



PUBLIC DISCLOSURE COMMISSION

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To: Members, Washington State Public Disclosure Commission
From: Lori Anderson, Communications & Training Officer
Date: July 17, 2014
Re: Personal Financial Affairs (F-1) Review

PROGRESS REPORT

At the June meeting, the Commission asked staff to begin work on agency-request legislation that would propose amendments to the disclosure requirements as recommended by stakeholders and staff. The Commission expressed interest in proposing amendments that will:

- change the value disclosed for investments from the *highest value during the reporting period* to the *year-end value*;
- change the disclosure threshold for investments from \$2,000 to a higher amount;
- allow ownership of multiple mutual funds within a mutual fund family to be disclosed by the family name rather listing each mutual fund; and
- restructure the dollar ranges (Codes A – E).

A Z-draft of the proposal is attached for the Commission's consideration. Any changes must be made no later than the September meeting.

You may recall the House staff's request that the Commission reconsider its definition of "professional staff." Since the June meeting, PDC staff met with House and Senate professional staff for a preliminary discussion. The Commission may be asked to engage in rule making at a future meeting to address concerns raised by professional staff.

Attachment: Z-draft bill request to amend RCW 42.17A.710

BILL REQUEST - CODE REVISER'S OFFICE

BILL REQ. #: Z-0007.1/15

ATTY/TYPIST: SCG:bbp

BRIEF DESCRIPTION: Concerning financial affairs statement reporting requirements for elected and appointed officials, candidates, and appointees.

DRAFT FOR DISCUSSION AT 7-24-14 COMMISSION MEETING

AN ACT Relating to financial affairs statement reporting requirements for elected and appointed officials, candidates, and appointees; and amending RCW 42.17A.710.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

Sec. 1. RCW 42.17A.710 and 2010 c 204 s 903 are each amended to read as follows:

(1) The statement of financial affairs required by RCW 42.17A.700 shall disclose the following information for the reporting individual and each member of his or her immediate family:

(a) Occupation, name of employer, and business address;

(b) Each bank account, savings account, and insurance policy in which a direct financial interest was held that exceeds twenty thousand dollars at any time during the reporting period; each other item of intangible personal property in which a direct financial interest was held that exceeds (~~two~~) five thousand dollars during the reporting period; the name, address, and nature of the entity; and the nature and (~~highest~~) year-end value of each direct financial interest during the reporting period: PROVIDED, That for purposes of

this subsection (1)(b), ownership of shares of multiple mutual funds within a mutual fund family may be disclosed by reporting the mutual fund family name;

(c) The name and address of each creditor to whom the value of two thousand dollars or more was owed; the original amount of each debt to each creditor; the amount of each debt owed to each creditor as of the date of filing; the terms of repayment of each debt; and the security given, if any, for each such debt. Debts arising from a "retail installment transaction" as defined in chapter 63.14 RCW (retail installment sales act) need not be reported;

(d) Every public or private office, directorship, and position held as trustee;

(e) All persons for whom any legislation, rule, rate, or standard has been prepared, promoted, or opposed for current or deferred compensation. For the purposes of this subsection, "compensation" does not include payments made to the person reporting by the governmental entity for which the person serves as an elected official or state executive officer or professional staff member for his or her service in office; the description of such actual or proposed legislation, rules, rates, or standards; and the amount of current or deferred compensation paid or promised to be paid;

(f) The name and address of each governmental entity, corporation, partnership, joint venture, sole proprietorship, association, union, or other business or commercial entity from whom compensation has been received in any form of a total value of two thousand dollars or more; the value of the compensation; and the consideration given or performed in exchange for the compensation;

(g) The name of any corporation, partnership, joint venture, association, union, or other entity in which is held any office, directorship, or any general partnership interest, or an ownership interest of ten percent or more; the name or title of that office, directorship, or partnership; the nature of ownership interest; and:

