



PROPOSED RULE MAKING

CR-102 (June 2012)

(Implements RCW 34.05.320)

Do **NOT** use for expedited rule making

Agency: Washington State Department of Commerce

- ☒ Preproposal Statement of Inquiry was filed as WSR 17-06-049; or
☐ Expedited Rule Making--Proposed notice was filed as WSR _____; or
☐ Proposal is exempt under RCW 34.05.310(4) or 34.05.330(1).

- ☒ Original Notice
☐ Supplemental Notice to WSR _____
☐ Continuance of WSR _____

Title of rule and other identifying information: (Describe Subject)

New Chapter 365-10 WAC Public Records
 Repealing Chapter 130-10 WAC Public Records - Disclosure
 Amending WAC 365-04-030 Department organization

Hearing location(s):

Washington State Department of Commerce
 1011 Plum Street SE
 Olympia, WA 98504

Date: May 25, 2017 Time: 11:00 a.m.

Submit written comments to:

Name: Shannon Goudy, Records Management Supervisor
 Address: P.O. Box 42525
 Olympia, WA 98504-2525
 e-mail Shannon.Goudy@commerce.wa.gov

by May 26, 2017

Assistance for persons with disabilities: Contact

Jaime Rossman by 5/15/2017

TTY (statewide, toll-free) 711 or (360) 725-2717

Date of intended adoption: 6/15/2017
 (Note: This is **NOT** the **effective** date)

Purpose of the proposal and its anticipated effects, including any changes in existing rules:

The proposed rules update Commerce's WACs implementing the Public Records Act, and move those rules from Title 130 WAC to Title 365 WAC.

Reasons supporting proposal:

Changes to the Public Records Act, court decisions, and Commerce's organizational structure and records disclosure procedures have made parts of Commerce's public records act rules obsolete. Rules are updated to reflect current standards and practices, and the Chapter is moved from Title 130 to Title 365 to better align with other Commerce WACs. In addition, WAC 365-04-030 is updated to reflect changes to Commerce's address and business hours.

Statutory authority for adoption: Chapters 42.56 and 43.330
 RCW

Statute being implemented: Chapter 42.56 RCW

Is rule necessary because of a:

- Federal Law? ☐ Yes ☒ No
 Federal Court Decision? ☐ Yes ☒ No
 State Court Decision? ☐ Yes ☒ No
 If yes, CITATION:

DATE
 April 18, 2017

NAME (type or print)
 Jaime Rossman

SIGNATURE

TITLE
 Rules Coordinator

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
 STATE OF WASHINGTON
 FILED

DATE: April 19, 2017
TIME: 7:50 AM

WSR 17-09-076

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:

Name of proponent: (person or organization)
Washington State Department of Commerce

☐ Private
☐ Public
☒ Governmental

Name of agency personnel responsible for:

Name	Office Location	Phone
Drafting: Shannon Goudy	1011 Plum Street SE Olympia, WA 98504-2525	(360) 725-2706
Implementation: Shannon Goudy	1011 Plum Street SE Olympia, WA 98504-2525	(360) 725-2706
Enforcement: Shannon Goudy	1011 Plum Street SE Olympia, WA 98504-2525	(360) 725-2706

Has a small business economic impact statement been prepared under chapter 19.85 RCW or has a school district fiscal impact statement been prepared under section 1, chapter 210, Laws of 2012?

☐ Yes. Attach copy of small business economic impact statement or school district fiscal impact statement.

A copy of the statement may be obtained by contacting:

Name:
Address:
phone () _____
fax () _____
e-mail _____

☒ No. Explain why no statement was prepared.

A SBEIS is not required for this rulemaking as no reporting, recordkeeping, or other compliance requirements are imposed on small businesses. Not applicable.

Is a cost-benefit analysis required under RCW 34.05.328?

☐ Yes A preliminary cost-benefit analysis may be obtained by contacting:

Name:
Address:
phone () _____
fax () _____
e-mail _____

☒ No: Please explain:

Subsection 5(a)i of RCW 34.05.328 does not require Commerce to provide a cost-benefit analysis. Not applicable.