

**State of Washington**  
**PUBLIC DISCLOSURE COMMISSION**  
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**MINUTES** – Regular Meeting  
9:30 a.m. | December 07, 2023  
711 Capitol Way S. #206  
Olympia, Washington

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

Nancy Isserlis, Chair; Allen Hayward, Vice Chair; Fred Jarrett, Member; J. Leach, Member; Douglass North, Member.

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

Peter Frey Lavalley, Executive Director; Kim Bradford, Deputy Director; Sean Flynn, General Counsel; Jana Greer, Administrative Officer; James Gutholm, Chief Information Officer; Kendra Hodgson, Customer Service and Outreach Director; Tabitha Townsend, Compliance Coordinator; Phil Stutzman, Compliance Officer; Erick Agina, Compliance Officer; John Meader, Assistant Attorney General representing the Commission; Chad Standifer.

The regular meeting of the Public Disclosure Commission (PDC) was called to order by Chair Isserlis at 9:31 a.m.

The December 07, 2023, Public Disclosure Commission meeting was streamed live via TVW at [WAPDC.12.07.23](http://WAPDC.12.07.23). 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 December 07, 2023, Regular Commission meeting.

Chair Isserlis announced that [Judge Douglass North](#) was appointed by the Governor's office to be the PDC's newest Commission member, filling the sole remaining vacancy on the commission.

**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:

- [Conner Edwards](#), campaign treasurer, commented on contribution and expenditure reporting deadlines.
- [Joe Kunzler](#), commented on an enforcement matter.

Written Comment(s) Submitted

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

The Commission [discussed](#) holding a potential special meeting to review strategic planning for 2024.

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

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

- October 26, 2023, Regular Meeting.
- November 16, 2023, Special Meeting.

**MOTION 23-0074** Moved by Commissioner Jarrett and seconded by Commissioner Leach that the Commission approve the meeting minutes as submitted for the October 26, 2023, regular meeting.

The motion [passed](#) 4 – 0.

**MOTION 23-0075** Moved by Commissioner Jarrett and seconded by Commissioner Leach that the Commission approve the meeting minutes as submitted for the November 16, 2023, special meeting.

The motion [passed](#) 4– 0.

Commissioner North did not vote on the motions for approval of the minutes as these were meetings held before his appointment.

**Consideration and Possible Approval of 2024 PDC Commission Meeting Dates** | [PDC Meeting Video](#)

The 2024 PDC Commission meeting dates were presented to the Commission for consideration and possible approval.

**MOTION 23-0076** Moved by Commissioner Hayward and seconded by Commissioner Leach that the Commission approve the 2024 PDC Commission meeting dates as submitted.

The motion [passed](#) 5 – 0.

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

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

**Public Hearing on Rulemaking** | [PDC Meeting Video](#)

General Counsel Flynn provided a brief overview regarding the possible adoption for draft rules grassroots lobbying activities and inflationary adjustments for lobbying reporting thresholds and announced the public hearing.

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:

- [Nicole Kern](#), relations manager for Planned Parenthood Advocates.
- [Conner Edwards](#), campaign treasurer.

Written Comment(s) Submitted

- [United Way of King County](#)
- [Edwards](#)
- [League of Women Voters](#)

General Counsel Sean Flynn presented the proposed rules for consideration and possible adoption.

- [Proposed Rule re Lobbying \(OTS 4982.3\) - Staff edits](#)

Draft rules being considered:

- [Grassroots lobbying and inflationary adjustments for lobbying.](#)
- [Additional inflationary adjustments.](#)
- [Independent expenditure and last-minute contribution updates.](#)
- [Political committee qualifications.](#)

Commissioner Douglass North [joined](#) the meeting at 10:20 a.m. and introduced himself.

**MOTION 23-0077** Moved by Commissioner Jarrett and seconded by Commissioner Hayward that the Commission approve the proposed rule for implementation in January 2024, and staff to provide education to filers.

The motion [passed](#) 5 – 0.

**[APA Rulemaking Petition to Amend Rule WAC 390-17-405 re Professional Services](#) | [PDC Meeting Video](#)**

General Counsel Flynn presented the petition to amend rule [WAC 390-17-405](#) to exempt donated professional services from contribution limits for consideration and possible action to the Commission.

