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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. 95222

FINAL ORDER

11 WILLIAM BURKETT,
12 Respondent.
13 _____

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15 This matter was heard remotely by the Washington State Public Disclosure Commission
16 (Commission) on October 28, 2021, by telephonic and online streaming access. Respondent
17 William (Beau) Burkett was provided notice on October 14, 2021, of the hearing date. The
18 hearing was held in accordance with Chapters 34.05 and 42.17A RCW, and Chapter 390-37
19 WAC.

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

1 The Commissioners had before them the following materials:

- 2 1. Case memorandum dated October 18, 2021, prepared by Tabitha Townsend, PDC
- 3 Compliance Coordinator;
- 4 2. Hearing Notice, mailed and dated October 14, 2021;
- 5 3. Hearing Notice, emailed and dated October 18, 2021;
- 6 4. Order Imposing Fine, PDC Case 80176, for missing F-1 reports CY 2018 and CY
- 7 2019, dated March 11, 2021;
- 8 5. Order Imposing Fine, PDC Case 38794, for missing F-1 report CY 2017, dated
- 9 November 20, 2018;
- 10 6. Order Imposing Fine, PDC Case 22221, for missing F-1 report CY 2016, dated
- 11 September 15, 2016;
- 12 7. Order Imposing Fine, PDC Case 10036, for missing F-1 CY 2015, dated February 7,
- 13 2017;
- 14 8. WAC 390-37-182, Penalty Schedule.

15 16 **I. FINDINGS OF FACT**

17 The matter involves Respondent William (Beau) Burkett, a candidate for Mayor of the
18 City of Buckley in the 2021 Election Cycle. Respondent is alleged to have violated RCW
19 42.17A.205 for failure to timely file a Candidate Registration (C-1 Report) and RCW
20 42.17A.700 for failure to timely file a Personal Financial Affairs Statement (F-1 Report) with
21 the Public Disclosure Commission no later than June 4, 2021, disclosing financial information
22 for the prior twelve months. The Respondent has four prior violations with the PDC and the
23 case was brought before the full Commission for review.

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25 1. The current C-1 and F-1 Reports were filed on October 27, 2021.
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2 2. Written testimony was provided by the Respondent on October 28, 2021 and read
3 into the record.
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5 3. There is currently an outstanding balance owing of \$2,850 from penalties
6 assessed on four prior cases for violations of RCW 42.17A.700:
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- 8 • PDC Case 80176. At a February 25, 2021, Enforcement
9 Hearing, Respondent was found in violation of RCW
10 42.17A.700 for failing to file F-1 reports for calendar years 2018
11 and 2019, which were due not later than April 15, 2019, and
12 April 15, 2020, respectively. A total civil penalty of \$1,000 was
13 assessed in accordance with the penalty schedule adopted by the
14 Commission that was in effect at that time.
- 15 • PDC Case 38794. At an October 25, 2018, Brief Enforcement
16 Hearing, Respondent was found in violation of RCW
17 42.17A.700 by failing to file an F-1 report for calendar year
18 2017, that was due not after than April 16, 2018. A civil penalty
19 of \$500 was assessed in accordance with the penalty schedule
20 adopted by the Commission that was in effect at that time.
- 21 • PDC Case 22221. At an August 23, 2017, Brief Enforcement
22 Hearing, Respondent was found in violation of RCW
23 42.17A.700 by failing to file an F-1 report for calendar year
24 2016, that was due not later than April 17, 2017. A civil penalty
25 of \$1,000 was assessed in accordance with the penalty schedule
26 adopted by the Commission that was in effect at that time.

- PDC Case 10036. At a January 20, 2017, Brief Enforcement Hearing, Respondent was found in violations of RCW 42.17A.700 by failing to file an F-1 report for calendar year 2015, that was due not later than April 15, 2016. A civil Penalty of \$250 was assessed in accordance with the F-1 penalty schedule adopted by the Commission that was in effect at that time.
- PDC Case 16-242. A civil penalty was assessed of \$100.

4. On October 14, 2021, PDC staff served the Respondent, by mail, with a hearing notice for an October 28, 2021, Enforcement Hearing along with instructions on how to participate in the hearing remotely. On October 18, 2021, PDC Staff served the Respondent by email with the same notice.

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.
2. Pursuant to RCW 42.17A.205, a candidate for election year 2021, was required to file a C-1 Report within two weeks of candidacy or no later than June 4, 2021.
3. Pursuant to RCW 42.17A.700, a candidate for election year 2021 was required to file an F-1 Report, disclosing financial information for the prior twelve months, within two weeks of candidacy or no later than June 4, 2021

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3 **III. ORDER**

4 This Order will be the Final Order. After consideration of the mitigating and
5 aggravating factors, the Findings of Fact, and the Conclusions of Law, the Commission
6 assesses a civil penalty of \$500 for the late filed C-1 Report and \$1000 for the late filed F-1
7 Report for a total civil fine of \$1,500.

- 8 a. Payment of the civil fine shall be made in full within 30 days of the
9 issuance of this order. If payment is not made within 30 days of the
10 issuance of this order, the amount owing may be sent to collection
11 without further action of the Commission.
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13 b. The Respondent shall remain in full compliance with all PDC reporting
14 requirements and not be found to have committed any further violations
15 of Chapter 42.17A RCW or Title 390 WAC within four years of the date
16 of this Final Order.
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19 SO ORDERED this 16th day of November 2021.

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21 WASHINGTON STATE PUBLIC
22 DISCLOSURE COMMISSION

23 FOR THE COMMISSION:

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25 _____
26 Fred Jarrett,
Chair, Public Disclosure Commission

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5 *This order sent by email to:*

6 William (Beau) Burkett, Respondent
7 Burkett35@comcast.net;
8 Sandalkee.6@icloud.com
9 mttn.goat@icloud.com

10 Tabitha Townsend,
11 PDC Compliance Coordinator,
12 pdc@pdc.wa.gov
13

I, __Tabitha Townsend__, certify that I emailed a copy of this order to the Respondent at his respective email and mailing addresses.

Electronically Signed by Tabitha Townsend November 16, 2021
Signed Date

14 **NOTICE: RECONSIDERATION**

15 Pursuant to the provisions of RCW 34.05.470 and WAC 390-37-150, you may file a Petition for
16 Reconsideration with the PDC within ten (10) days from the date this Final Order is served upon
17 you. Any Request for reconsideration must state the specific grounds for the relief requested.
18 Petitions must be delivered or mailed to the Washington State Public Disclosure Commission,
19 711 Capitols Way, Room 206, Box 40908, Olympia WA 98504-0908.

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21 **NOTICE: PETITION FOR JUDICIAL REVIEW**

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