)		
Customer name:				
WASHINGTON REAL ESTATE IN WHICH ENTITY HELD A DIRECT FINANCIAL INTEREST (Complete only if ownership in the ENTITY is 10% or more and assessed value of property is over \$20,000. List street address, assessor parcel number, or legal description and county for each parcel):				
Check here <input type="checkbox"/> if continued on attached sheet				
<b>B LOBBYING:</b> List persons for whom you, or any immediate family member, including registered domestic partner, lobbied or prepared state legislation or state rules, rates, or standards for compensation or deferred compensation. Do not list pay from government body in which you are an elected official or professional staff member.				
Person to Whom Services Rendered		Description of Legislation, Rules, Etc.		Compensation (Use Code)
Check here <input type="checkbox"/> if continued on attached sheet				
<b>C FOOD TRAVEL SEMINARS</b> Complete this section if a source other than your own governmental agency paid for or otherwise provided all or a portion of the following items to you, your spouse, registered domestic partner or dependents, or a combination thereof: 1) Food and beverages costing over \$50 per occasion; 2) Travel occasions; or 3) Seminars, educational programs or other training.				
Date Received	Donor's Name, City and State	Brief Description	Actual Dollar Amount	Value (Use Code)
			\$	
Check here <input type="checkbox"/> if continued on attached sheet				

**AMENDATORY SECTION** (Amending WSR 08-19-058, filed 9/12/08, effective 11/5/08)


**WAC 390-24-020 Forms for amending statement of financial affairs.** (1) The official form for amending statements of financial affairs as required by RCW ((42.17.240)) 42.17A.700 for all persons who have previously filed the Form F-1 is designated Form "F-1A," revised ((11/08)) 1/12.

(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 the amendments are confusing or create misunderstandings. Authority is delegated to the commission's executive director to make this determination.

(4) Copies of Form F-1A are available at the Commission Office, 711 Capitol Way, Room 206, Evergreen Plaza Building, P.O. Box 40908, Olympia, Washington 98504-0908. Any paper attachments must be on 8-1/2" x 11" white paper.

((STRICKEN GRAPHIC))

 <b>PUBLIC DISCLOSURE COMMISSION</b> 711 CAPITOL WAY RM 206 PO BOX 40908 OLYMPIA WA 98504-0908 (360) 753-1111 TOLL FREE 1-877-601-2828		PDC FORM <b>F-1A</b> (11/08)	<b>PERSONAL FINANCIAL AFFAIRS STATEMENT</b> Short Form	P M PDC OFFICE USE O A S R T K
The F-1A form is designed to simplify reporting for persons who have no changes or only minor changes to an F-1 report previously filed. <b>A complete F-1 form must be filed at least every four years;</b> an F-1A form may be used for no more than three consecutive reports. <b>Deadlines:</b> Incumbent elected and appointed officials -- by April 15. Candidates and others -- within two weeks of becoming a candidate or being newly appointed to a position.		<b>DOLLAR CODE</b> A \$1 to \$3,999 B \$4,000 to \$19,999 C \$20,000 to \$39,999 D \$40,000 to \$99,999 E \$100,000 or more	R E C E I V E D	
Last Name _____ First _____ Middle Initial _____ Mailing Address (Use PO Box or Work Address) * _____ City _____ County _____ Zip + 4 _____		Names of immediate family members, including registered domestic partner. If there is no reportable information to disclose for dependent children, or other dependents living in your household, do not identify them. Do identify your spouse or registered domestic partner. See F-1 manual for details.		
Filing Status (Check only one box.) <input type="checkbox"/> An elected or state appointed official filing annual report <input type="checkbox"/> Final report as an elected official. Term expired: _____ <input type="checkbox"/> Candidate running in an election: month _____ year _____ <input type="checkbox"/> Newly appointed to an elective office <input type="checkbox"/> Newly appointed to a state appointive office <input type="checkbox"/> Professional staff of the Governor's Office and the Legislature		Office Held or Sought Office title: _____ County, city, district or agency of the office, name and number: _____ Position number: _____ Term begins: _____ ends: _____		
Select either "No Change Report" or "Minor Change Report," whichever reflects your situation. Supply all the requested information. <input type="checkbox"/> <b>NO CHANGE REPORT.</b> I have reviewed my last complete F-1 report dated _____ and F-1A reports (if any) dated (1) _____ and (2) _____. The information disclosed on those reports is accurate for the current reporting period. <input type="checkbox"/> <b>MINOR CHANGES REPORT.</b> I have reviewed my last complete F-1 report dated _____. The changes listed below have occurred during the reporting period. Specify F-1 Form Item numbers and describe changes. Provide all information required on F-1 report.				
Check here <input type="checkbox"/> if continued on attached sheet				
<b>FOOD TRAVEL SEMINARS</b> Complete this section if a source other than your own governmental agency paid for or otherwise provided all or a portion of the following items to you, your spouse, registered domestic partner or dependents, or a combination thereof: 1) Food and beverages costing over \$50 per occasion; 2) Travel occasions; or 3) Seminars, educational programs or other training.				
Date Received	Donor's Name, City and State	Brief Description	Actual Dollar Amount	Value (Use Code)
Check here <input type="checkbox"/> if continued on attached sheet				
<b>ALL FILERS EXCEPT CANDIDATES.</b> Check the appropriate box. <input type="checkbox"/> I hold a state elected office, am an executive state officer or professional staff. I have read and am familiar with RCW 42.52.180 regarding the use of public resources in campaigns. <input type="checkbox"/> I hold a local elected office. I have read and am familiar with RCW 42.17.130 regarding the use of public facilities in campaigns.		<b>CERTIFICATION:</b> I certify under penalty of perjury that the information contained in this report is true and correct to the best of my knowledge.		
<b>*CANDIDATES:</b> Do not use public agency addresses or telephone numbers for contact information.		Signature _____ Date _____ Contact Telephone: ( ) * _____ Email: _____(work) * Email: _____(Home) <u>Optional</u>		

