



**State of Washington
PUBLIC DISCLOSURE COMMISSION**

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(360) 753-1111 • FAX (360) 753-1112

Toll Free 1-877-601-2828 • E-mail: pdcc@pdcc.wa.gov • Website: www.pdca.wa.gov

November 17, 2022

Mike Nykreim
PO Box 53031
Bellevue WA 98015

And delivered electronically to mnykreim@live.com

Subject: PDC Order, Case 109561

Dear Mike Nykreim,

Enclosed is a copy of the Public Disclosure Commission's Order for your Reconsideration of the Initial Order Imposing Fine that was entered in the above-referenced case.

At the October 27, 2022 Enforcement hearing, the Commission heard your request to Reconsider the Initial Order entered on August 11, 2022 assessing a total civil penalty of \$250 of which \$125 is suspended in accordance with WAC 390-37-182. The request for reconsideration was denied.

The \$125 non-suspended penalty is payable within 30 days of the date of the Initial Order, of which there are 29 days remaining, this means that the penalty due by **December 19, 2022**. If not paid by December 19, 2022 the suspended amount will immediately become due and may be subject to collections.

Please make the check or money order payable to "WA State Treasurer" and mail the payment to the following address:

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
PDC Staff

Enclosure: Final Order

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

9 In Re: The Matter of Enforcement Action
10 Against:

11 MIKE NYKREIM,
12 Respondent.
13

PDC CASE NO. 109561

FINAL ORDER ON
RECONSIDERATION

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15 This matter was heard by the Washington State Public Disclosure Commission
16 (Commission) on October 27, 2022, by in-person, telephonic, and online streaming access.
17 Respondent Mike Nykreim requested reconsideration of the Presiding Officer's Order entered
18 on August 11, 2022, following a Brief Enforcement Hearing (Brief Adjudicative Proceeding) on
19 July 21, 2022, in this matter. The hearing was held in accordance with Chapters 34.05 and
20 42.17A RCW, and Chapter 390-37 WAC.

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

1 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 • Case memorandum dated October 19, 2022, prepared by Tabitha Townsend, PDC
4 Compliance Coordinator;
- 5 • Brief Enforcement Hearing Notice, served June 22, 2022;
- 6 • Initial Order Imposing Fine, entered August 11, 2022;
- 7 • Respondent's C-1 report filed July 25, 2022;
- 8 • Respondent's written request for reconsideration, received August 12, 2022, and
9 September 19, 2022;
- 10 • Reconsideration Hearing Notice, served October 13, 2022.

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12 **I. FINDINGS OF FACT**

13 This matter involves Respondent's request that the Commission reconsider an Initial
14 Order entered on August 11, 2022, resulting from an Initial Hearing on July 21, 2022, regarding
15 Mike Nykreim, a candidate for State Representative for Legislative District 41. The Respondent
16 declared his candidacy on May 19, 2022. The Respondent now requests the Commission
17 reconsider. The Respondent has no prior violations with the PDC.

- 18
- 19 1. On June 22, 2022, PDC staff emailed the Respondent a hearing notice for a
20 Brief Adjudicative Proceeding (Brief Enforcement Hearing) to be held on July
21 21, 2022. The hearing notice was sent to the Respondent's mailing and email
22 address of record.
- 23
- 24 2. At the Brief Enforcement Hearing held on July 21, 2022, the Respondent was
25 found in violation of RCW 42.17A.205 for failure to timely file the missing
26

1 Candidate Registration (C-1 Report) within two weeks of candidacy or no later
2 than June 2, 2022, and was assessed a \$250 penalty consistent with WAC 390-
3 37-143, the Brief Enforcement Hearing penalty schedule adopted by the
4 Commission. The Presiding Office suspended \$125 of the \$250 penalty
5 conditioned upon the Respondent filing the missing C-1 report and paying the
6 non-suspended \$125 penalty within 30 days of the Initial Order being entered.
7

8 3. On August 11, 2022, the Respondent was served with the July 21, 2022, Initial
9 Order memorializing the Commission's ruling to the Respondent's mail and
10 email addresses of record.
11

12 4. Respondent filed the missing C-1 Report on July 25, 2022.
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14 5. On August 12, 2022, the Respondent requested reconsideration because he had
15 received an email documenting his compliance on July 25, 2022, after the
16 hearing.
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18 6. On October 13, 2022, PDC staff served the Respondent by mail and email with
19 a hearing notice for an October 27, 2022, Reconsideration Hearing before the
20 Public Disclosure Commission, along with instructions on how to participate in
21 the hearing remotely.
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23 II. CONCLUSIONS OF LAW

24 1. The Commission has jurisdiction over this proceeding pursuant to Chapter
25 42.17A. RCW, the State campaign finance and disclosure law; Chapter 34.05
26 RCW, the Administrative Procedure Act; and Title 390 WAC.

2. Pursuant to RCW 42.17A.205, a candidate for an election year must file a Candidate Registration (C-1 Report) within two weeks of candidacy.

III. ORDER

This Order on Reconsideration will be the Final Order. After consideration of the mitigating and aggravating factors, the Findings of Fact, and the Conclusions of Law, the Respondent's request for Reconsideration is DENIED.

SO ORDERED this 17th day of November, 2022.

WASHINGTON STATE PUBLIC
DISCLOSURE COMMISSION

FOR THE COMMISSION:



Fred Jarrett,
Chair, Public Disclosure Commission

This order sent by email to:

Mike Nykreim, Respondent
mnykreim@live.com

Tabitha Townsend,
PDC Compliance Coordinator,
pdc@pdc.wa.gov

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

Electronically Signed by Tabitha Townsend November 17, 2022
Signed _____ Date _____

NOTICE: PETITION FOR JUDICIAL REVIEW

You have the right to appeal this Final Order to Superior Court, pursuant to the Petition for Judicial Review provisions of RCW 34.05.542. Any Petition for Judicial Review of this Final 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.