

State of Washington
PUBLIC DISCLOSURE COMMISSION
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MINUTES – Regular Meeting
9:30 a.m. | February 23, 2023
711 Capitol Way S. #206
Olympia, Washington

Commission Members In-person

Fred Jarrett, Chair; Nancy Isserlis, Vice Chair.

Commission Members (Participated via Microsoft Teams)

Bill Downing, Member; Allen Hayward, Member.

Commission Members Absent

Jocelyn Cooney, Member.

Staff Present

Peter Frey Lavalley, Executive Director; Kim Bradford, Deputy Director; Sean Flynn, General Counsel; Jana Greer, Administrative Officer; Tabitha Townsend, Compliance Coordinator.

Staff Present (Participated via Microsoft Teams)

James Gutholm, Chief Information Officer; Kendra Hodgson, Communications and Outreach Director; Jennifer Hansen, Compliance Officer; John Meader, Assistant Attorney General representing the Commission; Bret Skipworth, Senior Financial Consultant, DES; Chad Standifer, Assistant Attorney General representing PDC staff; Susie Giles-Klein, Assistant Attorney General representing PDC staff.

The regular meeting of the Public Disclosure Commission (PDC) was called to order by Chair Jarrett at 9:30 a.m.

[PDC Meeting Video](#)

COVID-19 update: The February 23, 2023, Public Disclosure Commission Meeting was streamed live via TVW at [WAPDC.02.23.23](#)

Chair Opening Comments | [PDC Meeting Video](#)

Chair Fred Jarrett welcomed all attendees and viewers to the February 23, 2023, Regular Commission meeting.

Public Comment | [PDC Meeting Video](#)

As was noticed and announced, a Teams video and conference line was provided for public comment during this time.

The following person(s) provided public comment:

- [William Bangs](#), commented on the PDC's interpretation of "publishing"

[Next Steps/Follow-up](#): Staff to report back on possible approaches to update sponsor and top 5 contributor requirements for websites at the March 2023 Commission meeting.

Consideration and Possible Approval of Meeting Minutes | [PDC Meeting Video](#)

Meeting minutes were presented to the Commission for consideration and possible approval:

- January 26, 2023, Regular Meeting

MOTION 23-001 Moved by Commissioner Isserlis and seconded by Commissioner Downing that the Commission approve the meeting minutes for the January 26, 2023, regular meeting minutes, with a minor correction to a typographical error in the call to order portion of the meeting.

The motion [passed](#) 4 – 0.

Budget Update | [PDC Meeting Video](#)

Executive Director Peter Frey Lavallee provided the budget update to the Commission.

Rulemaking | [PDC Meeting Video](#)

General Counsel Sean Flynn presented inflationary adjustments to the Commission for discussion and possible approval.

- [Inflationary Adjustments Rule – DRAFT – February edit](#)
- [Inflation adjustments – citations \(chapter 390-16 WAC\)](#)
- [Inflation adjustments – citations \(chapter 390-17 WAC\)](#)
- [Inflation adjustments – citations \(chapter 390-18 WAC\)](#)

The Commission made the following adjustments: \$100 for the limit on contributions made with cash, \$250 for the threshold at which contributor employer and occupation must be reported, and \$7,000 contribution and expenditure limit for campaigns registered under the mini reporting option.

MOTION 23-002 Moved by Commissioner Isserlis and seconded by Commissioner Downing that the Commission approve the recommended changes as submitted, with any adjustments to potentially be made be reported back to the Commission.

The motion [passed](#) 4 – 0.

General Counsel Flynn added that the rule changes will take effect 30 days after filed with the code reviser . The agency intends a targeted effective date of April 1st, 2023.

Legislative Update | [PDC Meeting Video](#)

General Counsel Flynn updated the Commission on current agency request legislation and other bills directly affecting the PDC.