Report Not Acceptable Without Filer's Signature

((STRICKEN GRAPHIC))

((STRICKEN GRAPHIC \_\_\_\_\_))

**Information Continued**

**F-1A**

Name \_\_\_\_\_

Select either "No Change Report" or "Minor Change Report," whichever reflects your situation. Supply all the requested information.


**NO CHANGE REPORT.** I have reviewed my last complete F-1 report dated \_\_\_\_\_ and F-1A reports (if any) dated (1) \_\_\_\_\_ and (2) \_\_\_\_\_. The information disclosed on those reports is accurate for the current reporting period.

**MINOR CHANGES REPORT.** I have reviewed my last complete F-1 report dated \_\_\_\_\_. The changes listed below have occurred during the reporting period. Specify F-1 Form Item numbers and describe changes. Provide all information required on F-1 report.

**FOOD  
TRAVEL  
SEMINARS** (Continued)

Date Received	Donor's Name, City and State	Brief Description	Actual Dollar Amount	Value (Use Code)
			\$	

\_\_\_\_\_ STRICKEN GRAPHIC))

 <b>PUBLIC DISCLOSURE COMMISSION</b> 711 CAPITOL WAY RM 206 PO BOX 40908 OLYMPIA WA 98504-0908 (360) 753-1111 TOLL FREE 1-877-601-2828		PDC FORM <b>F-1A</b> (1/12)	<b>PERSONAL FINANCIAL AFFAIRS STATEMENT</b> Short Form		P M O A S R T K  R E C E I V E D PDC OFFICE USE											
The F-1A form is designed to simplify reporting for persons who have no changes or only minor changes to an F-1 report previously filed. <b>A complete F-1 form must be filed at least every four years;</b> an F-1A form may be used for no more than three consecutive reports. <b>Deadlines:</b> Incumbent elected and appointed officials -- by April 15. Candidates and others -- within two weeks of becoming a candidate or being newly appointed to a position.		<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th style="text-align: left;">DOLLAR CODE</th> <th style="text-align: left;">AMOUNT</th> </tr> <tr> <td>A</td> <td>\$1 to \$3,999</td> </tr> <tr> <td>B</td> <td>\$4,000 to \$19,999</td> </tr> <tr> <td>C</td> <td>\$20,000 to \$39,999</td> </tr> <tr> <td>D</td> <td>\$40,000 to \$99,999</td> </tr> <tr> <td>E</td> <td>\$100,000 or more</td> </tr> </table>		DOLLAR CODE	AMOUNT	A	\$1 to \$3,999	B	\$4,000 to \$19,999	C	\$20,000 to \$39,999	D	\$40,000 to \$99,999	E	\$100,000 or more	
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D	\$40,000 to \$99,999															
E	\$100,000 or more															
Last Name _____ First _____ Middle Initial _____ Mailing Address (Use PO Box or Work Address) * _____ City _____ County _____ Zip + 4 _____		Names of immediate family members, including registered domestic partner. If there is no reportable information to disclose for dependent children, or other dependents living in your household, do not identify them. Do identify your spouse or registered domestic partner. See F-1 manual for details.														
Filing Status (Check only one box.) <input type="checkbox"/> An elected or state appointed official filing annual report <input type="checkbox"/> Final report as an elected official. Term expired: _____ year _____ <input type="checkbox"/> Candidate running in an election: month _____ year _____ <input type="checkbox"/> Newly appointed to an elective office <input type="checkbox"/> Newly appointed to a state appointive office <input type="checkbox"/> Professional staff of the Governor's Office and the Legislature		Office Held or Sought Office title: _____ County, city, district or agency of the office, name and number: _____ Position number: _____ Term begins: _____ ends: _____														
Select either "No Change Report" or "Minor Change Report," whichever reflects your situation. Supply all the requested information. <input type="checkbox"/> <b>NO CHANGE REPORT.</b> I have reviewed my last complete F-1 report dated _____ and F-1A reports (if any) dated (1) _____ and (2) _____. The information disclosed on those reports is accurate for the current reporting period. <input type="checkbox"/> <b>MINOR CHANGES REPORT.</b> I have reviewed my last complete F-1 report dated _____. The changes listed below have occurred during the reporting period. Specify F-1 Form Item numbers and describe changes. Provide all information required on F-1 report.																
Check here <input type="checkbox"/> if continued on attached sheet																
<b>FOOD TRAVEL SEMINARS</b> Complete this section if a source other than your own governmental agency paid for or otherwise provided all or a portion of the following items to you, your spouse, registered domestic partner or dependents, or a combination thereof: 1) Food and beverages costing over \$50 per occasion; 2) Travel occasions; or 3) Seminars, educational programs or other training.																
Date Received	Donor's Name, City and State	Brief Description	Actual Dollar Amount	Value (Use Code)												
Check here <input type="checkbox"/> if continued on attached sheet																
<b>ALL FILERS EXCEPT CANDIDATES.</b> Check the appropriate box. <input type="checkbox"/> I hold a state elected office, am an executive state officer or professional staff. I have read and am familiar with RCW 42.52.180 regarding the use of public resources in campaigns. <input type="checkbox"/> I hold a local elected office. I have read and am familiar with RCW 42.17A.555 regarding the use of public facilities in campaigns. *CANDIDATES: Do not use public agency addresses or telephone numbers for contact information		<b>CERTIFICATION:</b> I certify under penalty of perjury that the information contained in this report is true and correct to the best of my knowledge. _____ Signature Date Contact Telephone: ( ) * Email: _____(work) * Email: _____(Home) Optional														

