

State of Washington
PUBLIC DISCLOSURE COMMISSION
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MINUTES – Regular Meeting

9:30 a.m. | May 23, 2024

711 Capitol Way S. #206

Olympia, Washington

Commission Members

Nancy Isserlis, Chair; Allen Hayward, Vice Chair; J. Leach, Member; Douglass North, Member, James Oswald, Member.

Staff Present

Peter Frey Lavalley, Executive Director; Kim Bradford, Deputy Director; Sean Flynn, General Counsel; Jana Greer, Administrative Officer; BG Sandahl, Compliance Officer; Jennifer Hansen, Compliance Officer; Jordan Campbell, Compliance Coordinator; Colin Peeples, Compliance Coordinator; Chad Standifer, Assistant Attorney General representing the Staff.

Staff Present (Participated via Microsoft Teams)

James Gutholm, Chief Information Officer; Tabatha Blacksmith, Compliance Officer; William Schwartz, Assistant Attorney General representing the Commission.

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

The May 23, 2024, Public Disclosure Commission meeting was streamed live via TVW at WAPDC.05.23.24. 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 May 23, 2024, 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:

- [Joe Kunzler](#), commented on the APA Petition and the PDC strategic planning process.

Written Comment(s) Submitted

- [Edwards](#)
- [Kunzler](#)

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

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

- April 24, 2024, Regular Meeting

MOTION 24-023

Moved by Commissioner Leach and seconded by Commissioner North that the Commission approve the meeting minutes as submitted for the April 24, 2024, regular meeting.

The motion [passed](#) 5 – 0.

Budget Update | [PDC Meeting Video](#)

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

Public hearing and possible adoption of proposed rules re “deepfake” electioneering communications – amending Ch 390-16 & 18 WAC | [PDC Meeting Video](#)

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

No person(s) provided public comment.

Written Comment(s) Submitted

- [Huether](#)
- [Andersen](#)

General Counsel Flynn [presented](#) the proposed rules re “deepfake” electioneering communications amending Ch 390-[16](#) & [18](#) WAC to the Commission for review and possible adoption.

- [Rulemaking Memo](#)
- [Deepfakes Ch 390-16 WAC](#)
- [Deepfakes Ch 390-18 WAC](#)

Commissioner Hayward requested, and Commissioner Leach seconded, that Chair Isserlis [hold](#) on taking any votes until the next agenda item.

Consideration and possible adoption of emergency rules re sponsor identification on yard signs amending WAC 390-18-030 | [PDC Meeting Video](#)

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

The following person(s) provided public comment:

- [Martin Wheeler](#)

Written Comment(s) Submitted

- [Edwards](#)
- [Huether](#)

General Counsel Flynn [presented](#) the emergency rules re sponsor identification on yard signs amending [WAC 390-18-030](#) to the Commission for review and possible adoption.

- [DRAFT – Chapter 390-18 WAC](#)
- [Theoretical Sign Example](#)

MOTION 24-024 Moved by Commissioner Hayward and seconded by Commissioner Leach that the Commission adopt the emergency rules as proposed effective June 6, 2024.

The motion [passed](#) 5 – 0.

MOTION 24-025 Moved by Commissioner Hayward and seconded by Commissioner Leach that the Commission adopt rules on deepfake electioneering communications.

The motion [passed](#) 5 – 0.

Break Period

Break Start: [10:35 a.m.](#)

Returned to the Public Meeting: [10:45 a.m.](#)

APA Rulemaking Petition (Edwards) – WAC 390-37-060 (enforcement case dismissal procedures) | PDC Meeting Video

General Counsel Flynn [presented](#) the APA Petition (Edwards) to the Commission for review and possible decision on the petition.

- [APA Rulemaking Petition – Edwards](#)
- [Memo](#)

MOTION 24-026 [Moved](#) by Commissioner Hayward and seconded by Commissioner North that the Commission adopt the APA Petition (Edwards).

Commissioner Hayward [withdrew](#) the motion.

MOTION 24-027 Moved by Commissioner Leach and seconded by Commissioner Hayward that the Commission deny the APA Petition (Edwards).

The motion [passed](#) 5 – 0.

Reporting Modification Requests | PDC Meeting Video

11:28 a.m. | The Commission conducted a remote hearing concerning requests for reporting modification. Compliance Officer Jennifer Hansen and Coordinators Jordan Campbell and Colin Peoples presented the requests to the Commission for consideration and possible approval.

Renewal Modification Requests:

- [Meghin Margel](#) – School Director, Kent School District 415 [WAC 390-28-100\(1\)\(e\)\(iv\)](#)

Meghin Margel [Memo](#)

MOTION 24-028 Moved by Commissioner Leach and seconded by Commissioner Oswald 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](#) 5 – 0.

- [Lorin Lathrop](#) – School Director, Davenport School District 207 [WAC 390-28-100\(1\)\(e\)\(iv\)](#)

Lorin Lathrop [Memo](#)

MOTION 24-029 Moved by Commissioner Leach and seconded by Commissioner North 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. Commissioner Oswald abstained.

New Modification Requests:

- [Nikole Hecklinger](#) – Candidate for Judge, King County Superior Court [WAC 390-28-100\(1\)\(d\)](#)

Nikole Hecklinger [Memo](#)

MOTION 24-030 Moved by Commissioner Leach and seconded by Commissioner Oswald 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](#) 5 – 0.

- [John Austin III](#) – Candidate for Judge, Pierce County Superior Court [WAC 390-28-100\(1\)\(d\)](#)

John Austin III [Memo](#)

MOTION 24-031 Moved by Commissioner Leach and seconded by Commissioner Hayward 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](#) 5 – 0.

- [Amy Arroyo & Jean Iannelli Craciun](#) – 2023 Candidate for Seattle City Council & Campaign [RCW 42.17A.120](#) & [RCW 42.17A.240](#)

Amy Arroyo & Jean Iannelli Craciun [Memo](#)

MOTION 24-032 Moved by Commissioner Oswald and seconded by Commissioner Leach 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](#) 5 – 0.

Enforcement Update | [PDC Meeting Video](#)

Tabatha Blacksmith, Compliance Officer, presented the enforcement update as of May 15, 2024.

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

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

Break/Executive Session

[12:26 p.m.](#) Discussion of matters allowed in executive session pursuant to [RCW 42.30.110](#), regarding enforcement matters, review of performance of public employees, and discussion with legal counsel of litigation or potential litigation when public knowledge regarding the discussion is likely to result in an adverse legal or financial consequence. Final action regarding these matters, or other matters properly discussed during executive session, will be taken following the executive session.

Returned to public meeting at [1:02 p.m.](#)

Adjourned at [1:03 p.m.](#)

Approved June 27, 2024.