

AMENDATORY SECTION (Amending WSR 06-07-001, filed 3/1/06, effective 4/1/06)

WAC 390-12-010 Public disclosure commission—((Regular)) Meetings. (1) Pursuant to RCW 42.30.075, regular meetings of the public disclosure commission are scheduled to be held monthly on the fourth Thursday of each month at ~~((9:00))~~ 9:30 a.m. unless a different time is noted on an agenda, except November and December when a combined meeting ~~((is))~~ may be 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.))~~

(2) Commissioners meet monthly to consider and act on policy matters, enforcement matters, rule makings and interpretations, adjudicative proceedings, modification requests, agency management, budget, legislative matters, public and stakeholder input, education and assistance, and other matters consistent with its oversight responsibilities to ensure the agency's mission is fulfilled and to ensure compliance with, and equitable and effective enforcement of, the act. All meetings are conducted in accordance with the Open Public Meetings Act (chapter 42.30 RCW) 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.

AMENDATORY SECTION (Amending WSR 17-03-028, filed 1/6/17, effective 2/6/17)

WAC 390-12-250 Declaratory order—Petition requisites—Consideration—Disposition. (1) Any person may submit a petition for a declaratory order pursuant to RCW 34.05.240 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 business 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 nonbinding 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 and at least five business 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 order 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.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 390-12-040	Public disclosure commission— Description of central and field organization.
WAC 390-12-050	Operations and procedures.
WAC 390-12-170	Public disclosure commission— Organization and structure—Officers— Terms.
WAC 390-12-190	Public disclosure commission—Elections —Vacancies.
WAC 390-12-200	Public disclosure commission—Role of the executive director.