**Report Not Acceptable Without Filer's Signature**

Information Continued

F-1A

Name \_\_\_\_\_

Select either "No Change Report" or "Minor Change Report," whichever reflects your situation. Supply all the requested information.

**NO CHANGE REPORT.** I have reviewed my last complete F-1 report dated \_\_\_\_\_ and F-1A reports (if any) dated (1) \_\_\_\_\_ and (2) \_\_\_\_\_. The information disclosed on those reports is accurate for the current reporting period.

**MINOR CHANGES REPORT.** I have reviewed my last complete F-1 report dated \_\_\_\_\_. The changes listed below have occurred during the reporting period. Specify F-1 Form Item numbers and describe changes. Provide all information required on F-1 report.

**FOOD  
TRAVEL  
SEMINARS** (Continued)

Date Received	Donor's Name, City and State	Brief Description	Actual Dollar Amount \$	Value (Use Code)

AMENDATORY SECTION (Amending Order 86-06, filed 9/12/86)

**WAC 390-24-025 Time for filing statement of financial affairs.** It shall be the policy of the public disclosure commission to construe the filing requirements of RCW ((42.17.240)) 42.17A.700 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)) 42.17A.700, and any appointed official and professional staff member listed or referenced in RCW ((42.17.240)) 42.17A.700, and any appointed official required to comply with the reporting requirements of RCW ((42.17.240)) 42.17A.700 by any other statute is required to file the statement of financial affairs if



such person holds such public office between January 1 and April 15 of any year. Such report shall be for the preceding calendar year.

(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.

AMENDATORY SECTION (Amending Order 86-02, filed 3/26/86)

**WAC 390-24-100 Definition—Direct financial interest.** For the purpose of RCW ((42.17.241)) 42.17A.710 (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)) 42.17A RCW;

(2) An account receivable by a business entity in the ordinary course of such entity's business.

AMENDATORY SECTION (Amending Order 86-02, filed 3/26/86)

**WAC 390-24-105 Definition—Written sworn statement.** The term written, sworn statement for the purposes of RCW ((42.17.240)) 42.17A.700(6) 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.

AMENDATORY SECTION (Amending Order 86-02, filed 3/26/86)

**WAC 390-24-110 Definition—Debt.** (1) For the purpose of RCW ((42.17.241)) 42.17A.710 (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 ((42.17.241)) 42.17A.710 (1)(c) shall not be deemed to include an account payable of a business entity in the ordinary course of such entity's business.

AMENDATORY SECTION (Amending WSR 94-05-010, filed 2/3/94, effective 3/6/94)

**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 pol-

icy 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 chair and executive director, 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 subsection (1) of this section. The executive director 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)) 42.17A.705 (2) and (3) and its application to such positions and personnel.

AMENDATORY SECTION (Amending WSR 02-03-018, filed 1/4/02, effective 2/4/02)

**WAC 390-24-200 Descriptions of real property.** (1) For the purposes of reporting real property as required by RCW ((42.17.241)) 42.17A.710 (1)(h) through (k), the filer shall list the street address of each parcel, the assessor's parcel number, the abbreviated legal description appearing on property tax statements, or the complete legal description.

(2) Each property description shall be followed by the name of the county in which the property is located.

AMENDATORY SECTION (Amending WSR 06-21-010, filed 10/6/06, effective 11/6/06)

**WAC 390-24-201 Report of compensation by limited partnerships, limited liability partnerships, limited liability companies, and similar entities.** For the purposes of filing financial disclosures required by RCW ((42.17.241)) 42.17A.710:

(1) The terms partnership, general partnership, limited partnership, limited liability partnership, and limited liability company as defined in Title 25 RCW will apply.

