**Title of rule and other identifying information:** (describe subject)

Brief enforcement hearings (adjudicative proceeding)—Penalty schedule.

The presiding officer may assess a penalty up to one thousand dollars upon finding a violation of chapter 42.17A RCW or Title 390 WAC.

<table>
<thead>
<tr>
<th>Hearing location(s):</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Date:</strong></td>
<td><strong>Time:</strong></td>
</tr>
</tbody>
</table>

**Date of intended adoption:** 04/10/18 (Note: This is NOT the effective date)

**Submit written comments to:**

Name: Barbara Sandahl, Deputy Director
Address: 711 Capitol Way S., #206
Email: Barbara.sandahl@pdc.wa.gov
Fax: (360) 753-1112
Other: pdc@pdc.wa.gov
By (date) ____

**Assistance for persons with disabilities:**

Contact Barbara Sandahl, Deputy Director
Phone: (360) 753-1111
Fax: (360) 753-1111
TTY:
Email: Barbara.sandahl@pdc.wa.gov
Other: pdc@pdc.wa.gov
By (date) ____

**Purpose of the proposal and its anticipated effects, including any changes in existing rules:**

Rulemaking will ensure that the Commission has the ability to assess penalties for failure to file required Treasurer (T-1) reports timely.

T-1 penalty schedule will be added to WAC 390-37-143.
Reasons supporting proposal: The adoption of the addition of T-1 penalty schedule will allow respondents, who have received notification of enforcement hearing, to enter into statements of understandings (SOU) and pay the scheduled penalty to avoid hearing.

Statutory authority for adoption: RCW 42.17A.110 Commission—Additional powers.

Statute being implemented: WAC 390-37-143 Brief enforcement hearings (adjudicative proceeding)—Penalty schedule.

<table>
<thead>
<tr>
<th>Is rule necessary because of a:</th>
<th>☑ No</th>
<th>☐ Yes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Federal Law?</td>
<td>☑ No</td>
<td>☐ Yes</td>
</tr>
<tr>
<td>Federal Court Decision?</td>
<td>☑ No</td>
<td>☐ Yes</td>
</tr>
<tr>
<td>State Court Decision?</td>
<td>☑ No</td>
<td>☐ Yes</td>
</tr>
</tbody>
</table>

If yes, CITATION:

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:

Name of proponent: (person or organization)  ☐ Private  ☑ Public  ☐ Governmental

Name of agency personnel responsible for:

<table>
<thead>
<tr>
<th>Name</th>
<th>Office Location</th>
<th>Phone</th>
</tr>
</thead>
<tbody>
<tr>
<td>Drafting:</td>
<td>Jana Greer</td>
<td>Olympia</td>
</tr>
</tbody>
</table>

Is a school district fiscal impact statement required under RCW 28A.305.135?  ☑ No  ☐ Yes

If yes, insert statement here:

The public may obtain a copy of the school district fiscal impact statement by contacting:

Name:  
Address:  
Phone:  
Fax:  
TTY:  
Email:  
Other:  

Is a cost-benefit analysis required under RCW 34.05.328?  ☑ No  ☐ Yes

☐ Yes: A preliminary cost-benefit analysis may be obtained by contacting:

Name:  
Address:  
Phone:  
Fax:  
TTY:  
Email:  
Other:  

☒ No: Please explain:
Regulatory Fairness Act Cost Considerations for a Small Business Economic Impact Statement:

This rule proposal, or portions of the proposal, may be exempt from requirements of the Regulatory Fairness Act (see chapter 19.85 RCW). Please check the box for any applicable exemption(s):

☐ This rule proposal, or portions of the proposal, is exempt under RCW 19.85.061 because this rule making is being adopted solely to conform and/or comply with federal statute or regulations. Please cite the specific federal statute or regulation this rule is being adopted to conform or comply with, and describe the consequences to the state if the rule is not adopted.

Citation and description:

☐ This rule proposal, or portions of the proposal, is exempt because the agency has completed the pilot rule process defined by RCW 34.05.313 before filing the notice of this proposed rule.

☐ This rule proposal, or portions of the proposal, is exempt under the provisions of RCW 15.65.570(2) because it was adopted by a referendum.

☒ This rule proposal, or portions of the proposal, is exempt under RCW 19.85.025(3). Check all that apply:

☐ RCW 34.05.310 (4)(b) (Internal government operations)
☐ RCW 34.05.310 (4)(c) (Incorporation by reference)
☐ RCW 34.05.310 (4)(d) (Correct or clarify language)
☐ RCW 34.05.310 (4)(e) (Dictated by statute)
☐ RCW 34.05.310 (4)(f) (Set or adjust fees)
☐ RCW 34.05.310 (4)(g) (Relating to agency hearings; or (ii) process requirements for applying to an agency for a license or permit)

☐ This rule proposal, or portions of the proposal, is exempt under RCW .

Explanation of exemptions, if necessary:

COMPLETE THIS SECTION ONLY IF NO EXEMPTION APPLIES

If the proposed rule is not exempt, does it impose more-than-minor costs (as defined by RCW 19.85.020(2)) on businesses?

☐ No Briefly summarize the agency's analysis showing how costs were calculated. _____

☐ Yes Calculations show the rule proposal likely imposes more-than-minor cost to businesses, and a small business economic impact statement is required. Insert statement here:

The public may obtain a copy of the small business economic impact statement or the detailed cost calculations by contacting:

Name:
Address:
Phone:
Fax:
TTY:
Email:
Other:

Date: 2/7/2018

Name: Barbara Sandahl
Title: Deputy Director

Signature: