

**State of Washington**  
**PUBLIC DISCLOSURE COMMISSION**  
**711 Capitol Way Rm. 206, PO Box 40908 • Olympia, Washington 98504-0908**  
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**MINUTES** – Regular Meeting  
9:30 a.m. | October 26, 2023  
711 Capitol Way S. #206  
Olympia, Washington

**Commission Members In-person**

Allen Hayward, Vice Chair; Fred Jarrett, Member; J. Leach, Member.

**Commission Members (Participated via Microsoft Teams)**

Nancy Isserlis, Chair

**Staff Present In-person**

Kim Bradford, Deputy Director; Sean Flynn, General Counsel; Jana Greer, Administrative Officer; Tabitha Townsend, Compliance Coordinator; Jennifer Hansen, Compliance Officer; Chad Standifer, Assistant Attorney General representing PDC staff.

**Staff Present (Participated via Microsoft Teams)**

Peter Frey Lavalley, Executive Director; James Gutholm, Chief Information Officer; Kendra Hodgson, Customer Service and Outreach Director; Tanya Mercier, Compliance Officer; John Meader, Assistant Attorney General representing the Commission; Susie Giles-Klein and Simone Prince-Eichner, Assistant Attorneys General representing PDC staff; Bret Skipworth, Senior Financial Consultant, DES.

The regular meeting of the Public Disclosure Commission (PDC) was called to order by Chair Isserlis at 9:32 a.m.

The October 26, 2023, Public Disclosure Commission meeting was streamed live via TVW at [WAPDC.10.26.23](http://WAPDC.10.26.23). Public attended in-person and remotely via a MS Teams Link.

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

Chair Isserlis welcomed all attendees and viewers to the October 26, 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:

- [Jo Zichterman](#), candidate, commented on request for review of rule regarding in-kind contributions.
- [John Trumbo](#), commented on enforcement penalties.
- [Tim Eyman](#), commented on enforcement penalties.
- [John Kunzler](#), commented on an enforcement matter.
- [Conner Edwards](#), commented on C3 and C4 reporting deadlines.

Written Comment(s) Submitted

- [Parrish](#)
- [Trumbo](#)

- [Laing](#)
- [Richardson](#)
- [Taylor](#)
- [Chastaine](#)
- [Kunzler](#)
- [Macarro](#)
- [Ziedler](#)
- [Edwards](#)
- [Lamb](#)
- [Kunzler](#)
- [Nakanishi](#)
- [Runyon](#)

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

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

- September 28, 2023, Regular Meeting.

**MOTION 23-0065** Moved by Commissioner Jarrett and seconded by Commissioner Leach that the Commission approve the meeting minutes as submitted for the September 28, 2023, regular meeting.

The motion [passed](#) 4 – 0.

**Budget Update** | [PDC Meeting Video](#)

Executive Director Frey Lavallee and Bret Skipworth, DES Senior Financial Consultant, provided the budget update to the Commission.

**Rulemaking and Interpretation Update** | [PDC Meeting Video](#)

General Counsel Flynn presented the rulemaking update to the Commission.

- [Update on grassroots lobbying rules.](#)
- [Consideration and possible adoption](#) of an interpretation regarding application of the “legislative freeze” period, [RCW 42.17A.560](#), to employees of state officials.
  - [Memo](#)

**Legislative Update** | [PDC Meeting Video](#)

General Counsel Flynn provided the legislative update to the Commission.

- [Update on holdover and potential legislation for the 2024 session.](#)
- Discussion regarding [SB 5207](#) (2023) re affiliation of controlled entities.
- [Bill updates by remote meeting guest Senator Andy Billig.](#)

**Enforcement Update** | [PDC Meeting Video](#)

Tanya Mercier, Compliance Officer, presented the enforcement update as of October 16, 2023.

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

- [Executive Director Update.](#)

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

11:02 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 [138761](#) – [John Miller](#) – At the July 20, 2023, Brief Adjudicative Proceeding (BAP Hearing), the Respondent was found in violation of RCW 42.17A.205 and RCW 42.17A.700 for failure to file the C-1 and F-1 reports that were due within two weeks of becoming a candidate or no later than June 2, 2023. Mr. Miller was assessed a penalty of \$500, with \$300 suspended, which he now asks the Commission to reconsider.

John Miller [participated](#) via phone on Microsoft Teams.

**MOTION 23-0066** Moved by Commissioner Hayward and seconded by Commissioner Leach that the Commission reconsider the Final Order in PDC Case 138761, John Miller.

The motion [passed](#) 4 – 0.

**MOTION 23-0067** Moved by Commissioner Leach and seconded by Commissioner Jarrett that the Commission rescind the finding of the violation and penalty imposed contingent on the respondent filing a candidate termination form before the November General election date.

The motion [passed](#) 4 – 0.

- PDC Case [139612](#) – [Harvey Pelleboer](#) – At the August 17, 2023, Brief Adjudicative Proceeding (BAP Hearing), the Respondent was found in violation of RCW 42.17A.205 for failure to file the C-1 report within two weeks of becoming a candidate or no later than June 2, 2023. Mr. Pelleboer was assessed a penalty of \$250 with \$100 suspended, which he now asks the Commission to reconsider.

Harvey Pelleboer [participated](#) via phone on Microsoft Teams.

The Commission declined to reconsider the Final Order in the matter of PDC Case 139612, Harvey Pelleboer.

- PDC Case [139620](#) – [Anthony Williams](#) – At the August 17, 2023, Brief Adjudicative Proceeding (BAP Hearing), the Respondent was found in violation of RCW 42.17A.205 for failure to file the C-1 report within two weeks of becoming a candidate or no later than June 2, 2023. Mr. Williams was assessed a penalty of \$250 with \$100 suspended, which he now asks the Commission to reconsider.

Anthony Williams [participated](#) via phone on Microsoft Teams.

The Commission declined to reconsider the Final Order in the matter of PDC Case 139620, Anthony Williams.

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

11:34 a.m. | The Commission conducted a hearing concerning a request for reporting modification.

Compliance Officer Jennifer Hansen presented the request to the Commission for consideration and possible approval.

- [Elizabeth Berry & various campaigns](#) – State Representative, 36th Legislative District [WAC 390-28-100\(1\)\(d\)\(ii\)](#), [RCW 42.17A.120](#) & [RCW 42.17A.240](#).

Jason Bennett [participated](#) on behalf of Elizabeth Berry via phone on Microsoft Teams.

**MOTION 23-0068** Moved by Commissioner Jarrett and seconded by Commissioner Leach that the Commission order that the post office box address of Elizabeth Berry's current campaign be substituted for her residential address on records submitted by the campaigns to which she and her spouse contributed. The motion [passed](#) 4 – 0.

**Management Team Updates (cont'd) | [PDC Meeting Video](#)**

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

**Break/Executive Session**

The Commission went into Executive Session at 12:05 p.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 1:04 p.m.

Meeting adjourned at 1:04 p.m.

Approved December 7, 2023.