

1
2
3
4
5 **BEFORE THE PUBLIC DISCLOSURE COMMISSION**
6 **OF THE STATE OF WASHINGTON**

7 In Re: The Matter of Enforcement Action
8 Against:

9 GARY HEDGER,
10 Respondent.
11

PDC CASE NO. 94045
FINAL ORDER ON
RECONSIDERATION

12
13 This matter was heard at the Regular Meeting of the Washington State Public Disclosure
14 Commission (Commission) on October 28, 2021, by telephonic and online streaming access.
15 Gary Hedger (Respondent) requested reconsideration of the Presiding Officer's Order, issued
16 following a Brief Enforcement Hearing (Brief Adjudicative Proceeding) held July 15, 2021. The
17 hearing was held in accordance with Chapters 34.05 and 42.17A RCW, and Chapter 390-37
18 WAC.

19 Commissioners present were Fred Jarrett, Commission Chair (presiding); Nancy Isserlis,
20 Commission Vice-Chair; and Commissioners William Downing and Allen Hayward. Also
21 present both telephonically and online were Assistant Attorney General John S. Meader
22 representing the Commission, Assistant Attorney General Chad Standifer, representing PDC
23 Staff, and Tabatha Blacksmith, PDC Compliance Coordinator. The Respondent appeared on his
24 own behalf. The proceeding was open to the public as limited by Governor's Proclamation 20-
25 28 *et seq.* and recorded.

26 The Commissioners had before them the following materials:

- 1 1. Case memorandum dated October 28, 2021, prepared by Tabatha Blacksmith, PDC
2 Compliance Coordinator;
- 3 2. Brief Enforcement Hearing Notice, served June 29, 2021;
- 4 3. Initial Order Imposing Fine, issued August 12, 2021;
- 5 4. Respondent's written request for reconsideration, received October 15, 2021;
- 6 5. Reconsideration Hearing Notice, served October 18, 2021.

8 I. FINDINGS OF FACT

9 This matter involves Gary Hedger (Respondent), a School Director for Hood Canal
10 School District 404. He resigned his position as of May 29, 2020. During a Brief Enforcement
11 Hearing held on July 15, 2021, Respondent was found to have violated RCW 42.17A.700 for
12 failure to timely file a Personal Financial Affairs Statement (F-1 Report) no later than April 15,
13 2021. At the Brief Enforcement Hearing, an Order imposing a \$250 civil fine, with \$150
14 suspended, was entered. The Respondent has no prior violations of RCW 42.17A.700 with the
15 PDC.

16 1. In March and April of 2021, PDC staff sent email reminders to all elected and
17 appointed officials regarding the missing F-1 reports for calendar year 2020.

18 2. On May 11, 2021, PDC staff emailed the Respondent a warning notice regarding
19 the missing F-1 report. The notice was sent to Respondent's email address-of-record.

20 3. On June 29, 2021, PDC staff emailed a hearing notice for a Brief Adjudicative
21 Proceeding (Brief Enforcement Hearing), to be held on July 15, 2021, to Respondent's email
22 address-of-record.

23 4. On August 17, 2021, PDC staff served the Initial Order memorializing the
24 Commission's ruling, by email, to the Respondent's contact email address-of-record.

25 5. On October 15, 2021, PDC staff received written materials appealing the August
26 12, 2021 Order based upon the Respondent being unaware he had to file even after he resigned

1 his office, that he did not receive the notices, and that he had experienced serious health issues
2 and hospitalization that had frustrated compliance.

3 6. On October 18, 2021, PDC staff served Respondent, by email, with a hearing
4 notice for an October 28, 2021 Reconsideration hearing before the Commission, along with
5 instructions on how to participate in the hearing remotely.

6 7. Respondent filed the missing F-1 report on October 26, 2021.
7

8 **II. CONCLUSIONS OF LAW**

9 1. The Commission has jurisdiction over this proceeding pursuant to Chapter
10 42.17A RCW, the State campaign finance and disclosure law; Chapter 34.05 RCW, the
11 Administrative Procedure Act; and Title 390 WAC.
12

13 2. Pursuant to RCW 42.17A.700, the Respondent was required to file an F-1 report
14 disclosing financial information for the calendar year 2020 no later than April 15, 2021.
15

16 3. The Respondent violated RCW 42.17A.700 by failing to timely file the F-1
17 report for calendar year 2020 that was due no later than April 15, 2021.
18

19 **II. ORDER**

20 The Request for Reconsideration is GRANTED. This Order on Reconsideration will be
21 the Final Order. The civil penalty of \$250, with \$150 suspended, imposed at the July 15, 2021
22 hearing is AFFIRMED and reinstated with the following conditions:
23

24 1. Respondent Gary Hedger is assessed a total civil penalty of \$250, with \$150
25 suspended, on the following conditions:
26

1 a. The Respondent remains in full compliance with all PDC reporting
2 requirements and is not found to have committed any further violations
3 of Chapter 42.17A RCW or Title 390 WAC within four years of the date
4 of this Final Order. The suspended penalty shall not be assessed based
5 solely upon any remediable violation, minor violation, or error classified
6 by the Commission as appropriate to address by a technical correction.

7
8 2. If the Respondent fails to make timely payment of the suspended portion of the
9 civil penalty (\$100) in full within 30 days, the total civil penalty shall
10 immediately become due without further action by the Commission.

11 SO ORDERED this 9th day of November, 2021.

12 WASHINGTON STATE PUBLIC
13 DISCLOSURE COMMISSION

14 FOR THE COMMISSION:

15 

16
17 Fred Jarrett,
Chair, Public Disclosure Commission

18
19 *This order sent by email to:*
Gary Hedger, Respondent
papagarykaos@yahoo.com

20
21 Tabatha Blacksmith,
PDC Compliance Coordinator,
22 tabatha.blacksmith@pdc.wa.gov

I, Tabatha Blacksmith, certify that I emailed a copy of this
order to the Respondent at his respective email address.

e-signed Tabatha Blacksmith
Signed

November 10, 2021
Date

1
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.
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26