



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: pdcc@pdcc.wa.gov • Website: www.pdcc.wa.gov

February 10, 2021

Barbara Bailey
PO Box 374
Oak Harbor WA 98277-9679

And delivered electronically to "bbailey123@comcast.net"

Subject: PDC Order, Case 83196

Dear Barbara Bailey,

Enclosed is a copy of the Public Disclosure Commission's Order Imposing Fine that was entered in the above-referenced case. At the January 28, 2021, Brief Enforcement hearing, the Presiding Officer assessed a total civil penalty of \$150 in accordance with WAC 390-37-143, with \$75 suspended. The \$75 non-suspended penalty is payable within 30 days of the date of this Order.

The \$75 penalty is payable no later than **March 12, 2021**. Please make the check or money order payable to the WA State Treasurer, include your case number, and mail the payment to the following:

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

Thank you for your prompt attention to this matter. If you have questions, please contact us by email at pdcc@pdcc.wa.gov.

Sincerely,

Electronically Signed by 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 83196

Barbara Bailey,

Respondent.

Findings of Fact,
Conclusions of Law, and
Order Imposing Fine

Pursuant to the brief enforcement hearing (brief adjudicative proceeding) notice sent to Barbara Bailey on January 11, 2021, a brief adjudicative proceeding was held on January 28, 2021, remotely from Olympia, WA by live audio and online transmission, to consider whether the Respondent violated RCW 42.17A.700 by failing to file a Personal Statement of Financial Affairs (F-1 report), as an elected or appointed official covering calendar year 2019, on or before April 15, 2020.

The hearing was held in accordance with Chapters 34.05 RCW and 42.17A RCW and Chapter 390-37 WAC. Commission Chair Fred Jarett was the Presiding Officer. The Commission staff was represented by Tabitha Townsend, Compliance Coordinator. The respondent's spouse, Bernis Bailey, participated in the hearing by phone to represent the Respondent.

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

FINDINGS OF FACT

1. The Respondent is or was a State Senator for Legislative District 10.
2. As an elected or appointed official, the Respondent was required to file their F-1 report covering calendar year 2019 on or before April 15, 2020.
3. The Respondent did file the missing F-1 report after the hearing notice was issued and 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.700 by failing to file their F-1 report covering calendar year 2019 on or before April 15, 2020.

ORDER

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

IT IS HEREBY ORDERED that the Respondent is assessed a civil penalty of \$150, with \$75 suspended, in accordance with the F-1 penalty schedule set forth in WAC 390-37-143.

It is further ordered that the Respondent:

1. **Pay the \$75 non-suspended civil penalty within 30 days of the date of this Order.**

In the event the Respondent fails to pay the \$75 civil penalty within 30 days of the date of the Order, PDC staff is directed to re-instate the suspended amount and refer the matter to collections without any further action from the commission.

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

Entered this 10th day of February 2021

Public Disclosure Commission

Electronically Signed

Peter Lavalley
Executive Director

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

Electronically Signed by Tabitha Townsend
Signed

02/10/2021
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 by email, stating the reason for review, and identifying what alleged errors are contained in the initial order. *See* WAC 390-37-144(1).
- All requests for review must be submitted electronically to pdc@pdc.wa.gov.
REQUESTS FOR REVIEW MUST BE RECEIVED BY THE COMMISSION WITHIN TWENTY-ONE (21) CALENDAR DAYS AFTER THE THIS INITIAL ORDER WAS ELECTRONICALLY DISTRIBUTED TO YOU.

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(7).

YOU HAVE THE RIGHT TO APPEAL A FINAL ORDER TO SUPERIOR COURT, PURSUANT TO THE PETITION FOR JUDICIAL REVIEW PROVISIONS OF RCW 34.05.514 *et seq.*