

State of Washington
PUBLIC DISCLOSURE COMMISSION
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MINUTES – Regular Meeting

9:30 a.m. | December 2nd, 2021

711 Capitol Way S. #206

Olympia, Washington

Commission Members Present (Participated via Microsoft Teams Online)

Fred Jarrett, Chair; Nancy Isserlis, Vice Chair; Bill Downing, Member; Allen Hayward, Member.

Staff Present (Participated via Microsoft Teams Online)

Peter Frey Lavalley, Executive Director; Kim Bradford, Deputy Director; Sean Flynn, General Counsel; James Gutholm, Chief Information Officer; Jana Greer, Administrative Officer; Chip Beatty, Interim Customer Service and Outreach Director; Tabitha Townsend, Compliance Coordinator; Kurt Young, Compliance Officer; Alice Fiman, Compliance Officer; Bret Skipworth, DES Senior Financial Consultant; John Meader, Assistant Attorney General representing the Commission; and Chad Standifer, Assistant Attorney General representing PDC staff.

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

[PDC Meeting Video](#)

COVID 19 update: The December 2nd, 2021, Public Disclosure Commission Meeting was streamed live at <https://www.youtube.com/user/WASTPDC/live>.

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

Chair Jarrett welcomed all attendees and viewers to the December 2nd, 2021, 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:

- [Tallman Trask](#), 3rd year law student at University of Washington commented on proposed amendments to digital political advertising disclosure.
- [Meg O'Hara](#), Director of Operations, 350Seattle, commented on proposed agency-request legislation.
- [Daniel Parkhurst](#), Director of Policy and Communications for Washington Nonprofits, commented on proposed agency request legislation.
- [Dmitri Iglitzin](#), Barnard Iglitzin & Lavitt; representing 107 nonprofit organizations commented on proposed agency-request legislation.
- [Alice Lockhart](#), volunteer with 350Seattle, commented on proposed agency request legislation.
- [Conner Edwards](#), campaign treasurer, commented on proposed agency request legislation.
- [Jason Michaud](#), campaign treasurer, commented on proposed agency request legislation

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

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

- October 28, 2021, Regular Meeting
- November 24, 2021, Special Meeting

MOTION 21-0121 Moved by Commissioner Isserlis and seconded by Commissioner Hayward that the Commission approve the meeting minutes for the October 28, 2021, Regular meeting as presented.

The motion [passed](#) 4 - 0.

MOTION 21-0122 Moved by Commissioner Isserlis and seconded by Commissioner Hayward that the Commission approve the meeting minutes for the November 24, 2021, Special Meeting as presented.

The motion [passed](#) 4 - 0.

Consideration and Possible Approval of 2022 Meeting Dates | [PDC Meeting Video](#)

The 2022 Public Disclosure Commission meeting dates were presented to the Commission for consideration and possible approval.

Executive Director Lavallee recommended an amendment to the schedule to move the combined November and December regular meeting from December 1, 2022, to December 8, 2022.

MOTION 21-0123 Moved by Commissioner Hayward and seconded by Commissioner Downing that the Commission approve 2022 meeting dates as revised to move the December 1, 2022, date to December 8, 2022.

The motion [passed](#) 4 - 0.

Public Hearing on Proposed Amendments to Regulations Regarding Digital Political Advertising Disclosure | [PDC Meeting Video](#)

General Counsel Sean Flynn provided an overview of the proposed amendments to regulations regarding digital political advertising disclosure.

[WAC 390-18-050 Commercial advertisers – Public inspection of records.](#)

Staff recommended that the Commission not take final action at this time to address recent comments submitted, and to proceed for consideration and possible adoption in January 2022.

The Commission agreed to proceed with the recommendation of staff.

Budget Update | [PDC Meeting Video](#)

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

Discussion of Agency Request Legislation | [PDC Meeting Video](#)

General Counsel Sean Flynn presented a [summary](#) of the PDC proposed agency request legislation.

[PDC Request Legislation DRAFT \(version 2\)](#)

The following person(s) provided public comment:

- [Dmitri Iglitzin](#), Barnard Iglitzin & Lavitt, provided comment on proposed agency request legislation.
- [Connor Edwards](#), campaign treasurer, provided comment on proposed agency request legislation.

