Chapter 390-12 WAC

ADMINISTRATIVE PROCEDURES

WAC

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Pursuant to RCW 42.30.075, regular meetings of the public disclosure commission are scheduled to be held during the first or second week of December. The meetings shall be held in the commission meeting room, second floor, Evergreen Plaza Building, 711 Capitol Way, Olympia, Washington, unless circumstances require reloca-
ting to another site. If relocating is required, the meeting shall be held at a place designated by the executive director of the commission.

WAC 390-12-040  Public disclosure commission—Description of central and field organization. (1) The public disclosure commission is a five member commission appointed by the governor with the consent of the senate. The commission is assisted by a staff consisting of an executive director and such other employees as are necessary.

(2) The administrative office of the commission is located at 711 Capitol Way, Room 206, Evergreen Plaza Building, Olympia, Washington.

(3) Mailings to the commission should be addressed as follows: Public Disclosure Commission, PO Box 40908, Olympia, WA 98504-0908.

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 provid-
ing 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 42.17A.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 42.17A.100.

(3) Commissioners meet monthly to consider and act on major policy matters, on requests for reporting modifications

unless a different time is noted on an agenda, except November and December when a combined meeting is scheduled to be held during the first or second week of December. The meetings shall be held in the commission meeting room, second floor, Evergreen Plaza Building, 711 Capitol Way, Olympia, Washington, unless circumstances require relocating to another site. If relocating is required, the meeting shall be held at a place designated by the executive director of the commission.

[Statutory Authority: RCW 42.17.370. 02-03-018, § 390-12-040, filed 1/4/02, effective 2/4/02. Statutory Authority: RCW 42.17.370(1). 04-12-053, § 390-12-010, filed 5/28/04, effective 6/28/04. Statutory Authority: RCW 42.17.370. 94-05-010, § 390-12-010, filed 2/3/94, effective 3/6/94. Statutory Authority: RCW 42.17.370(1). 85-15-020 (Order 85-03), § 390-12-010, filed 7/9/85; 82-05-001 (Order 82-01), § 390-12-010, filed 2/4/82; 80-06-119 (Order 80-06), § 390-12-010, filed 5/30/80; 79-10-070 (Order 79-06), § 390-12-010, filed 9/19/79; Order 62, § 390-12-010, filed 8/26/75; Order 14, § 390-12-010, filed 7/31/73.]
WAC 390-12-170  Public disclosure commission—Organization and structure—Officers—Terms. The officers of the public disclosure commission for administrative purposes shall be chair, vice-chair and secretary. Their terms shall be one year or until a successor is elected.

[Statutory Authority:  RCW 42.17.370, 93-19-034, § 390-12-170, filed 9/7/93, effective 10/8/93. Statutory Authority:  RCW 42.17.370(1), 85-15-020 (Order 85-03), § 390-12-170, filed 7/9/85; Order 62, § 390-12-170, filed 8/26/75; Order 14, § 390-12-170, filed 7/31/73.]

WAC 390-12-190  Public disclosure commission—Elections—Vacancies. Elections to fill commission offices shall be held annually at the regular June meeting of the commission, or at a special election called for that purpose between May 1 and June 30 of the calendar year in which the new terms will commence. Vacancies in said offices may be filled by a vote of the commission at any regular meeting or any special meeting called for that purpose.

[Order 62, § 390-12-190, filed 8/26/75; Order 14, § 390-12-190, filed 7/31/73.]

WAC 390-12-200  Public disclosure commission—Executive director. The commission shall employ and fix the compensation of an executive director who shall perform the following duties under the general authority and supervision of the commission:

(1) Act as records officer and administrative arm of the commission.
(2) Coordinate the policies of the commission and the activities of all commission employees and other persons who perform ministerial functions for the commission.
(3) Act as liaison between the commission and other public agencies.

[Statutory Authority:  RCW 42.17.370(1). 85-15-020 (Order 85-03), § 390-12-200, filed 7/9/85; Order 62, § 390-12-200, filed 8/26/75; Order 14, § 390-12-200, filed 7/31/73.]

WAC 390-12-250  Declaratory order—Petition requisites—Consideration—Disposition. (1) Any person may submit a petition for a declaratory order pursuant to chapter 42.17A RCW in any form so long as it

(a) Clearly states the question the declaratory order is to answer, and
(b) Provides a statement of the facts which raise the question.

(2) The executive director may conduct an independent investigation in order to fully develop the relevant facts.

(3) The executive director will present the petition to the commission at the first meeting when it is practical to do so and will provide the petitioner with at least five days notice of the time and place of such meeting. Such notice may be waived by the petitioner.

(4) The petitioner may present additional material and/or argument at any time prior to the issuance of the declaratory order.

(5) The commission may issue either a binding or a non-binding order or decline to issue any order.

(6) The commission may decide that a public hearing would assist its deliberations and decisions. If such a hearing is ordered, it will be placed on the agenda of a meeting at
least five days notice of such meeting shall be provided to the petitioner.

(7) If an order is to be issued, the petitioner shall be provided a copy of the proposed order and invited to comment.

(8) The declaratory order cannot be a substitute for a compliance action and is intended to be prospective in effect.

(9) The commission will decline to consider a petition for a declaratory or to issue an order when (a) the petition requests advice regarding a factual situation which has actually taken place, or (b) when a pending investigation or compliance action involves a similar factual situation.

[Statutory Authority:  RCW 42.17.370. 90-16-083, § 390-12-250, filed 7/31/90, effective 8/31/90. Statutory Authority:  RCW 42.17.370(1). 85-15-020 (Order 85-03), § 390-12-250, filed 7/9/85; 81-18-043 (Order 81-03), § 390-12-250, filed 8/28/81.]

WAC 390-12-255 Petitions for rule making, amendment or repeal—Form—Consideration—Disposition.

Any person may submit a petition requesting the adoption, amendment or repeal of any rule by the commission, pursuant to RCW 34.05.330 and the uniform rules adopted by the office of financial management that are set forth in chapter 82-05 WAC.