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

In Re: The Matter of Enforcement Action
Against:

WILLIAM “BEAU” BURKETT,

Respondent.

PDC CASE NO. 95222

FINAL ORDER ON
RECONSIDERATION

This matter was heard remotely by the Washington State Public Disclosure Commission (Commission) on January 27, 2022, by telephonic and online streaming access. PDC staff requested reconsideration of the Presiding Officer’s Order entered on November 16, 2021, following a Brief Enforcement Hearing (Brief Adjudicative Proceeding) held October 28, 2021, in this matter. The hearing was held in accordance with Chapters 34.05 and 42.17A RCW, and Chapter 390-37 WAC.

Commissioners present both telephonically and online were Fred Jarrett, Commission Chair (presiding); Nancy Isserlis, Commission Vice-Chair; and Commissioners William Downing and Allen Hayward. Also present both telephonically and online were Assistant Attorney General John S. Meader representing the Commission, Assistant Attorney General Chad Standifer representing PDC Staff, and Tabitha Townsend, PDC Compliance Coordinator. Notice was provided to the Respondent but he did not appear on his own behalf. The proceeding

1 was open to the public as limited by Governor’s Proclamation 20-25 *et. seq.* and recorded.

2 The Commissioners had before them the following materials:

- 3 1. Case memorandum dated January 14, 2022, prepared by Tabitha Townsend, PDC
4 Compliance Coordinator;
- 5 2. Brief Enforcement Hearing Notice, served October 14, 2021;
- 6 3. Final Order Imposing Fine, entered November 16, 2021;
- 7 4. Respondent’s F-1 report for the prior 12 months, filed October 27, 2021;
- 8 5. Respondent’s C-1 report for Election Year 2021, filed October 27, 2021;
- 9 6. Reconsideration Hearing Notice, served January 13, 2022.
- 10 7. City of Buckley, jurisdiction voter count records.

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12 **I. FINDINGS OF FACT**

13 The matter involved PDC Staff’s request that the Commission reconsider an Initial Order
14 entered on November 16, 2021, resulting from an Initial Hearing on October 28, 2021, regarding
15 William “Beau” Burkett, a candidate for Mayor of the City of Buckley during the 2021 Election
16 Cycle. The Presiding Officer at the Brief Adjudicative Proceeding found the Respondent in
17 violation of RCW 42.17A.205 and .700 for failure to timely file the C-1 and F-1 reports within
18 two weeks of becoming a candidate, or no later than June 4, 2021. At the October 28, 2021,
19 hearing, the Presiding Office imposed a \$1,500 penalty consistent with WAC 390-37-182, the
20 Enforcement Hearing penalty schedule adopted by the Commission.

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- 22 1. On October 18, 2021, PDC staff emailed the Respondent a hearing notice for a
23 Brief Adjudicative Proceeding (Brief Enforcement Hearing) to be held on
24 October 28, 2021. The hearing notice was sent to the Respondent’s email
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1 address of record, as well as mailed to the two mailing addresses of record via
2 USPS.

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4 2. At the Brief Enforcement Hearing held on October 28, 2021, the Respondent
5 was found in violation of RCW 42.17A.205 and .700 for failure to timely file
6 the missing C-1 and F-1 reports within two weeks of becoming a candidate or
7 not later than June 4, 2021. The Respondent was assessed a total civil penalty of
8 \$1,500 (\$1,000 for the missing F-1 report and \$500 for the missing C-1 report).

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10 3. On November 16, 2021, Respondent was served with the Final Order of the
11 Commission memorializing the Commission's ruling by mail and email. The
12 Order was sent to the Respondent's email and mailing addresses of record.

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14 4. Respondent filed the missing C-1 report for the 2021 election year and the F-1
15 report for calendar year 2020 on October 27, 2021.

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17 5. On January 13, 2022, PDC staff served the Respondent by email with a hearing
18 notice for a January 27, 2022, Reconsideration Hearing before the Public
19 Disclosure Commission, along with instructions on how to participate in the
20 hearing remotely.

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22 6. PDC staff reviewed the jurisdiction requirements and found that the Respondent
23 was in an "F" filing jurisdiction and not required to file the C-1 report for the
24 2021 Mayoral campaign.
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7. PDC staff recommended that the \$500 penalty for the late filing of the C-1 report should be vacated along with the violation of RCW 42.17A.205 as it was not applicable.

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II. CONCLUSIONS OF LAW

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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.700, an elected or appointed official who held office in 2020, or took office in 2021, was required to file an F-1 Report, disclosing financial information for the calendar year 2020, no later than April 15, 2021.

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III. ORDER

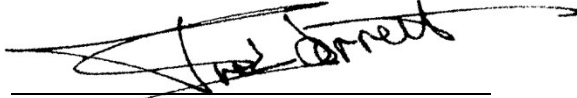
16 This Order on Reconsideration will be the Final Order. After consideration of the
17 mitigating and aggravating factors, the Findings of Fact, and the Conclusions of Law, the Final
18 Order issued on November 16, 2021, is MODIFIED as follows:

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1. Respondent William “Beau” Burkett is assessed a total civil penalty of \$1,000 for late filing of the F-1 Report due within two weeks of filing for candidacy for the 2021 election cycle, or no later than June 4, 2021. The civil penalty shall be paid within 30 days of the date of this order.
 2. The violation of RCW 42.17A.205 and the \$500 civil penalty for failing to timely file the C-1 report within two weeks of filing for candidacy for the 2021 election cycle, or no later than June 4, 2021, are VACATED.

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2 SO ORDERED this _14th_ day of February, 2022.

3
4 WASHINGTON STATE PUBLIC
DISCLOSURE COMMISSION

5 FOR THE COMMISSION:

6 

7 Fred Jarrett,
8 Chair, Public Disclosure Commission

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11 *This order sent by email and mail to:*

12 William "Beau" Burkett, Respondent
13 mtn_goat@icloud.com
sandralee.6@icloud.com
14 P.O. Box 923
Buckley, WA 98321

15 Tabitha Townsend,
16 PDC Compliance Coordinator,
17 pdc@pdc.wa.gov

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

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Electronically Signed by Tabitha Townsend __February 14, 2022_
Signed Date

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
the Attorney general within thirty (30) days after the date this Final Order is served upon you.