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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:

PDC CASE NO. 34207

11 WASHINGTON SOCIETY OF CERTIFIED
12 PUBLIC ACCOUNTANTS PAC,

FINAL ORDER

Respondent.

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15 **I. INTRODUCTION**

16 This matter was heard remotely by the Washington State Public Disclosure Commission
17 (Commission) on March 26, 2020, by audio and online streaming. The hearing was held
18 pursuant to Chapter 34.05 RCW, Chapter 42.17A RCW, and Chapter 390-37 WAC.

19 Commissioners present both telephonically and online were David Ammons,
20 Commission Chair (presiding); Russell Lehman, Commission Vice-Chair; and Commissioners
21 William Downing, Fred Jarrett, and Nancy Isserlis. Also present both telephonically and online
22 were Assistant Attorney General John S. Meader representing the Commission; Assistant
23 Attorney General Chad Standifer representing PDC staff; and Kurt Young, Senior Compliance
24 Officer, on behalf of PDC Staff. Hayden Williams, Treasurer, appeared telephonically on behalf
25 of the Washington Society of Certified Public Accountants, PAC (WSCPAC- PAC, Respondent).
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1 The proceeding was open to the public as limited by Governor's Order 20-25 and recorded.

2 The hearing concerned allegations that WSCPA-PAC violated RCW 42.17A.235 and
3 RCW 42.17A.240 by failing to timely file Summary Campaign Contribution and Expenditure
4 Reports (C-4 reports) and Monetary Contributions Reports (C-3 reports) disclosing contribution
5 and expenditures undertaken during the calendar year 2016.

6 The Commissioners had before them the following materials:

- 7 • Report of Investigation prepared by PDC Senior Compliance Officer Kurt Young, dated
8 March 10, 2020, which included:
 - 9 ○ April 11, 2018, complaint filed by the Glen Morgan against WSCPA-
10 PAC;
 - 11 ○ The 2016 Summary 21-day Pre-Primary Election C-4 report and the 7-
12 day Pre-Primary Election C-4 report filed August 22, 2016;
 - 13 ○ A PDC staff generated spreadsheet disclosing 2016 contributions made as
14 reported on the late filed 21-day and 7-day Pre-Primary Election C-4
15 reports;
 - 16 ○ C-3 reports covering the period of April 1, through July 27, 2016, filed
17 August 22, 2016;
 - 18 ○ Response of Hayden Williams, Treasurer, on behalf of the WSCPA-PAC
19 dated September 11, 2018.
- 20 • Proposed Stipulation as to Facts, Violations, and Penalty submitted by the parties, signed on
21 March 3, 2020, by WSCPA-PAC and on March 13, 2020, by the PDC.

22 23 **II. STIPULATION**

24 The parties jointly submitted a signed Stipulation as to Facts, Violations, and Penalty
25 (Stipulation). Mr. Standifer presented the Stipulation, reviewed the aggravating and mitigating
26 factors, summarized the proposed penalties, and asked the Commission to accept the Stipulation.

1 In response to questions from the Commission, Mr. Williams provided testimony that WSCPA-
2 PAC had been responsive in addressing the complaint and was now in compliance with all
3 reporting obligations. The Respondent took responsibility and also asked the Commission to
4 accept the Stipulation. The Commission voted 5-0 to accept the amended Stipulation.

6 III. FINDINGS OF FACT

7 1. WSCPA is a statewide professional membership organization serving CPAs, educating
8 consumers about CPAs and the services they provide, and encouraging students to study
9 accounting and enter the profession.

10 2. WSCPA-PAC (Committee) has been registered as a continuing political committee
11 and has reported to the PDC since at least the mid 1990's.

12 3. On April 4, 2016, and January 9, 2017, the Committee filed an amended C-1pc report
13 with the PDC as a continuing committee under the Full Reporting Option.

14 4. On August 22, 2016, the Committee filed two C-4 reports, the 21-day Pre-Primary
15 Election C-4 report and the 7-day Pre-Primary C-4 report, covering the period June 1, through
16 July 25, 2016.

17 The 21-day C-4 report was required to be filed by July 12, 2016, covering the period June
18 1, through July 11, 2016. The C-4 report disclosed \$656 in monetary contributions received and
19 \$26,723 in total expenditures that included 15 monetary contributions totaling \$26,000 made to
20 a 2016 candidate for Washington State Governor, other Statewide Executive Office candidates,
21 and candidates for the Washington State Legislature. The \$26,000 in monetary contributions
22 made to candidates were disclosed 41 days late and 20 days after the August 2, 2016 Primary
23 Election had been held.

24 5. The 7-day C-4 report was required to be filed by July 26, 2016, covering the period
25 July 12, 2016, through July 25, 2016. The C-4 report disclosed no contributions received and
26 \$49,898 in total expenditures made that included numerous contributions made to 2016

1 candidates for the legislature totaling \$49,800. The \$49,800 in contributions to candidates was
2 disclosed 27 days late and 20 days after the August 2, 2016, Primary Election had been held.