General Counsel Flynn noted that [SB 5284](#) passed off the Senate floor. It is in the House and presumed to have a hearing in the near future. The bill passed after the non-appropriation of the transparency account and the grassroots lobbying sections were stripped out by the state government committee. The committee also added an amendment to change the foreign donor certification law..

Enforcement Updates | [PDC Meeting Video](#)

Jennifer Hansen, Compliance Officer, presented the enforcement update report as of February 15, 2023.

Enforcement Hearing (Reconsideration) | [PDC Meeting Video](#)

10:47 a.m. The Commission conducted a remote hearing concerning a request for reconsideration. Tabitha Townsend, Compliance Coordinator, presented the request to the Commission for consideration and possible approval.

- PDC Case [112528](#) – [Faaluaina Pritchard](#) - At the October 27, 2022 Full Adjudicative Proceeding, the Respondent was found in violation of [RCW 42.17A.700](#) for failure to file the F-1 report that was due by April 15, 2022, covering calendar year 2021. The Respondent was assessed a penalty of \$1,000, with \$500 suspended, which she now asks the Commission to reconsider.

[Faaluaina Pritchard](#) participated via telephone on Microsoft Teams.

MOTION 23-003 Moved by Commissioner Downing and seconded by Commissioner Hayward that the Commission approve the request to reconsider the Final Order and penalty assessed in PDC Case 112528.

The motion [passed](#) 4 – 0.

MOTION 23-004 Moved by Commissioner Downing and seconded by Commissioner Hayward that the Commission re-assess a civil penalty of \$500 with \$400 suspended contingent on the penalty being paid within 30 days of the Final Order, and no further violations for 4 years.

The motion [passed](#) 3 – 1. Commissioner Jarrett voted no.

Reporting Modification Requests | [PDC Meeting Video](#)

11:04 a.m. The Commission conducted a remote hearing concerning a request for a reporting modification request. Tabitha Townsend, Compliance Coordinator, presented the request to the Commission for consideration and possible approval.

- [WA State Republican Party](#) – Bona-fide State Party Committee [RCW 42.17A.120](#) & [WAC 390-28-100](#)

MOTION 23-005 Moved by Commissioner Isserlis and seconded by Commissioner Downing that the Commission grant the partial reporting modification, on the basis that literal application of the law would cause a manifestly unreasonable hardship on the applicant and that the limited modification would not frustrate the purposes of the Act.

The motion [passed](#) 4 – 0. Final Order

- [WA State Democratic Central Committee](#) – Bona-fide State Party Committee [RCW 42.17A.120](#) & [WAC 390-28-100](#)

MOTION 23-006 Moved by Commissioner Isserlis and seconded by Commissioner Downing that the Commission grant the partial reporting modification, on the basis that literal application of the law would cause a manifestly unreasonable hardship on the applicant and that the limited modification would not frustrate the purposes of the Act.

The motion [passed](#) 4 – 0. Final Order

Strategic Plan Update | [PDC Meeting Video](#)

Executive Director Lavalley provided a brief update to the Commission on the strategic plan. He discussed the implementation of new strategic planning items, and a June Commission meeting to be held in Spokane, WA.

The Commission discussed the assignments for new strategic planning projects for Commissioners. Commissioner Isserlis will oversee the outreach project, and Commissioner Hayward to oversee lobbying disclosure.

Management Team Updates | [PDC Meeting Video](#)

- [Executive Director Update](#).
- [Deputy Director Update](#).
- [Customer Service and Filer Assistance Update](#).
- [Information Technology Update](#).

Break/Executive Session & Closed Session

The Commission went into Executive Session at 11:18 a.m. to discuss matters allowed in Executive Session pursuant to [RCW 42.30.110](#), including but not limited to discussion of enforcement matters and pending and potential litigation with legal counsel, and review of performance of public employees. Possible action regarding litigation, or other matters properly discussed during executive session, will be taken following the executive session.

[Returned](#) to public meeting at 12:26 p.m.

Meeting adjourned at 12:27 p.m.

Approved March 23, 2023