

State of Washington
PUBLIC DISCLOSURE COMMISSION
711 Capitol Way Rm. 206, PO Box 40908 • Olympia, Washington 98504-0908
(360) 753-1111 • FAX (360) 753-1112
Toll Free 1-877-601-2828 • E-mail: pdcc@pdcc.wa.gov • Website: www.pdcc.wa.gov

MINUTES – Regular Meeting

9:30 a.m. | June 27, 2024

711 Capitol Way S. #206

Olympia, Washington

Commission Members (Participated via Microsoft Teams)

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

Staff Present

Jana Greer, Administrative Officer

Staff Present (Participated via Microsoft Teams)

Peter Frey Lavalley, Executive Director; Sean Flynn, General Counsel; James Gutholm, Chief Information Officer; BG Sandahl, Compliance Officer; Tanya Mercier, Compliance Officer; Jennifer Hansen, Compliance Officer; Jordan Campbell, Compliance Coordinator; Colin Peeples, Compliance Coordinator; John Meader, Assistant Attorney General representing the Commission; Chad Standifer, Assistant Attorney General representing the Staff; Simone Prince-Eichner, Assistant Attorney General representing the Staff; Christina Shearer, Senior Financial Consultant, Department of Enterprise Services.

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

The June 27, 2024, Public Disclosure Commission meeting was streamed live via TVW at WAPDC.06.27.24. Options were made available for the public to attend in-person and remotely via a MS Teams Link.

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

Chair Isserlis welcomed all attendees and viewers to the June 27, 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:

- [Conner Edwards](#), campaign treasurer, commented on agency enforcement.
- [Joe Kunzler](#), commented on agency enforcement.

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:

- May 23, 2024, Regular Meeting

MOTION 24-033 Moved by Commissioner Leach and seconded by Commissioner North that the Commission approve the meeting minutes as submitted for the May 23, 2024, regular meeting.

The motion [passed](#) 5 – 0.

Budget Update | [PDC Meeting Video](#)

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

Consideration and Possible Adoption of 6 Month Rule Development Agenda | [PDC Meeting Video](#)

General Counsel Flynn presented the 6-month rule development agenda to the Commission for review and possible adoption.

- [Rules Development Agenda – Memo July 2024 – December 2024](#)

MOTION 24-034 Moved by Commissioner North and seconded by Commissioner Oswald that the Commission approve the 6-month rule development agenda.

The motion [passed](#) 5 – 0.

APA Petition (Lazar) – Amending WAC 390-18-030 | [PDC Meeting Video](#)

General Counsel Flynn presented the APA Petition (Lazar), proposing amendments to [WAC 390-18-030](#), rules regarding exemptions for sponsor identification on political advertising, to the Commission for review and possible adoption.

- [Petition for Rule Amendment – Lazar – rcvd 5.28.2024](#)
- [APA rulemaking pet – LAZAR memo 6.20.24](#)

MOTION 24-035 Moved by Commissioner Hayward and seconded by Commissioner North that the Commission deny the APA petition (Lazar), with the intent to include in rulemaking.

The motion [passed](#) 5 – 0.

Enforcement Update | [PDC Meeting Video](#)

Tanya Mercier, Compliance Officer, presented the enforcement update as of June 20, 2024.

Election of Commission Chair and Vice Chair per WAC 390-05-100 | [PDC Meeting Video](#)

Per [WAC 390-05-100](#) requiring the Commission to elect a Chair and Vice Chair.

Chair Isserlis asked the Commission members for nomination of 2024 – 2025 officers.

MOTION 24-036 Nominated by Commissioner North and seconded by Commissioner Oswald that the Commission elect Commissioner Hayward for Chair and Commissioner Leach for Vice Chair for the Washington State Public Disclosure Commission for 2024-2025, effective July 1st, 2024.

The motion [passed](#) 5 – 0.

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

10:40 a.m. | The Commission conducted a remote hearing concerning requests for reporting modification. Compliance Officer Jennifer Hansen and Coordinator's Jordan Campbell, and Colin Peoples presented the requests to the Commission for consideration and possible approval.

New Modification Requests:

- [Brian Bogen](#) – Candidate for Governor, State of Washington [WAC 390-28-100\(1\)\(b\)](#)
Brian Bogen [Memo](#)

Brian Bogen [participated](#) via Microsoft Teams.

MOTION 24-037 Moved by Commissioner Leach and seconded by Commissioner North that the Commission deny the partial reporting modification as requested, on the basis that the requestor has not met the burden of proof of establishing a manifest hardship and/or that granting the modification would frustrate the purposes of the Act.

The motion [passed](#) 5 – 0.

- [Dave Fenn](#) – Candidate for Public Utility Commissioner, Lewis PUD 01 [WAC 390-28-100\(1\)\(b\)](#)
Dave Fenn [Memo](#)

Commissioner North [left](#) the meeting at 11:00 a.m.

MOTION 24-038 Moved by Commissioner Oswald and seconded by Commissioner Leach that the Commission deny the partial reporting modification as requested, but grant it to the extent that, as to business customers, the applicant is required only to disclose individual transactions of over \$12,000 and, for ongoing accounts, transactions totaling in the aggregate over \$12,000, 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 (Oswald, Leach, Isserlis, and Hayward).

- [Dorothy Gasque](#) – Candidate for County Council, Clark County [WAC 390-28-100\(1\)\(e\)\(iv\)](#)
Dorothy Gasque [Memo](#)

MOTION 24-039 Moved by Commissioner Leach and seconded by Commissioner Oswald that the Commission deny the partial reporting modification as requested, on the basis that the requestor has not met the burden of proof of establishing a manifest hardship and/or that granting the modification would frustrate the purposes of the Act.

The motion [passed](#) 4 – 0 (Oswald, Leach, Isserlis, and Hayward).

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- [Simone Barron](#) – Candidate for State Representative, Legislative District 46 [WAC 390-28-100\(1\)\(e\)\(iv\)](#)

Simone Barron [Memo](#)

MOTION 24-040 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](#) 4 – 0 (Oswald, Leach, Isserlis, and Hayward).

- [Wesley Finchum](#) – Candidate for Port Commissioner, Port of Camas-Washougal [WAC 390-28-100\(1\)\(e\)](#)

Wesley Finchum [Memo](#)

MOTION 24-041 Moved by Commissioner Leach and seconded by Commissioner Hayward that the Commission deny the partial reporting modification as requested, on the basis that the requestor has not met the burden of proof of establishing a manifest hardship and/or that granting the modification would frustrate the purposes of the Act.

The motion [passed](#) 4 – 0 (Oswald, Leach, Isserlis, and Hayward).

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

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

[Break/Executive Session](#)

[11:52 a.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 12:33 p.m.

Adjourned at [12:34 p.m.](#)

Approved July 25, 2024.