(2) Persons who have a partnership or membership in limited partnerships, limited liability partnerships, limited liability companies, and similar entities including but not limited to professional limited liability companies, shall file a personal financial affairs form (PDC F-1) as required in RCW ((42.17.241)) 42.17A.710, and shall also provide the information described in subsection (3) of this section.

(3) A person filing a personal financial affairs statement shall report the name of any limited partnership, limited liability partnership, limited liability company, professional limited liability company, and similar entity in which a partnership or membership is held by the person or member of the person's immediate family, and any title held. The person shall also report the following:

(a) Regarding a governmental unit in which the filer seeks or holds any office or position, if the entity has received compensation during the reporting period from the governmental unit, the value of the compensation and the consideration given or performed in exchange for the compensation; and

(b) The name of each governmental unit, corporation, partnership, joint venture, sole proprietorship, association, union, or other business or commercial entity from which the entity has received compensation in the amount equal to or greater than the amount specified in WAC 390-24-010 and 390-24-020 (the F-1 reporting forms) during the reporting period and the consideration given or performed in exchange for the compensation.

AMENDATORY SECTION (Amending WSR 08-01-070, filed 12/14/07, effective 1/14/08)

**WAC 390-24-202 Report of compensation from sales commissions.** When a person receives compensation in the form of a commission on sales, the reporting of the compensation, required in RCW ((42.17.241)) 42.17A.710, shall include:

(1) The name and address of the person or persons through whom a commission was paid;

(2) For purposes of RCW ((42.17.241)) 42.17A.710 (1)(f), the name and address of each person (other than an individual) for whom a service was rendered or to whom a product was sold that resulted in a commission of \$2,000 or more in the aggregate;

(3) For purposes of RCW ((42.17.241)) 42.17A.710 (1)(g)(i), the name and address of each governmental unit for whom a service was rendered or to whom a product was sold that resulted in a commission;

(4) For purposes of RCW ((42.17.241)) 42.17A.710 (1)(g)(ii), the name and address of each person (other than an individual) for whom a service was rendered or to whom a product was sold that resulted in a commission of \$10,000 or more in the aggregate.

AMENDATORY SECTION (Amending WSR 00-22-059, filed 10/27/00, effective 11/27/00)

**WAC 390-24-203 Reporting of field trips and other excursions.** (1) All persons required to file reports pursuant to RCW ((42.17.170)) 42.17A.615 who provide field trips or other excursions to elected and appointed officials, and other individuals required to file the Personal Financial Affairs Statement (PDC Form F-1) shall file, on the appropriate monthly L-2 or L-2 Memo Report, the identity of persons attending the field trip or other excursion along with the date, pro rata cost, and a brief description of the field trip or other excursion.

(2) All persons required to file pursuant to RCW ((42.17.241)) 42.17A.710 who attend a field trip or other excursion paid for or provided by a lobbyist, lobbyist employer, or other person paying for or providing field trips or other excursions shall report the date, name of the person paying for or providing the field trip or excursion, pro rata cost attributable to the filer, applicable code value, and a brief description of the field trip or other excursion as part of the F-

1 statement that covers the date of the field trip or other excursion.

AMENDATORY SECTION (Amending Order 86-02, filed 3/26/86)

**WAC 390-24-210 Report 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 ((42.17.241)) 42.17A.710 (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.

AMENDATORY SECTION (Amending WSR 08-01-070, filed 12/14/07, effective 1/14/08)

**WAC 390-24-301 Changes in dollar amounts of reporting thresholds and code values.** Pursuant to the commission's authority in RCW ((42.17.370(1+))) 42.17A.125(2) to revise the monetary reporting thresholds and code values found in chapter ((42.17)) 42.17A RCW to reflect changes in economic conditions, the following revisions are made:

Statutory Section	Subject Matter	Amount Enacted or Last Revised	Revision Effective January 1, 2008
((241(1)(b))) <u>710 (1)(b)</u>	Bank Accounts	\$15,000	\$20,000
((241(1)(b))) <u>710 (1)(b)</u>	Other Intangibles	\$1,500	\$2,000
((241(1)(e))) <u>710 (1)(c)</u>	Creditors	\$1,500	\$2,000
((241(1)(f))) <u>710 (1)(f)</u>	Compensation	\$1,500	\$2,000
((241(1)(g)(ii))) <u>710 (1)(g)(ii)</u>	Compensation to Business Entity	\$7,500	\$10,000
((241(1)(g))) <u>710 (1)(g)</u>	Bank Interest Paid	\$1,800	\$2,400
((241(1)(h))) <u>710 (1)(h)</u>	Real Property— Acquired	\$7,500	\$10,000
((241(1)(i))) <u>710 (1)(i)</u>	Real Property— Divested	\$7,500	\$10,000
((241(1)(j))) <u>710 (1)(j)</u>	Real Property— Held	\$7,500	\$10,000
((241(1)(k))) <u>710 (1)(k)</u>	Real Property— Business	\$15,000	\$20,000
((241(1)(l))) <u>710 (1)(l)</u>	Food and Beverages	\$50	
((241(2))) <u>710 (2)</u>	Dollar Code A	Up to \$2,999	Up to \$3,999
	Dollar Code B	\$3,000—\$14,999	\$4,000— \$19,999
	Dollar Code C	\$15,000—\$29,999	\$20,000— \$39,999
	Dollar Code D	\$30,000—\$74,999	\$40,000— \$99,999
	Dollar Code E	\$75,000 and up	\$100,000 and up

AMENDATORY SECTION (Amending WSR 07-14-117, filed 7/3/07, effective 8/3/07)

**WAC 390-28-020 Definition—Applicant.** The term applicant for the purposes of chapter 390-28 WAC shall mean any person as defined in RCW ((42.17.020)) 42.17A.005 that seeks a modification pursuant to RCW ((42.17.370(10))) 42.17A.120 and these rules.

