



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: pdc@pdc.wa.gov • Website: www.pdc.wa.gov

October 12, 2005

CHARLES ALEXANDER
111 BEAM RD
GRANGER WA 98932

Subject: Final Order - PDC Case No. 06-009

Dear Mr. Alexander:

Enclosed is the Public Disclosure Commission's Final Order Imposing Fine that was entered in the above-referenced case. The Commission found that you committed a single violation of RCW 42.17.240, and assessed a penalty of \$1,000, with \$250 suspended on the condition you file the missing F-1 report and pay the \$750 non-suspended portion of the penalty within 30 days from the date of the enclosed order, and that you commit no further violations of RCW 42.17.240 for two years from the date of the enclosed order.

On September 19, 2005, we received your F-1 report by facsimile. Thank you. Please submit the original F-1 form.

Unless you seek reconsideration of the final order, or exercise your appeal rights as outlined in the order, the \$750 non-suspended portion of the penalty is due at this time. Please note that if the \$750 non-suspended portion of the penalty is not paid within 30 days from the date of this order, the entire \$1,000 penalty will be due.

If you have questions, please contact me at (360) 664-8853 or toll free at 1-877-601-2828 or by e-mail at pstutzman@pdc.wa.gov.

Sincerely,


Philip E. Stutzman
Director of Compliance

Enclosure

"The public's right to know of the financing of political campaigns and lobbying and the financial affairs of elected officials and candidates far outweighs any right that these matters remain secret and private."

RCW 42.17.010 (10)



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**BEFORE THE PUBLIC DISCLOSURE COMMISSION
OF THE STATE OF WASHINGTON**

IN RE COMPLIANCE)	PDC CASE NO.: 06-009
WITH RCW 42.17)	
)	FINAL ORDER IMPOSING FINE
CHARLES ALEXANDER)	
)	
Respondent.)	
_____)	

INTRODUCTION

The Washington State Public Disclosure Commission (Commission) conducted an enforcement hearing under chapters 34.05 and 42.17 RCW and chapter 390-37 WAC on September 15, 2005 with respect to the above-captioned matter. The Commission held the hearing at Evergreen Plaza Building, Room 206, 711 Capitol Way South, in Olympia, Washington. The Commission held the hearing to determine whether the Respondent violated RCW 42.17.240 by failing to file a Statement of Financial Affairs by April 15, 2005. The Staff appeared through Philip E. Stutzman, Director of Compliance. The Respondent was not present at the hearing, but provided written evidence for Commission review.

During the hearing, the Staff presented, for the Commission's consideration, the Notice of Administrative Charges issued August 31, 2005, which alleged a violation of RCW 42.17.240, and its exhibits, which included: 1) List of Officials received from the

1 Respondent's jurisdiction demonstrating that the Respondent was required to file the F-1
2 report in 2005; 2) May 9, 2005 Warning Letter reminding the Respondent to file the
3 missing F-1 report; and 3) August 31, 2005 Affidavit of PDC staff member Jennifer Hansen
4 stating that the F-1 report had not been received. Staff also presented a letter addressed to
5 the Commission from Mr. Alexander.
6

7 The Commission considered the Notice of Administrative Charges and its
8 incorporated exhibits, and the letter from Mr. Alexander. The Notice of Administrative
9 Charges and exhibits, and the letter from Mr. Alexander, are incorporated by reference into
10 this Order. The Commission heard oral argument by Staff.
11

12 Based on this record, the Commission finds that:

- 13 1. RCW 42.17.240 requires elected and appointed officials, after January 1st and before
14 April 15th of each year, to file with the commission a Statement of Financial Affairs for
15 the preceding calendar year.
- 16 2. The Respondent is a School Director in Granger School District 204 who held office
17 during 2004 and was required to file a Statement of Financial Affairs (PDC form F-1)
18 by April 15, 2005.
- 19 3. The Respondent was reminded by letter on May 9, 2005 to file the missing F-1 report.
20 The Respondent was notified on August 31, 2005 that he was scheduled for an
21 enforcement hearing before the full Commission on September 15, 2005.
22
- 23 4. The F-1 report was not received.
24

25 **ORDER**

26 Based on the record submitted in this matter, the Commission orders as follows:

- 1 1. That the Respondent committed a single violation of RCW 42.17.240;
- 2 2. That a total civil penalty of \$1,000 is assessed against the Respondent;
- 3 3. That \$250 of the penalty is suspended on the condition that the Respondent files the
- 4 missing F-1 report and pays the \$750 non-suspended portion of the penalty within 30
- 5 days from the date of this order, and commits no further violations of RCW 42.17.240
- 6 for two years from the date of this order, as determined by the Full Commission.
- 7
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9 **RECONSIDERATION OF FINAL ORDER - COMMISSION**

10 Any party may ask the Commission to reconsider this final order. Parties must
11 place their requests for reconsideration in writing, include the specific grounds or reasons
12 for the request, and deliver the request to the Public Disclosure Commission Office within
13 **Twenty-One (21) business days** of the date that the Commission serves this order upon the
14 party. Grounds for reconsideration shall be limited to:

- 15 a) New facts or legal authorities that could not have been brought to the commission's
16 attention with reasonable diligence. If errors of fact are alleged, the requester must
17 identify the specific evidence in the prior proceeding on which the requester is
18 relying. If errors of law are alleged, the requester must identify the specific citation;
19
20 or
- 21 b) Significant typographical or ministerial errors in the order. Pursuant to RCW
22 34.05.470, the Public Disclosure Commission is deemed to have denied the petition
23 for reconsideration if, within twenty (20) business days from the date the petition is
24 filed, the Commission does not either dispose of the petition or serve the parties
25 with written notice specifying the date by which it will act on the petition. Pursuant
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to RCW 34.05.470, the Respondent is not required to ask the Public Disclosure Commission to reconsider the final order before seeking judicial review by a superior court.

FURTHER APPEAL RIGHTS – SUPERIOR COURT

Pursuant to RCW 42.17.395(5), a **final order** issued by the Public Disclosure Commission is subject to judicial review under the Administrative Procedures Act, chapter 34.05 RCW. The procedures are provided in RCW 34.05.510 - .598. Pursuant to RCW 34.05.542(2), a petition for judicial review must be filed with the superior court in Thurston County or the petitioner’s county of residence or principal place of business. The petition for judicial review must be served on the Public Disclosure Commission and any other parties within **30 days** of the date that the Public Disclosure Commission serves this final order on the parties.

If reconsideration is properly sought, the petition for judicial review must be served on the Public Disclosure Commission and any other parties within thirty (30) days after the Commission acts on the petition for reconsideration.


ENFORCEMENT OF FINAL ORDERS

The Commission will seek to enforce this final order in superior court under RCW 42.17.395-.397, and recover legal costs and attorney’s fees, if the penalty remains unpaid and no petition for judicial review has been filed under chapter 34.05 RCW. This action will be taken without further order by the Commission.

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DATED THIS 12th day of October, 2005.

FOR THE COMMISSION:



VICKI RIPPIE, Executive Director

MAILING DATE OF THIS ORDER:
