



RULE-MAKING ORDER PERMANENT RULE ONLY

CR-103P (October 2017) (Implements RCW 34.05.360)

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: November 13, 2017

TIME: 8:13 AM

WSR 17-23-060

Agency: Washington Horse Racing Commission

Effective date of rule:

Permanent Rules

31 days after filing.

Other (specify) _____ (If less than 31 days after filing, a specific finding under RCW 34.05.380(3) is required and should be stated below)

Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?

Yes No If Yes, explain:

Purpose: Updates the public records section to comply with HB 1595 regarding the cost of producing public records

Citation of rules affected by this order:

New:

Repealed:

Amended: WAC 260-09-070

Suspended:

Statutory authority for adoption: RCW 67.16.020

Other authority:

PERMANENT RULE (Including Expedited Rule Making)

Adopted under notice filed as WSR 17-19-117 on September 20, 2017 (date).

Describe any changes other than editing from proposed to adopted version:

If a preliminary cost-benefit analysis was prepared under RCW 34.05.328, a final cost-benefit analysis is available by contacting:

Name:

Address:

Phone:

Fax:

TTY:

Email:

Web site:

Other:

**Note: If any category is left blank, it will be calculated as zero.
No descriptive text.**

**Count by whole WAC sections only, from the WAC number through the history note.
A section may be counted in more than one category.**

The number of sections adopted in order to comply with:

Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	___	Amended	<u>1</u>	Repealed	___

The number of sections adopted at the request of a nongovernmental entity:

New	___	Amended	<u>1</u>	Repealed	___
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The number of sections adopted on the agency's own initiative:

New	___	Amended	<u>1</u>	Repealed	___
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The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New	___	Amended	<u>1</u>	Repealed	___
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The number of sections adopted using:

Negotiated rule making:	New	___	Amended	<u>1</u>	Repealed	___
Pilot rule making:	New	___	Amended	___	Repealed	___
Other alternative rule making:	New	___	Amended	___	Repealed	___

Date Adopted: November 9, 2017

Name: Douglas L Moore

Title: Executive Secretary

Signature:



WAC 260-09-070 Costs of providing copies of public records. (1)

~~There is no fee for inspecting public records. ((A requestor may obtain standard black and white photocopies for fifteen cents per page. (There is no charge for photocopies of twenty pages or less.)~~

~~Before beginning to make the copies, the public records officer or designee may require a deposit of up to ten percent of the estimated costs of copying all the records selected by the requestor. The public records officer or designee may also require the payment of the remainder of the copying costs before providing all the records, or the payment of the costs of copying an installment before providing that installment. The commission will not charge sales tax when it makes copies of public records.~~

~~(2) Costs for electronic records. The cost of electronic copies of records shall be one dollar for information on a CD ROM. There will be no charge for emailing electronic records to a requestor, unless another cost applies such as a scanning fee.~~

~~(3) Costs of mailing. The commission may also charge actual costs of mailing, including the cost of the shipping container.~~

~~(4)) Pursuant to RCW 42.56.120(2), the Washington horse racing commission deems that it would be unduly burdensome for it to calculate the actual costs it charges for providing copies of public records. Staff resources are insufficient to perform a study and to calculate actual costs and a study would interfere with other essential agency functions.~~

~~(2) The Washington horse racing commission may charge fees for production of copies of public records consistent with the fee schedule established in RCW 42.56.120, as amended by section 3, chapter 304, Laws of 2017.~~

~~(3) It is within the discretion of the public records officer to waive copying fees when all of the records responsive to the entire request are paper copies only and are fewer than twenty-five pages, or all of the records to an entire request are electronic and can be provided in a single email. If that email, for any reason, is not deliverable, the records will be provided through another means of delivery and the requestor will be charged in accordance with this rule.~~

~~(4) The public records officer may require an advance deposit of ten percent of the estimated fees, when copying fees for an installment or entire request exceeds twenty-five dollars.~~

~~(5) Payment. Payment may be made by cash, check, or money order to the Washington horse racing commission.~~