AMENDATORY SECTION (Amending WSR 92-05-080, filed 2/18/92, effective 3/20/92)

**WAC 390-28-025 Hearing to modify reporting requirements.** (1) Any person who considers compliance with any of the reporting requirements of chapter ((42.17)) 42.17A RCW to be a manifestly unreasonable hardship in a particular case may apply for a modification of such reporting requirements pursuant to RCW ((42.17.370(10))) 42.17A.120 and further pursuant to these rules.

(2) A hearing to modify the reporting requirements shall be conducted pursuant to the Administrative Procedure Act (chapter 34.05 RCW) and its supporting regulations (chapter 10-08 WAC) shall be followed unless otherwise modified by chapter 390-28 WAC.

AMENDATORY SECTION (Amending WSR 91-22-083, filed 11/5/91, effective 12/6/91)

**WAC 390-28-040 Hearing to modify reporting—Pre-hearing procedure and requirements.** (1) An applicant must file with the commission a written request for hearing for suspension or modification of reporting requirements. The request should be submitted by the tenth day of the month preceding the month in which the report is due so that action on the request can be completed before the filing deadline.

(2) The request should contain (a) the required report completed to the extent possible, (b) the applicant's evidence to be submitted at the hearing, (c) 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.) The applicant is encouraged to also include a proposed modification to the required reporting which, in the applicant's opinion, will relieve the perceived hardship.

(3) The filing of a request for modification shall not suspend the reporting requirement of any portion of chapter ((42.17)) 42.17A RCW.

AMENDATORY SECTION (Amending WSR 91-22-083, filed 11/5/91, effective 12/6/91)

**WAC 390-28-060 Hearing to modify reporting—Administrative law judge proceedings.** (1) The commission may request through the office of administrative hearings the appointment of an administrative law judge to hear individual applicants.

(2) After such hearing is concluded, the administrative law judge 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 administrative law judge'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 administrative law judge, applicant or executive director. The commission may also hear additional testimony.

(3) If the applicant files objections to the administrative law judge's proposed decision, the filing requirement from which the applicant has sought modification 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(10))) 42.17A.120. Such suspension of filing requirements shall be granted only until the decision is finalized by formal action of the commission.

(4) At the next meeting at which the matter can be lawfully considered, the commission shall review and either ratify or modify or revise the proposed order.

AMENDATORY SECTION (Amending WSR 07-14-117, filed 7/3/07, effective 8/3/07)

**WAC 390-28-080 Hearing to modify reporting—Evidence, record, adverse decisions.** (1) All evidence presented at hearings held pursuant to chapter 390-28 WAC and RCW ((42.17.370(10))) 42.17A.120 shall be considered to be a public record. There is a presumption that all hearings and evidence presented in hearing records are open to the public. Requests for closure of hearings or portions of hearings or hearing records generally will be denied. However, pursuant to RCW 34.05.449(5) and ((42.17.370(10))) 42.17A.120, the commission may close the hearing or a portion of the hearing or hearing record. The commission may close a hearing or portion of a hearing or hearing record for a limited purpose to protect compelling interests and where closure is specifically justified if it finds that it is necessary to allow the applicant to:

(a) Provide sufficient evidence to assure that proper findings are made regarding the name of an entity the disclosure of which would likely adversely affect the competitive position of the applicant as provided in RCW ((42.17.370(10))) 42.17A.120; or

(b) Provide other information or relevant legal authorities for which it finds a compelling interest has otherwise been shown by the applicant to close the hearing.

(2)(a) Before concluding that closure of a hearing or portion of a hearing or hearing record is warranted, the commission must find by clear and convincing evidence that:

(i) The applicant has satisfied a basis for seeking closure under subsection (1)(a) or (b) of this section;

(ii) An open hearing or record to report the information would work a manifestly unreasonable hardship on the applicant;

(iii) Anyone present when the closure request is made has been given an opportunity to object to the closure;

(iv) The proposed method for closing the hearing or hearing record is the least restrictive means available for protecting the threatened interests, after considering alternatives;

(v) The commission has had the opportunity to weigh the competing interests of the applicant seeking closure and the public's interests;

(vi) Closing the hearing or portion of the hearing or hearing record will not frustrate the purposes of chapter ~~((42.17))~~ 42.17A RCW; and

(vii) The proposed protective order is not broader in its application or duration than necessary to serve its purpose.

