



State of Washington
PUBLIC DISCLOSURE COMMISSION

711 Capitol Way Rm. 206, PO Box 40908 • Olympia, Washington 98504-0908
(360) 753-1111 • FAX (360) 753-1112

Toll Free 1-877-601-2828 • E-mail: pdc@pdc.wa.gov • Website: www.pdc.wa.gov

April 21, 2021

Madeline Kovacs
1402 3rd Ave #500
Seattle WA 98101

And delivered electronically to “pam@sightline.org”

Subject: PDC Order, Case 86681

Dear Madeline Kovacs,

Enclosed is a copy of the Public Disclosure Commission’s Order Imposing Fine that was entered in the above-referenced case. At the April 1, 2021, Brief Enforcement hearing, the Presiding Officer assessed a total civil penalty of \$1,000 in accordance with WAC 390-37-143, of which \$500 is suspended. The non-suspended \$500 penalty is payable within 30 days of the date of this Order.

The \$500 penalty is payable no later than **May 21, 2021**. Please make the check or money order payable to the “WA State Treasurer”, and mail the payment to the following:

**Public Disclosure Commission
PO Box 40908
Olympia, WA 98504-0908**

Please do not send the payment to the PDC offices.

Please file the missing L-2 reports referenced in the attached Order within 30 days. Thank you for your prompt attention to this matter.

If you have questions, please contact us by email at pdc@pdc.wa.gov.

Sincerely,

Electronically Signed by Tabitha Townsend

Tabitha Townsend
Compliance Coordinator

Enclosure: Initial Order



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BEFORE THE PUBLIC DISCLOSURE COMMISSION
OF THE STATE OF WASHINGTON

In Re: Compliance with RCW 42.17A	PDC Case 86681
Madeline Kovacs, Respondent.	Findings of Fact, Conclusions of Law, and Order Imposing Fine

Pursuant to the brief enforcement hearing (brief adjudicative proceeding) notice sent to Madeline Kovacs on March 8, 2021, A brief adjudicative proceeding was held on April 1, 2021, remotely from Olympia, WA by live audio and online transmission, to consider whether the Respondent violated RCW 42.17A.615 by failing to file Monthly Lobbyist Expense Reports (L-2 Reports) as a lobbyist for the 2020 calendar year. The L-2 reports were due to be filed by the 15th of each month, disclosing lobbying activities in the previous calendar month.

The hearing was held in accordance with Chapters 34.05 RCW and 42.17A RCW and Chapter 390-37 WAC. Commission Chair Fred Jarrett was the Presiding Officer. The Commission staff was represented by Tabitha Townsend, Compliance Coordinator. The Respondent did not participate in the hearing or submit any written materials.

Having considered the evidence, the Presiding Officer finds as follows:

FINDINGS OF FACT

1. The Respondent was a registered lobbyist in the State of Washington during calendar year 2020.
2. As a registered lobbyist, the Respondent was required to file the L-2 reports by the 15th of each month, disclosing compensation and lobbying expenses in the prior calendar month, such as travel, entertainment, contributions, advertising, and other lobbying expenses.
3. The Respondent did not file the missing L-2 reports for January, February, March, April, May, June, July, August, September, October, November, and December prior to the date of the hearing.
4. The Respondent has no prior violations.

CONCLUSIONS OF LAW

Based on the above facts, as a matter of law, the Presiding Officer concludes as follows:

1. This matter was duly and properly convened and all jurisdictional, substantive, and procedural requirements have been satisfied.
2. The Respondent violated RCW 42.17A.615 by failing to file the L-2 reports by the 15th of the month as required.

ORDER

On the basis of the foregoing Findings of Fact and Conclusions of Law,

1. IT IS HEREBY ORDERED that the Respondent is assessed a total civil penalty of \$1,000, in accordance with the L-2 penalty schedule set forth in WAC 390-37-143.

Of the \$1,000 penalty, \$500 (50%) is suspended, on the condition that the Respondent is not found to have committed any further violations of Chapter 42.17A RCW or Title 390 WAC within four years of the date of this Order. If there is a violation found within four years, the suspended portion of the penalty shall immediately become due without further action by the Commission. However, the suspended penalty of \$500 shall not be re-assessed based solely upon any remediable violation, minor violation, or error classified by the Commission as appropriate to address by a technical correction.

2. It is further ordered that the Respondent:
 - A. Pay the non-suspended portion of the penalty \$500 within 30 days of the date of this Order. If the Respondent fails to pay the non-suspended penalty of \$500 within 30 days, the suspended portion of the penalty shall immediately become due without further action by the Commission and PDC staff is directed to refer the matter to collections.
 - B. File the missing L-2 reports within 30 days of the date of this Order.

This is an **Initial Order** of the Public Disclosure Commission.

Entered this 21st day of April, 2021.

Public Disclosure Commission

Electronically Signed by Peter Lavallee
Peter Lavallee
Executive Director

I, Tabitha Townsend, certify that I mailed and emailed a copy of this order to the Respondent at their respective address postage pre-paid, and by email on the date stated herein.

Electronically Signed Tabitha Townsend
Signed

04/21/2021
Date

APPEALS OF INITIAL ORDER

REVIEW OF INITIAL ORDER - BY THE COMMISSION

You may request that the full Commission review this initial order. To seek review, you must:

- Make the request orally or in writing, stating the reason for review, and identifying what alleged errors are contained in the initial order. *See* WAC 390-37-144(1). Staff may ask for written confirmation of oral requests for review.
- **REQUESTS FOR REVIEW MUST BE RECEIVED BY THE COMMISSION WITHIN TWENTY-ONE (21) CALENDAR DAYS AFTER THE POSTMARK DATE OF THIS INITIAL ORDER.** Written requests for review should be delivered electronically to the Washington State Public Disclosure Commission by email at pdc@pdc.wa.gov

If review of this initial order is timely requested, the full Commission will hear the matter. If the Commission is unable to schedule a meeting to consider the request within twenty (20) calendar days, this initial order becomes a final order, and any request for review will automatically be considered a request for reconsideration of a final order. *See* WAC 390-37-144(4). The matter would then be scheduled for consideration and disposition at the next Commission meeting at which it is practicable to do so.

A Respondent does not need to pay a penalty until after the Commission rules on a request for review of an initial order.

FURTHER APPEAL RIGHTS – SUPERIOR COURT

If the Commission does not receive a request for review of this initial order within twenty-one (21) calendar days, the initial order shall be the final order. *See* WAC 390-37-142(5).

YOU HAVE THE RIGHT TO APPEAL A FINAL ORDER TO SUPERIOR COURT, PURSUANT TO THE PETITION FOR JUDICIAL REVIEW PROVISIONS OF RCW 34.05.552.