

State of Washington
PUBLIC DISCLOSURE COMMISSION
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MINUTES – Regular Meeting

9:30 a.m. | March 28, 2024

711 Capitol Way S. #206

Olympia, Washington

Commission Members

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

Commission Members (Participated via Microsoft Teams)

J. Leach, Member; Douglass North, Member.

Staff Present

Peter Frey Lavalley, Executive Director; Kim Bradford, Deputy Director; Sean Flynn, General Counsel; Jana Greer, Administrative Officer; James Gutholm, Chief Information Officer; BG Sandahl, Compliance Officer; Tabitha Townsend, Compliance Coordinator; John Meader, Assistant Attorney General representing the Commission; Chad Standifer, Assistant Attorney General representing the Staff.

Staff Present (Participated via Microsoft Teams)

Kendra Hodgson, Customer Service and Outreach Director; Alice Fiman, Compliance Officer.

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

The March 28, 2024, Public Disclosure Commission meeting was streamed live via TVW at WAPDC.03.28.24. 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 March 28, 2024, Regular Commission meeting.

Chair Isserlis acknowledged that the Commission would be meeting in Vancouver, WA, for the April regular Commission meeting. She also announced that this was Commissioner Jarrett's final 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:

- [L Michelle](#), Communications Director at Puget Sound ESD 121, commented on PDC guidelines regarding school district publications for ballot measures.
- [Conner Edwards](#), campaign treasurer, commented on the PDC's strategic plan and enforcement.
- [Joe Kunzler](#) commented on the PDC's strategic plan and enforcement.
- [Robert Parker](#) commented on agency enforcement.
- [Glen Morgan](#) commented on agency enforcement.

Written Comment(s) Submitted

- [PSE](#)
- [Parker](#)
- [Kunzler](#)

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

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

- February 22, 2024, Regular Meeting.

MOTION 24-015 Moved by Commissioner Jarrett and seconded by Commissioner Leach that the Commission approve the meeting minutes as submitted for the February 22, 2024, regular meeting.

The motion [passed](#) 5 – 0.

Budget Update | [PDC Meeting Video](#)

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

Legislation and Rulemaking | [PDC Meeting Video](#)

General Counsel Flynn updated the Commission on agency request legislation and rulemaking. He elaborated on legislation that the Commission might consider for rulemaking before the election-cycle cutoff on June 30, including the [yard sign sponsor identification bill](#) and the [deepfakes bill](#).

- [HB 2032](#) – Reducing the size of yard signs that are exempt from certain political advertising disclosure requirements.
- [SB 5152](#) – Defining synthetic media in campaigns for elective office and providing relief for candidates and campaigns.

MOTION 24-016 Moved by Commissioner Jarrett and seconded by Commissioner Hayward that PDC Staff file the CR102 for the deep fakes rule before the April regular commission meeting.

The motion [passed](#) 5 – 0.

Strategic Planning | [PDC Meeting Video](#)

Chair Isserlis gave an overview of the discussion from the recent strategic planning meeting and the outcomes that the Commission would like to focus on in the coming year.

MOTION 24-017 Executive Director Frey Lavalley [provided](#) an overview of staff's proposed charter for a new strategic plan project that would replace the current one focused on process improvement in enforcement procedures. The proposed charter establishes a plan to improve campaigns' compliance with mandatory C-4 deadlines and could include enforcement in later phases. Moved by Commissioner Hayward and seconded by Commissioner Leach that the Commission adopt the C-4 compliance strategic plan project as proposed by staff.

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](#)

11:27 a.m. | The Commission conducted a hearing concerning requests for reporting modification. Compliance Coordinator Tabitha Townsend presented the requests to the Commission for consideration and possible approval.

New Modification Requests:

- [Kathryn \(Katie\) Loring](#) – Superior Court Judge, San Juan Co Superior Court [WAC 390-28-100\(1\)\(e\)\(ii\)](#)
Kathryn (Katie) Loring [Memo](#)
Kathryn (Katie) Loring [participated](#) via Microsoft teams.

The Commission deferred the matter to the April 2024 Commission meeting.

- [Malia Burns](#) – Charter School Director, Summit Public Schools [WAC 390-28-100\(1\)\(b\)](#)
Malia Burns [Memo](#)
Malia Burns [participated](#) via Microsoft teams.

MOTION 24-018 Moved by Commissioner Hayward 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.

- [Janet Neese](#) – Sammamish Life & Josh Amato Campaigns Contributor [RCW 42.17A.120](#) & [RCW 42.17A.235](#)
Janet Neese [Memo](#)

MOTION 24-019 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, and that the records submitted remain confidential.

The motion [passed](#) 5 – 0.

Enforcement Update | [PDC Meeting Video](#)

Alice Fiman, Compliance Officer, presented the enforcement update as of March 21, 2024.

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

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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.

Adjourned at 1:00 p.m.

Approved April 24, 2024.