(b) All evidence presented at any portion of a closed session identifying the matters for which the applicant requests modification under these rules shall be considered confidential by the commission pursuant to a protective order which shall be entered by the commission unless otherwise ordered by a court of competent jurisdiction. In the event that an administrative law judge determines that testimony in private may be necessary, the judge shall immediately adjourn the hearing and refer the matter to the commission.

(3) Any decision or order adverse to an applicant rendered by the commission or the administrative law judge shall be in writing or stated in the record and shall be accompanied by findings of fact and conclusions of law.

AMENDATORY SECTION (Amending Order 85-04, filed 10/31/85)

**WAC 390-28-090 Hearing to modify reporting—Required findings.** The commission, after hearing as provided in these rules, may suspend the applicable reporting requirement of chapter ~~((42.17))~~ 42.17A 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.

AMENDATORY SECTION (Amending WSR 09-20-081, filed 10/6/09, effective 11/6/09)

**WAC 390-28-100 Reporting modifications—Possible qualifications—Statement of financial affairs.** (1) One or more of the following may be considered by the commission as possible qualifications for a reporting modification with respect to the statement of financial affairs, when it is in the public interest:

(a) **Banks, savings accounts, insurance policies - Financial interests.** A candidate or official may be exempted from reporting any financial interest, otherwise required to be reported by RCW ~~((42.17.241))~~ 42.17A.710 (1)(b) if:

(i) The financial institution or other entity in which the candidate or official held an 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 official;

(ii) Such reporting would present a manifestly unreasonable hardship to the candidate or official; and

(iii) The interest would present no actual or potential conflict with the proper performance of the duties of the office sought or held.

(b) **Income and ownership interests.** A candidate or official may be exempted from reporting the information otherwise required by RCW ~~((42.17.241))~~ 42.17A.710 (1)(f) and (g), if:

(i) Public disclosure would violate any legally recognized confidential relationship;

(ii) The information does not relate to a business entity which would be subject to the regulatory authority of the office sought or held by the candidate or official in whole or in part;

(iii) Such reporting would present a manifestly unreasonable hardship to the candidate or official including but not limited to adversely affecting the competitive position of an entity in which the filer had an interest of ten percent or more as described in RCW ~~((42.17.370(10)))~~ 42.17A.120; and

(iv) The interest in question would present no actual or potential conflict with the performance of the duties of the office sought or held.

(c) **Immediate family members' interests.** A candidate or official may be exempted from reporting the information otherwise required by RCW ~~((42.17.241))~~ 42.17A.710 for members of the immediate family of a candidate or official, if:

(i) 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 official or to any other person who is dependent upon such candidate or official for support in whole or in part; or

(ii) Reporting the name of an entity in which the immediate family holds an interest of ten percent or more would be likely to adversely affect the competitive position of the entity, under RCW ~~((42.17.370(10)))~~ 42.17A.120.

(d) **Personal residence - Real property.** Regarding reporting the information otherwise required by RCW ~~((42.17.241))~~ 42.17A.710 (1)(h) through (k):

(i) Under WAC 390-24-200, the filer shall list the street address of each parcel, the assessor's parcel number, the abbreviated legal description appearing on property tax statements, or the complete legal description. Each property description shall be followed by the name of the county in which the property is located.

(ii) No modification will be necessary if the filer describes the real property using one of the alternatives in WAC 390-24-200, plus the name of the county.

(iii) A modification will be required if the filer seeks some other means to describe reportable real property including the personal residence of the filer. The commission may consider a modification, for example, when the filer or his or her immediate family member has received a threat, has a no contact order, or presents a similar personal safety situation.

(e) **Other.** A candidate or official may be exempted from reporting information otherwise required under RCW ~~((42.17.241))~~ 42.17A.710 which would constitute a mani-

festly unreasonable hardship in a particular case, when the circumstances presented would not indicate any actual or potential conflict with the proper performance of the duties of the office sought or held. Examples of members of professions often seeking modifications, and examples of other frequent situations that may result in modification requests, are described in commission interpretive statements.

(2) "Bona fide separate property agreement" means an agreement or court order describing separate property in a valid:

- (a) Prenuptial agreement;
- (b) Separate property contract under chapter 26.09 RCW;
- (c) Separate property court decree under chapter 26.09 RCW;
- (d) Domestic partnership agreement under chapter 26.60 RCW;
- (e) Domestic partnership agreement as part of a notice of termination under chapter 26.60 RCW; or
- (f) Postnuptial agreement.

(3) "Other bona fide separate status" means a valid written agreement or court decree recognizing the separate status of the parties under state law, including their individual property that is separate under state law.

AMENDATORY SECTION (Amending Order 85-04, filed 10/31/85)

**WAC 390-32-010 Fair Campaign Practices Code for candidates and political committees.** Pursuant to the provisions of RCW ((42.17.370)) 42.17A.110 (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)) 42.17A RCW to gain political advantage for myself or any other candidate.

AMENDATORY SECTION (Amending WSR 92-18-002, filed 8/20/92, effective 9/20/92)

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

(2) Failure to subscribe to the code shall not constitute a violation of chapter ((42.17)) 42.17A RCW.

AMENDATORY SECTION (Amending WSR 03-22-065, filed 11/4/03, effective 12/5/03)

**WAC 390-37-010 Enforcement procedures—General.** This chapter provides the procedures for adjudicative proceedings (hearings) in compliance cases under the commission's jurisdiction. The procedures are also governed by RCW ((42.17.395)) 42.17A.755, and the adjudicative proceedings provisions of chapter 34.05 RCW. Unless they differ or are otherwise specifically addressed in this chapter, the procedure, are supplemented by the model rules of procedure in chapter 10-08 WAC. In lieu of holding an adjudicative proceeding or issuing an order as a result of such a proceeding, the commission may refer the matter to the attorney general or other law enforcement agency pursuant to RCW ((42.17.360(5))) 42.17A.105(5) and ((42.17.395(3))) 42.17A.755.

In addition, the procedures for requesting a hearing on a petition to modify or suspend reporting requirements are provided in RCW ((42.17.370(10))) 42.17A.120 and chapters 390-24 and 390-28 WAC.

The policy of the commission shall be to facilitate the resolution of compliance matters in a fair and expeditious manner. The commission encourages the parties to consider alternative resolution or partial resolution procedures such as stipulations under WAC 390-37-090, when appropriate. Informal settlements are encouraged by RCW 34.05.060.

AMENDATORY SECTION (Amending WSR 93-24-003, filed 11/18/93, effective 12/19/93)

**WAC 390-37-020 Enforcement procedures—Initiation of complaint.** (1) A complaint alleging a violation of chapter ((42.17)) 42.17A 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 an enforcement hearing that may arise from the complaint;
- (d) Referral from the office of the attorney general or any other law enforcement agency;
- (e) A state agency, local agency or member of a state or local agency.

(2) The person or entity against whom a complaint is filed shall be known as the respondent.

AMENDATORY SECTION (Amending WSR 04-12-058, filed 5/28/04, effective 6/28/04)

**WAC 390-37-030 Enforcement procedures—Citizen complaints filed with the commission.** (1) When a citizen complaint has been filed with the agency pursuant to WAC 390-37-040, 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 enforcement hearing or investigative proceeding.

(2) The complainant or any other person may submit documentary evidence and/or written factual or legal statements to the staff at any time up to and including the fifth calendar day before the date of any enforcement hearing or proceeding.

(3) A person not satisfied with the dismissal of a complaint by the commission or its executive director may pursue an appropriate remedy under RCW ((42.17.400(4))) 42.17A.765(4).

AMENDATORY SECTION (Amending WSR 03-22-065, filed 11/4/03, effective 12/5/03)

**WAC 390-37-040 Enforcement procedures—Procedures for filing complaints with the commission.** (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, shall be made in writing.

(3) A complaint filed under the provisions of either subsection (1) or (2) of this section shall 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;

(b) All available documentation and other evidence which the complainant is able to supply to demonstrate a reason for believing that a violation of the sections of chapter ((42.17)) 42.17A RCW that are enforced by the commission has occurred; and

(c) The name, address, telephone number, and other contact information for the complainant.

AMENDATORY SECTION (Amending WSR 04-12-059, filed 5/28/04, effective 6/28/04)

**WAC 390-37-041 Enforcement procedures—Allegations submitted to the attorney general's office and/or prosecuting attorneys.** When a person has notified the attorney general or prosecuting attorney under RCW ((42.17.400(4))) 42.17A.765(4) that there is reason to believe a violation of the sections of chapter ((42.17)) 42.17A RCW enforced by the commission has occurred, and the attorney general or prosecutor forwards the complaint to the commission, commission staff may:

(1) Initiate an investigation;

(2) Submit a report to the commission that may include a recommendation;

(3) Schedule the matter for an adjudicative proceeding before the commission following investigation; and/or

(4) Take any other steps consistent with the agency's authority and resources.

AMENDATORY SECTION (Amending WSR 05-11-001, filed 5/4/05, effective 6/4/05)

**WAC 390-37-060 Enforcement procedures—Investigation of complaints—Initiation of hearing (adjudicative proceeding).** (1) Upon receipt of a complaint not obviously unfounded or frivolous, the executive director shall direct an investigation be conducted. If after an initial review of the complaint it is determined that a complete and thorough investigation will require the expenditure of substantial resources, the executive director may request review and concurrence by the commission before continuing the investigation.

(2) The executive director shall initiate an adjudicative proceeding or provide a report to the commission whenever an investigation reveals facts that the executive director has reason to believe are a material violation of the sections of chapter ((42.17)) 42.17A RCW under the commission's jurisdiction, and do not constitute substantial compliance.

(3) The respondent shall be notified of the date of the adjudicative proceeding no later than ten calendar days before that date. The notice shall contain the information required by RCW 34.05.434. The complainant shall also be provided a copy of this notice.

(4) It is the policy of the commission during the course of any investigation that all records generated or collected as a result of that investigation are exempt from public inspection and copying under RCW ((42.17.310-(1)(d))) 42.56.240(1). If a request is made for any such record that implicates the privacy of an individual, written notice of the records request will be provided to the individual in order that such individual may request a protective order from a court under RCW ((42.17.330)) 42.56.540. Certain documents shall be returned to candidates, campaigns, or political committees as required by RCW ((42.17.365)) 42.17A.105 within seven calendar days of the commission's final action upon completion of an audit or field investigation.