Staff recommended the Commission move forward with pre-filing of the bill and delegate members of the Commission to lead discussions with lawmakers and stakeholders regarding possible changes.

The Commission agreed to move forward with pre-filing, and that Chair Jarrett and Commissioner Hayward will lead the 2022 legislative discussions.

MOTION 21-0124 Moved by Commissioner Hayward and seconded by Commissioner Isserlis that the Commission move forward with pre-filing the agency request legislation as drafted, with possible revisions to the grassroots lobbying portion prior to filing.

The motion [passed](#) 4 - 0.

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

- Executive Director Updates. – Introductions of staff, new and transitioning.
- Information Technology Introductions – [Tin Le](#)
- Compliance Introductions – [Jordan Campbell](#)
- Communications & Outreach Introductions – [Colin Peeples, Ashley Carlson, and Carla Wallace](#)

Break/Executive Session & Closed Session

The Commission went into Executive Session at 12:06 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 [1:00 p.m.](#)

Enforcement (Requests for Reconsideration) | [PDC Meeting Video](#)

1:01 p.m. The Commission conducted a remote hearing concerning requests for reconsideration. Tabitha Townsend, Compliance Coordinator, presented the requests to the Commission for consideration and possible approval.

- PDC Case [93925](#) – [Rachel Alger](#), Alleged Violation of RCW 42.17A.700 for failure to timely file the annual Personal Financial Affairs Statement CY 2020 (GE 21).

MOTION 21-0125 Moved by Commissioner Downing and seconded by Commissioner Isserlis that the Commission grant the request and reconsider the Final Order and penalty assessed in PDC Case 93925, Rachel Alger.

The motion [passed](#) 4 - 0.

MOTION 21-0126 Moved by Commissioner Downing and seconded by Commissioner Hayward that the Commission vacate the penalty previously assessed in PDC Case 93925, Rachel Alger.

The motion [passed](#) 4 - 0.

- PDC Case [94068](#) – [Jennifer Morton](#), Alleged Violation of RCW 42.17A.700 for failure to timely file the annual Personal Financial Affairs Statement CY 2020 (GE 21).

MOTION 21-0127 Moved by Commissioner Hayward and seconded by Commissioner Downing that the Commission grant the request and reconsider the Final Order and penalty assessed in PDC Case 94068, Jennifer Morton.

The motion [passed](#) 4 - 0.

MOTION 21-0128 Moved by Commissioner Hayward and seconded by Commissioner Isserlis that the Commission vacate the penalty previously assessed in PDC Case 94068, Jennifer Morton.

The motion [passed](#) 4 - 0.

- PDC Case [94047](#) – [Fred Helms](#), Alleged Violation of RCW 42.17A.700 for failure to timely file the annual Personal Financial Affairs Statement CY 2020 (GE 21).

MOTION 21-0129 Moved by Commissioner Downing and seconded by Commissioner Hayward that the Commission grant the request and reconsider the Final Order and penalty assessed in PDC Case 94047, Fred Helms.

The motion [passed](#) 4 - 0.

MOTION 21-0130 Moved by Commissioner Downing and seconded by Commissioner Isserlis that the Commission vacate the penalty previously assessed in PDC Case 94047, Fred Helms.

The motion [passed](#) 4 - 0.

Strategic Plan Update and Discussion | PDC Meeting Video

- [Audits](#).
- [Enforcement Process Map](#).
- [Digital Political Advertising Disclosure](#).
- [Campaign Reporting Modernization](#).
- [Training Program Expansion](#).

Management Team Updates | PDC Meeting Video

- [Executive Director Updates](#).
- [Deputy Director Updates](#).
- [IT Activity Report](#).
- [Customer Service and Filer Assistance Update](#).

Enforcement Updates | [PDC Meeting Video](#)

Kurt Young, Compliance Officer, presented the enforcement update report for the period October 20, 2021, through November 15, 2021.

Meeting adjourned at 1:47 p.m.

Approved January 27, 2022.