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

9 In Re: The Matter of Enforcement Action
10 Against:

11 TONI OVERMYER,
12 Respondent.
13

PDC CASE NO. 59761

ORDER ON PUBLIC
DISCLOSURE COMMISSION
STAFF'S REQUEST FOR
RECONSIDERATION

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15 This matter was heard remotely by the Washington State Public Disclosure Commission
16 (Commission) on March 26, 2020, by telephonic and online streaming access. Public Disclosure
17 Commission Staff requested reconsideration of the Presiding Officer's Order issued on January
18 23, 2020, following a Brief Enforcement Hearing (Brief Adjudicative Proceeding) in this matter.
19 The hearing was held in accordance with Chapters 34.05 and 42.17A RCW, and Chapter 390-37
20 WAC.

21 Commissioners present both telephonically and online were David Ammons,
22 Commission Chair (presiding); Russell Lehman, Commission Vice-Chair; and Commissioners
23 William Downing, Fred Jarrett, and Nancy Isserlis. Also present both telephonically and online
24 were Assistant Attorney General John S. Meader representing the Commission, Assistant
25 Attorney General Chad Standifer representing PDC Staff, and Tabitha Townsend, PDC
26 Compliance Coordinator. Notice was provided to the Respondent but no one appeared on her

1 behalf. The proceeding was open to the public as limited by Governor's Proclamation 20-25 and
2 recorded.

3 The Commissioners had before them the following materials:

- 4 1. Case memorandum dated March 18, 2020, prepared by Tabitha Townsend, PDC
5 Compliance Coordinator;
- 6 2. Complaint against Toni Overmeyer filed November 4, 2019;
- 7 3. King County Auditor's Office registration filed by Toni Overmyer;
- 8 4. PDC letter notifying the Respondent of the results of the Initial hearing (case status
9 review), dated January 13, 2020;
- 10 5. Brief hearing notice dated and served January 13, 2020;
- 11 6. PDC Order Imposing Fine dated January 23, 2020.

12 13 **I. FINDINGS OF FACT**

14 The matter involved PDC Staff's request that the Commission vacate a Final Order issued
15 on January 23, 2020, resulting from an Initial Hearing on January 13, 2020, regarding Toni
16 Overmyer, a candidate for Des Moines Park and Recreation Commissioner. The Presiding
17 Officer at the Brief Adjudicative Proceeding found Ms. Overmyer in violation of RCW
18 42.17A.205, .210, and .215 for failure to timely file a Candidate Registration (C-1) within two
19 weeks of becoming a candidate or not later than June 3, 2019, and imposed a civil penalty of
20 \$500. The basis of the PDC Staff's Request for Reconsideration was information from Ms.
21 Overmyer's family that she had died on February 19, 2020.

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23 1 The PDC received credible information from the Respondent's daughter, Julia, that
24 she died on February 19, 2020.
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II. CONCLUSIONS OF LAW

1. The Commission has jurisdiction over this proceeding pursuant to Chapter 42.17A RCW, the State campaign finance and disclosure law; Chapter 34.05 RCW, the Administrative procedure Act; and Title 390 WAC.

III. ORDER

PDC Staff's Request for Reconsideration is GRANTED. This Amended Order will be the Final Order. The Findings of Fact and Conclusions of Law and the civil penalty assessed at the January 23, 2020, hearing are VACATED.

SO ORDERED this 31st day of March, 2020.

WASHINGTON STATE PUBLIC

DISCLOSURE COMMISSION

FOR THE COMMISSION:



David Ammons,
Chair, Public Disclosure Commission

This order sent by email to:
Overmyer family
toni.overmyer@gmail.com

Tabitha Townsend,
PDC Compliance Coordinator
Tabitha.townsend@pdc.wa.gov

Chad Standifer, Assistant Attorney General
(ChadS@atg.wa.gov)

I, Tabitha Townsend, certify that I emailed a copy of this order to the Respondent at his respective email address.

Electronically Signed by Tabitha Townsend 3/31/20

Signed

Date