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

In the Matter of Enforcement Action Against:
Move Bellevue Forward
Respondent

PDC CASE NO. 12-144
FINAL ORDER

This matter came before the Washington State Public Disclosure Commission on December 8, 2011 at the PDC Office, 711 Capitol Way, Room 206, Olympia, Washington. Those present included Barry Sehlin, Commission Chair; Jennifer Joly, Vice Chair; Dave Seabrook, Member; Jim Clements, Member; and Amit Ranade, Member. Also present were PDC Director of Compliance Phil Stutzman; PDC Compliance Officer Kurt Young; Suzanne Baugh and Scott Rodgers, the president and treasurer respectively of Respondent Move Bellevue Forward (MBF) (participating by telephone); PDC Executive Director Andrea McNamara Doyle; and Nancy Krier, General Counsel for the Commission. The proceeding was open to the public and was recorded.

This matter resulted from a "45-day citizen action" complaint submitted on October 21, 2011 to the Washington State Attorney General and the King County Prosecuting Attorney in accordance with RCW 42.17.400(4). The letter alleged that Respondent violated: (1) RCW 42.17.040 by failing to timely register as a political committee; (2) RCW 42.17.080 and RCW 42.17.090 by failing to report contribution expenditure activities undertaken in support of candidates and ballot propositions; (3) RCW 42.17.120 as a political committee by concealing the source of its contributions; and, (4) RCW 42.17.510 by failing to include sponsor identification on independent expenditure political advertising.

1 PDC Staff submitted to the Commission an Executive Summary and Staff Analysis
2 memo from Mr. Stutzman; a memo from Mr. Stutzman dated December 7, 2011; a Notice
3 of Administrative Charges dated December 1, 2011; a Report of Investigation dated
4 December 1, 2011 (with exhibits); and, a spreadsheet summarizing penalties assessed in
5 comparable cases. The parties submitted to the Commission a proposed Stipulation as to
6 Facts, Violations and Penalty (Stipulation) dated December 6, 2011.

7 Mr. Stutzman summarized the executive summary, the proposed Stipulation and the
8 staff recommendation to accept the Stipulation. Mr. Rodgers and Ms. Baugh addressed the
9 Commission.

10 The Commission voted 5-0 to accept the Stipulation.

11 I. FINDINGS OF FACT AND CONCLUSIONS OF LAW

12 Based upon the Stipulation, which is hereby attached and incorporated by reference,
13 the Commission finds:

14 1. The Jurisdiction, Facts, Legal Authority, Violations and Penalty are
15 established as provided in the Stipulation.

16 2. The Respondent committed violations of RCW 42.17.040, RCW 42.17.080
17 and RCW 42.17.090 as provided in the Stipulation.

18 II. ORDER

19 Based upon the findings and conclusions, the Commission orders that:

20 1. The Stipulation is accepted.

21 2. The Respondent is assessed a civil penalty of \$1,000. Of the total penalty
22 amount, \$500 will be suspended on the following conditions:

23 a. That the Respondent is found not to have committed further violations of
24 RCW 42.17¹ within four years from the date of the entry of the Commission's Final Order
25 in this matter;

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¹ RCW 42.17 is recodified to RCW 42.17A effective January 1, 2012. The suspension terms remain the same under RCW 42.17A.

1 34.05.542(2), a petition for judicial review must be filed with the superior court in Thurston
2 County or the petitioner's county of residence or principal place of business. The petition
3 for judicial review must be served on the Public Disclosure Commission and any other
4 parties within **30 days** of the date that the Public Disclosure Commission serves this final
5 order on the parties. RCW 34.05.542 (4) provides: "Service of the petition on the agency
6 shall be by delivery of a copy of the petition to the office of the director, or other chief
7 administrative officer or chairperson of the agency, at the principal office of the agency.
8 Service of a copy by mail upon the other parties of record and the office of the attorney
9 general shall be deemed complete upon deposit in the United States mail, as evidenced by
10 the postmark."
11

12
13 If reconsideration is properly sought, the petition for judicial review must be served
14 on the Public Disclosure Commission and any other parties within thirty (30) days after the
15 Commission acts on the petition for reconsideration.

16 **IV. ENFORCEMENT OF FINAL ORDERS**

17 The Commission may seek to enforce this final order in superior court under RCW
18 42.17.395-.397,² and recover legal costs and attorney's fees, if the penalty remains unpaid
19 and no petition for judicial review has been filed under chapter 34.05 RCW. This action
20 will be taken without further order by the Commission.
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² As recodified in RCW 42.17A effective January 1, 2012.

1 The Executive Director is authorized to enter this order on behalf of the
2 Commission.

3 So ORDERED this 16th day of December, 2011.

4 WASHINGTON STATE PUBLIC
5 DISCLOSURE COMMISSION

6 FOR THE COMMISSION:

7 *Andrea M. Doyle*
8 ANDREA MCNAMARA DOYLE
9 Executive Director

10 ATTACHMENT: Stipulation as to Facts, Violations and Penalty (dated December 6,
11 2011)

12 Copy of this Final Order to:

13 Suzanne Baugh
14 Scott Rodgers
15 Move Bellevue Forward
16 10701 Main Street
17 Bellevue, WA 98004

18 I, *Jana V. Cross*, certify that I mailed a copy of this order to the
19 Respondent at its respective address, postage prepaid, on the date stated herein.

20 Signature *Jana V. Cross*

21 Date 12/16/11