3 6. On August 22, 2016, the Committee filed C-3 reports covering the period April 1,
4 through July 27, 2016, disclosing monetary contributions received during the period from
5 individual WSCPA members and CPA firms totaling more than \$24,649. The contributions
6 reported on the three C-3 reports were all disclosed after the August 2, 2016, Primary Election
7 had been held. The late reports included:

- 8 • The April, 2016, C-3 report totaling \$4,036;
- 9 • The May, 2016, C-3 report totaling \$3,811;
- 10 • The July, 2016, C-3 report totaling \$16,802;
- 11 • The two remaining contributions should have been disclosed on two
12 separate C-3 reports as follows:
 - 13 ○ A \$15,000 monetary contribution from Moss Adams, LLP, on July
14 20, 2016, should have been disclosed on a C-3 report due August
15 1, 2016. It was disclosed 21 days late and deposited 3 days late.
 - 16 ○ A \$1,650 monetary contribution from Sweeney Conrad, PS, on
17 July 27, 2016, was within 7 days of the August 2, 2016, Primary
18 Election and required a Last Minute Contribution report. The
19 Committee was required to disclose the contribution no later than
20 July 19, 2016, but was disclosed 23 days late.

21 22 IV. CONCLUSIONS OF LAW

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

26 2. Based on the facts set forth above and the agreed stipulation of the parties, the

1 Committee violated RCW 42.17A.235 and .240 by failing to timely file Summary Campaign
2 Contributions and Expenditure Reports (C-4 reports) and Monetary Contributions Reports (C-3
3 reports) disclosing contribution and expenditures undertaken during calendar year 2016.

4 5 V. ORDER

6 Based upon its Findings of Fact and the stipulated Findings and Conclusions, the
7 Commission accepts the Amended Stipulation of the parties and orders that:

8 1. Respondent WSCPA-PAC is assessed a total civil penalty of \$2,500 as follows:

9 a. \$1,500, including \$750 for the late filed 2016 21-day Pre-Primary
10 Election C-4 report, and \$750 for the late filed 7-day Pre-Primary Election C-4
11 report; and

12 b. \$1,000, including \$250 for each of the four late filed C-3 reports.

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14 2. \$1,250 of the \$2,500 penalty is suspended on the following conditions:

15 a. The Committee is not found to have committed any further violations of
16 Chapter 42.17A RCW or Title 390 WAC within four years of the date of
17 the Final Order in this matter. The suspended penalty shall not be
18 assessed based solely upon any remediable violation, minor violation, or
19 error classified by the Commission as appropriate to address by a
20 technical correction.

21 b. The Committee remains in compliance with all reporting requirements.

22 c. The non-suspended portion of the penalty (\$1,250) is paid by the
23 Committee within 30 days of the date of the Final Order in this matter.

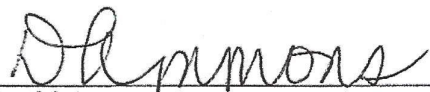
24 If the Respondent fails to comply with any of the conditions of this
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1 Order, the suspended portion of the penalty shall immediately become
2 due without further action by the Commission.

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4 So ORDERED this 31st day of March, 2020.

5 WASHINGTON STATE PUBLIC
6 DISCLOSURE COMMISSION

7 FOR THE COMMISSION:

8 
9 David Ammons,
Chair, Public Disclosure Commission

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11 *Copy of this Order mailed and/or emailed to:*

12 Hayden Williams, Treasurer, for WSCPA-PAC,

13 Kurt Young, PDC Staff Senior Compliance Officer (Kurt.young@pdc.wa.gov);

14 Chad Standifer, Assistant Attorney General, Counsel for PDC Staff (ChadS@atg.wa.gov)

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17 I, _____, certify that I mailed a copy of this order to the Respondent/
18 Applicant at his/her respective address postage pre-paid on the date stated herein.

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Signed _____

Date _____

NOTICE: RECONSIDERATION

Pursuant to the provisions of RCW 34.05.470 and WAC 390-37-150, you may file a Petition for Reconsideration with the PDC within ten (10) days from the date this Final Order is served upon you. Any Request for reconsideration must state the specific grounds for the relief requested. Petitions must be delivered or mailed to the Washington State Public Disclosure Commission, 711 Capitols Way, Room 206, Box 40908, Olympia WA 98504-0908.

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2 **NOTICE: PETITION FOR JUDICIAL REVIEW**

3 You have the right to appeal this Final Order to Superior Court, pursuant to the Petition for
4 Judicial Review provisions of RCW 34.05.542. Any Petition for Judicial Review of this Final
5 Order must be filed with the court and also served upon both the Commission and the Office of
6 the Attorney general within thirty (30) days after the date this Final Order is served upon you.
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