(i) With respect to a governmental unit in which the official seeks or holds any office or position, if the entity has received compensation in any form during the preceding twelve months from the governmental

unit, the value of the compensation and the consideration given or performed in exchange for the compensation; and (ii) 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 any form in the amount of ten thousand dollars or more during the preceding twelve months and the consideration given or performed in exchange for the compensation. As used in (g)(ii) of this subsection, "compensation" does not include payment for water and other utility services at rates approved by the Washington state utilities and transportation commission or the legislative authority of the public entity providing the service. With respect to any bank or commercial lending institution in which is held any office, directorship, partnership interest, or ownership interest, it shall only be necessary to report either the name, address, and occupation of every director and officer of the bank or commercial lending institution and the average monthly balance of each account held during the preceding twelve months by the bank or commercial lending institution from the governmental entity for which the individual is an official or candidate or professional staff member, or all interest paid by a borrower on loans from and all interest paid to a depositor by the bank or commercial lending institution if the interest exceeds two thousand four hundred dollars;

(h) A list, including legal or other sufficient descriptions as prescribed by the commission, of all real property in the state of Washington, the assessed valuation of which exceeds ten thousand dollars in which any direct financial interest was acquired during the preceding calendar year, and a statement of the amount and nature of the financial interest and of the consideration given in exchange for that interest;

(i) A list, including legal or other sufficient descriptions as prescribed by the commission, of all real property in the state of Washington, the assessed valuation of which exceeds ten thousand dollars in which any direct financial interest was divested during the preceding calendar year, and a statement of the amount and nature of

the consideration received in exchange for that interest, and the name and address of the person furnishing the consideration;

(j) A list, including legal or other sufficient descriptions as prescribed by the commission, of all real property in the state of Washington, the assessed valuation of which exceeds ten thousand dollars in which a direct financial interest was held. If a description of the property has been included in a report previously filed, the property may be listed, for purposes of this subsection (1)(j), by reference to the previously filed report;

(k) A list, including legal or other sufficient descriptions as prescribed by the commission, of all real property in the state of Washington, the assessed valuation of which exceeds twenty thousand dollars, in which a corporation, partnership, firm, enterprise, or other entity had a direct financial interest, in which corporation, partnership, firm, or enterprise a ten percent or greater ownership interest was held;

(l) A list of each occasion, specifying date, donor, and amount, at which food and beverage in excess of fifty dollars was accepted under RCW 42.52.150(5);

(m) A list of each occasion, specifying date, donor, and amount, at which items specified in RCW 42.52.010(~~(+10)~~) (9) (d) and (f) were accepted; and

(n) Such other information as the commission may deem necessary in order to properly carry out the purposes and policies of this chapter, as the commission shall prescribe by rule.

(2) (a) Where an amount is required to be reported under subsection (1)(a) through (m) of this section, it (~~(shall be sufficient to comply with the requirement to report whether the amount is less than four thousand dollars, at least four thousand dollars but less than twenty thousand dollars, at least twenty thousand dollars but less than forty thousand dollars, at least forty thousand dollars but less than one hundred thousand dollars, or one hundred thousand dollars or more)~~) may be reported as provided in (b) of this subsection.

(b)

Code A	Less than \$30,000
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<u>Code B</u>	<u>At least \$30,000 but less than \$60,000</u>
<u>Code C</u>	<u>At least \$60,000 but less than \$100,000</u>
<u>Code D</u>	<u>At least \$100,000 but less than \$200,000</u>
<u>Code E</u>	<u>At least \$200,000 but less than \$500,000</u>
<u>Code F</u>	<u>At least \$500,000 but less than \$750,000</u>
<u>Code G</u>	<u>At least \$750,000 but less than \$1,000,000</u>
<u>Code H</u>	<u>\$1,000,000 or more</u>

(c) An amount of stock may be reported by number of shares instead of by market value.

(d) No provision of this subsection (2) may be interpreted to prevent any person from filing more information or more detailed information than required.

(3) Items of value given to an official's or employee's spouse, domestic partner, or family member are attributable to the official or employee, except the item is not attributable if an independent business, family, or social relationship exists between the donor and the spouse, domestic partner, or family member.