



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

July 30, 2021

DIAGEO
1101 38TH ST
SACRAMENTO CA 95816-5514

And delivered electronically to “stephenie.shah@diageo.com”

Subject: PDC Order, Case 91638

Dear DIAGEO,

Enclosed is a copy of the Public Disclosure Commission’s Order Imposing Fine that was entered in the above-referenced case. At the July 1, 2021, Brief Enforcement hearing, the Presiding Officer assessed a total civil penalty of \$150 in accordance with WAC 390-37-143, of which \$150 is suspended.

If you have questions, please contact us by email at pdc@pdc.wa.gov.

Sincerely,

Electronically Signed by Tabitha Townsend

Tabitha Townsend
Compliance Coordinator 2

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 91638

DIAGEO,

Respondent.

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

Pursuant to the brief enforcement hearing (brief adjudicative proceeding) notice sent to DIAGEO on June 1, 2021, A brief adjudicative proceeding was held on July 1, 2021, remotely from Olympia, WA by live audio and online transmission, to consider whether the Respondent violated RCW 42.17A.630 by failing to timely file an Annual Lobbyist Employer Report (L-3 Report) as a lobbyist employer for the 2020 calendar year. The L-3 report was due to be filed no later than March 1, 2021, disclosing lobbying activities in calendar year 2020.

The hearing was held in accordance with Chapters 34.05 RCW and 42.17A RCW and Chapter 390-37 WAC. Commission Chair Fred Jarrett was the Presiding Officer. The Commission staff was represented by Tabitha Townsend, Compliance Coordinator and Jennifer Hansen, Compliance Officer. The Respondent did participate in the hearing and/or submit any written materials.

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

FINDINGS OF FACT

The Respondent was a lobbyist employer of a registered lobbyist in the State of Washington during calendar year 2020.

As a lobbyist employer, the Respondent was required to file the L-3 report by the last day of February in 2021 or the next business day, disclosing the annual amount of lobbying expenses in the prior calendar year, such as lobbyist compensation, contributions and independent expenditures made, lobbying expenditures made, and compensation for professional services to entities held by state officials, successful state candidates, or their immediate families.

The Respondent did file the missing L-3 report for 2020 prior to the date of the hearing.

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.630 by failing to file the L-3 reports by the last day of February, 2021 or the next business day, as required.

ORDER

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

1. **IT IS HEREBY ORDERED that the Respondent is assessed a total civil penalty of \$150, in accordance with the L-3 penalty schedule set forth in WAC 390-37-143.**
2. **It is further ordered that \$150 of the \$150 penalty is suspended on the following condition:**
 - a. **The Respondent is not found to have committed any further violations of Chapter RCW 42.17A or Title 290 WAC within four years of the date of this Order. The suspended penalty shall not be assessed based solely upon any remediable violation, minor violation or error classified by the Commission as appropriate to address by a technical correction.**

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

Entered this 30th of July, 2021.

Public Disclosure Commission

Electronically signed by Peter Frey Lavallee

Peter Frey Lavallee

Executive Director

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

Electronically Signed by Tabitha Townsend

Signed

July 30, 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 pdcc@pdcc.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 34.05.542.