- [APA Petition](#)
- [Staff Memo](#)

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](#).

**MOTION 23-0078** Moved by Commissioner Leach and seconded by Commissioner Hayward that the Commission deny the petition to amend rule [WAC 390-17-405](#).

The motion [passed](#) 5 – 0.

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

Deputy Director Kim Bradford updated the Commission on agency request legislation and other bills of interest to the PDC in the upcoming 2024 legislative session.

Among the updates Deputy Director Bradford provided was discussion on recodification of the public disclosure law into its own title in RCW 42.17A, and a bill introduced by Representative Greg Cheney to amend sponsor identification exemptions on political advertisements.

**MOTION 23-0079** Moved by Commissioner Hayward and seconded by Commissioner Jarrett that the Commission support the recodification of the PDC chapter.

The motion [passed](#) 5 – 0.

**MOTION 23-0080** Moved by Commissioner Jarrett and seconded by Commissioner Leach that the Commission support the bill to amend sponsor identification on political advertisements by Representative Cheney.

The motion [passed](#) 5 – 0.

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

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

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

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

- [Lech Radzimski](#) – Judge, Superior Court of Ferry, Pend Oreille, Stevens Counties [WAC 390-28-100\(1\)\(d\)](#)

[Lech Radzimski Memo](#)

Lech Radzimski [participated](#) via Microsoft Teams.

**MOTION 23-0081** 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 on the condition that the applicant provide an alternate mailing address.

The motion [passed](#) 5 – 0.

- [Heidi Malia Burns Kiolbasa](#) – Charter School Director, Summit Public Schools [WAC 390-28-100\(1\)\(b\)](#)

[Heidi Malia Burns Kiolbasa Memo](#)

**MOTION 23-0082** Moved by Commissioner Jarrett and seconded by Commissioner Leach that the Commission move this matter to the January 2024 regular meeting.

The motion [passed](#) 5 – 0.

- [Dee Sonntag](#) – Judge, Municipal Court of Tacoma [WAC 390-28-100\(1\)\(d\)](#)

[Dee Sonntag Memo](#)

**MOTION 23-0083** Moved by Commissioner Hayward and seconded by Commissioner Jarret 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.

- [Patricia Fassett](#) – Judge, Superior Court of Cowlitz County [WAC 390-28-100\(1\)\(d\)](#)

[Patricia Fassett Memo](#)

**MOTION 23-0084** Moved by Commissioner Leach and seconded by Commissioner Jarrett 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.

- [Steven Krupa](#) – Judge, Municipal Court of Tacoma [WAC 390-28-100\(1\)\(d\)](#)

[Steven Krupa Memo](#)

**MOTION 23-0085** Moved by Commissioner Jarrett 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](#)

Deputy Director Bradford and Erick Agina Compliance Officer presented the enforcement update as of October 17, 2023.

#### **Break/Executive Session**

The Commission went into Executive Session at 12:00 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 1:05 p.m.

#### **Hearing for Report on Enforcement Matter** | [PDC Meeting Video](#)

1:06 p.m. The Commission conducted a remote hearing for PDC Case [137263](#), Bob Ferguson for Governor, for alleged violations of [RCW 42.17A.235](#) & [.240](#) for failing to identify the required

information of contributors giving written approval to use contributions transferred from his Attorney General campaign to his gubernatorial campaign.

Phil Stutzman, Compliance Officer, and Sean Flynn, General Counsel, presented the request to the Commission for consideration and possible approval.

**Closed Session | [PDC Meeting Video](#)**

The Commission went closed session at 1:29 p.m. to discuss matters allowed in closed session pursuant to [RCW 34.05.449\(5\)](#), The provision of law is the attorney/client privilege at [RCW 5.60.060\(5\)](#), including but not limited to, discussion of enforcement matters and pending and potential litigation with legal counsel, and review of performance of public employees.

The Commission [returned](#) from closed session at 1:57 p.m.

The Commission [announced](#) that a written decision would be issued before the end of December 2023 in the enforcement matter of PDC Case 137263.

Meeting adjourned at 1:58 p.m.

Approved January 25, 2024.