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

7 In Re: The Matter of Enforcement Action
8 Against:

9 THRIVE WASHINGTON,
10 Respondent.
11

PDC CASE NO. 91594

FINAL ORDER ON REQUEST
FOR RECONSIDERATION

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13 This matter was heard at a Special Meeting of the Washington State Public Disclosure
14 Commission (Commission) on October 12, 2021, by telephonic and online streaming access.
15 Thrive Washington (Respondent), requested review of the Presiding Officer's Order issued on
16 July 30, 2021, following a Brief Enforcement Hearing (Brief Adjudicative Proceeding) in this
17 matter. The hearing was held in accordance with Chapters 34.05 and 42.17A RCW, and Chapter
18 390-37 WAC.

19 Commissioners present were Fred Jarrett, Commission Chair (presiding); Nancy Isserlis,
20 Commission Vice-Chair; and Commissioners William Downing and Allen Hayward. Also
21 present both telephonically and online were Assistant Attorney General John S. Meader
22 representing the Commission, Assistant Attorney General Chad Standifer, representing PDC
23 Staff, and Tabitha Townsend, PDC Compliance Coordinator. The Respondent did not appear
24 on its own behalf. The proceeding was open to the public as limited by Governor's Proclamation
25 20-28 *et seq.* and recorded.

26 The Commissioners had before them the following materials:

- 1 1. Case memorandum dated October 12, 2021, prepared by Tabitha Townsend, PDC
2 Compliance Coordinator;
- 3 2. Initial Order Imposing Fine, PDC Case #91594, entered July 30, 2021;
- 4 3. Reconsideration Hearing Notice, PDC Case #91594, dated October 4, 2021;
- 5 4. Thrive Washington request for reconsideration, PDC Case #91594, submitted by Apex
6 Law Group, dated September 2, 2021;
- 7 5. Thrive Washington Articles of Dissolution filed April 30, 2020.

8 9 **I. FINDINGS OF FACT**

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11 This matter involves Thrive Washington (Respondent), a lobbyist employer during
12 calendar year 2020. During a Brief Enforcement Hearing held on July 1, 2021, Respondent was
13 found to have violated RCW 42.17A.630 for failure to timely file a Lobbyist Employer Annual
14 Expense report with the PDC (L-3). The report disclosing 2020 lobbying activities was due to
15 be filed no later than March 1, 2021. At the Brief Enforcement Hearing an Order imposing a
16 \$250 civil fine was entered.

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18 1. The L-3 report is required by RCW 42.17A.630 to be filed no later than the end
19 of February or the first working day of March of each calendar year, disclosing lobbying
20 activities in the previous calendar year.

21 2. The Respondent's L-3 report disclosing lobbying activity in calendar year 2020
22 was due to be filed no later than March 1, 2021.

23 3. On April 5, 2021, PDC staff sent warning letters by U.S. Mail to all lobbyist
24 employers warning them to file their overdue L-3 reports. The warning letters were mailed to
25 the addresses provided by filers in the electronic lobbyist filing application.

26 4. On June 1, 2021, PDC staff emailed a hearing notice for a July 1, 2021, Brief

1 Adjudicative Proceeding (Brief Enforcement Hearing) to Respondent's email address of record.

2 5. At the Brief Enforcement Hearing held on July 1, 2021, the Respondent was
3 found in violation of RCW 42.17A.630 for failure to timely file the L-3 reports no later than
4 March 1, 2021. Respondent was assessed a \$250 penalty, consistent with WAC 390-37-143, the
5 Brief Enforcement Hearing penalty schedule adopted by the Commission.

6 6. On July 30, 2021, PDC staff served the Initial Order to the contact email address
7 originally provided in the electronic lobbyist employer filing application.

8 7. The Respondent has not filed the missing 2020 L-3 report as of the date of this
9 hearing.

10 8. PDC staff served the Respondent with the Reconsideration Hearing Notice on
11 October 4, 2021, for the October 12, 2021, Reconsideration Hearing.

12 9. On September 2, 2021, the Respondent submitted written materials to PDC staff
13 appealing the July 30, 2021, Initial Order and informing the PDC that Thrive Washington was
14 dissolved on April 30, 2020. The appeal also stated that Thrive Washington did not engage in
15 lobbying activities after its 2019 decision to dissolve at the July 24, 2019, meeting of the Board
16 of Directors. Respondent claims all assets have been transferred to an out of state corporation
17 prior to January 1, 2020, and there are no available assets to pay the assessed penalty.

18 10. PDC staff recommends that the Commission vacate the July 30, 2021, order.
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20 II. CONCLUSIONS OF LAW

21 1. The Commission has jurisdiction over this proceeding pursuant to Chapter
22 42.17A RCW, the State campaign finance and disclosure law; Chapter 34.05 RCW, the
23 Administrative procedure Act; and Title 390 WAC.
24

25 2. The Respondent violated RCW 42.17A.630 by failing to timely file L-3 reports
26 for calendar year 2020 that was due no later than March 1, 2021.