AMENDATORY SECTION (Amending WSR 03-18-003, filed 8/20/03, effective 9/20/03)

**WAC 390-37-063 Enforcement procedures—Demand for information—Subpoenas.** (1) During the course of an audit or an investigation, the executive director may issue a subpoena directed to any person who probably possesses information which is relevant and material to the audit or the investigation. The subpoena shall

(a) Specifically describe the information which is sought, and

(b) Set forth a reasonable time and place for the production of the information, and

(c) Notify the person that if the information is not produced, the executive director will apply to the superior court for an appropriate order or other remedy.

The subpoena may be personally delivered or sent by certified mail, return receipt requested.

(2) The commission may issue a subpoena under RCW ((42-17-370(6))) 42.17A.110(6) and WAC 390-37-120 to compel persons to appear and give testimony and may require the production of any books, papers, correspondence, memorandums or other documents which the commission deems relevant and material.

AMENDATORY SECTION (Amending WSR 03-22-065, filed 11/4/03, effective 12/5/03)

**WAC 390-37-070 Enforcement procedures—Complaints dismissed by executive director.** The executive director, with the concurrence of the chair or the chair's designee, 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 material violation of the sections of chapter ((42-17)) 42.17A RCW that are enforced by the commission has occurred and/or shows that the respondent is in substantial compliance with the relevant statutes or rules.

AMENDATORY SECTION (Amending WSR 03-22-065, filed 11/4/03, effective 12/5/03)

**WAC 390-37-100 Enforcement procedures—Conduct of hearings (adjudicative proceedings).** (1) An enforcement hearing (adjudicative proceeding) shall be conducted pursuant to the Administrative Procedure Act (chapter 34.05 RCW). Chapter 390-37 WAC further governs these proceedings, as supplemented by chapter 10-08 WAC. To the extent chapters 390-37 and 10-08 WAC differ, chapter 390-37 WAC controls.

(2) An adjudicative proceeding shall be heard by the commission, except for brief adjudicative proceedings which are conducted by the chair or the chair's designee.

(3) The commission shall have the authority to:

- (a) Determine the order of presentation of evidence;
- (b) Administer oaths and affirmations;
- (c) Rule on procedural matters, objections, and motions;
- (d) Rule on offers of proof and receive relevant evidence;

(e) Pursuant to RCW 34.05.449(5), close parts of a hearing to public observation or order the exclusion of witnesses upon a showing of good cause;

(f) Interrogate witnesses called by the parties in an impartial manner to develop any facts deemed necessary to fairly and adequately decide the matter;

(g) Take official notice of facts pursuant to RCW 34.05.452(5);

(h) Regulate the course of the hearing and take any appropriate action necessary to maintain order during the hearing;

(i) Permit or require oral argument or briefs and determine the time limits for submission thereof;

(j) Issue an order of default pursuant to RCW 34.05.440;

(k) Take any other action necessary and authorized by any applicable statute or rule;

(l) Waive any requirement of these rules unless a party shows that it would be prejudiced by such a waiver; and

(m) The commission chair or the chair's designee may conduct the procedural aspects of the adjudicative proceeding under (a) through (l) of this subsection, unless a majority of members present vote to seek a full commission decision on any particular matter.

(4) The commission may decide dispositive motions, and any other matters referred to it by the presiding officer at a prehearing conference.

(5) After an adjudicative proceeding by the commission, 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)) 42.17A RCW, as alleged, and determine the sanction, if any, to be imposed; or

(c) Respondent is in apparent violation of chapter ((42-17)) 42.17A RCW, its own remedies are inadequate and enter its order referring the matter to the appropriate law enforcement agency as provided in RCW ((42-17-360)) 42.17A.105 and ((42-17-395)) 42.17A.755.

(6) Upon the conclusion of ((and)) an adjudicative proceeding, the commission:

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

(b) Shall serve the respondent a copy of the findings of fact, conclusions of law and decision and order.

(7) The executive director is authorized to sign orders on behalf of the commission.

(8) 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.

AMENDATORY SECTION (Amending WSR 03-22-065, filed 11/4/03, effective 12/5/03)

**WAC 390-37-140 Brief enforcement hearings (adjudicative proceedings)—Authority.** (1) The commission may provide a brief adjudicative proceeding for violations of the sections of chapter ((42-17)) 42.17A RCW that it enforces in which the facts are undisputed, the violations appear to be relatively minor in nature, and a penalty no greater than \$500 will be assessed for the violations. Typical matters to be heard in a brief adjudicative proceeding include, but are not limited to, the following:

(a) Failure to file or late filing of required reports,

(b) Failure to report or accurately report campaign contributions or expenditures or funds spent in lobbying,

(c) Use of public office facilities in election campaigns when the value of public funds expended was minimal,

(d) Infractions of political advertising law regarding sponsor identification or political party identification.

(2) The commission may utilize a penalty schedule for brief adjudicative proceedings.

(3) Brief adjudicative proceedings are set forth in RCW 34.05.482 through 34.05.494.