

1
2
3
4
5
6
7
8 **BEFORE THE PUBLIC DISCLOSURE COMMISSION
OF THE STATE OF WASHINGTON**

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

PDC CASE NO. 110526

FINAL ORDER

11 JOHN R. MARTIN,
12 Respondent.
13 _____

14
15 This matter was heard in person by the Washington State Public Disclosure Commission
16 (Commission) on September 22, 2022, and by telephonic and online streaming access.
17 Respondent John R. Martin was provided notice on September 12, 2022, of the hearing date.
18 The hearing was held in accordance with Chapters 34.05 and 42.17A RCW, and Chapter 390-37
19 WAC.

20 Commissioners present in person were Fred Jarrett, Commission Chair (presiding);
21 Nancy Isserlis, Commission Vice-Chair; and Commissioners William Downing, Allen Hayward,
22 and Jocelyn Cooney. Also present in person, telephonically, or online were Assistant Attorney
23 General John S. Meader representing the Commission, Assistant Attorney General Chad
24 Standifer representing PDC Staff, and Tabatha Blacksmith, PDC Compliance Coordinator.
25 Notice was provided to the Respondent and he did not appear on his own behalf. The proceeding
26 was open to the public as limited by Governor's Proclamation 20-25 *et seq.* and recorded.

1 The Commissioners had before them the following materials:

- 2
- 3 1. Case memorandum dated September 22, 2022, prepared by Tabatha Blacksmith, PDC
- 4 Compliance Coordinator;
- 5 2. Hearing Notice, mailed and dated September 12, 2022;
- 6 3. Initial Order for prior violation, PDC Case 80235, entered January 11, 2021;
- 7 4. Initial Order for prior violation, PDC Case 94128, entered August 12, 2021.
- 8

9

10 **I. FINDINGS OF FACT**

11 The matter involves Respondent John R. Martin, a former Hospital Commissioner for

12 Grant County Hospital District 4. His term ran from January 1, 2019 to September 21, 2021.

13 Respondent is alleged to have violated RCW 42.17A.700 for failure to timely file a Personal

14 Financial Affairs Statement (F-1 Report) with the Public Disclosure Commission no later than

15 April 15, 2022, disclosing financial information for the calendar year 2021. The Respondent has

16 an outstanding penalty balance from one of his two prior violations with the PDC of \$500 plus

17 costs.

- 18
- 19 1. In March and April of 2022, PDC staff sent email reminders to all elected and
- 20 appointed officials regarding their missing F-1 reports for calendar year 2021.
- 21
- 22 2. On May 11, 2022, PDC staff emailed the Respondent a warning notice regarding
- 23 the missing F-1 report.
- 24
- 25 3. On September 12, 2022, PDC Staff served the Respondent by email and mail with
- 26 a hearing notice for a September 22, 2022, Enforcement Hearing, along with

1 instructions on how to participate in the hearing remotely, before the full Public
2 Disclosure Commission concerning his failure to file the F-1 report.

3
4 4. As of the date of the hearing the Respondent has not filed the missing F-1 report
5 covering calendar year 2021 that was due no later than April 15, 2022.

6
7 5. The past due F-1 Reports for 2019 and 2020 have not been filed as of the date of
8 this hearing and the Respondent has not paid the \$500 civil penalty plus costs for
9 the missing F-1 report for 2020.

10
11 6. There are two prior cases for violation of RCW 42.17A.700:

12
13 • PDC Case 80235. At a December 17, 2020 Brief Enforcement
14 Hearing, Respondent was found in violation of RCW 42.17A.700
15 for failing to file the F-1 report for calendar year 2019, which was
16 due not later than April 15, 2020. A total civil penalty of \$500 was
17 assessed in accordance with the penalty schedule adopted by the
18 Commission in effect at that time. As of September 22, 2022, the
19 Respondent has not filed the required F-1 report but did pay the
20 civil penalty.

21
22 • PDC Case 94128. At a July 15, 2021 Brief Enforcement Hearing,
23 Respondent was found in violation of RCW 42.17A.700 for failing
24 to file the F-1 report for calendar year 2020, which was due not
25 later than April 15, 2021. A total civil penalty of \$500 was
26

1 assessed in accordance with the penalty schedule adopted by the
2 Commission in effect at that time. As of September 22, 2022, the
3 Respondent has not filed the required F-1 report and has not paid
4 the \$500 civil penalty and it has been sent to collection.
5

6 7 **II. CONCLUSIONS OF LAW**

- 8 1. The Commission has jurisdiction over this proceeding pursuant to Chapter
9 42.17A. RCW, the State campaign finance and disclosure law; Chapter 34.05
10 RCW, the Administrative Procedure Act; and Title 390 WAC.
11
- 12 2. Pursuant to RCW 42.17A.700, an elected or appointed official who held office
13 in 2021 was required to file an F-1 Report, disclosing financial information for
14 calendar year 2021 no later than April 15, 2022.
15

16 17 **III. ORDER**

18 This Order will be the Final Order. After consideration of the mitigating and
19 aggravating factors, the Findings of Fact, and the Conclusions of Law, the Commission
20 assesses a civil penalty of \$2,000 for the late filed calendar year 2021 F-1 Report with \$1,000
21 suspended on the following conditions:

- 22 1. a. The \$500 past due civil penalty plus costs due for failure to
23 timely file the F-1 report for calendar year 2020 in violation of RCW
24 42.17A.700 is paid by the Respondent within 30 days of the date of this
25 Final Order.
26

1
2 b. The non-suspended portion (\$1,000) of the \$2,000 civil penalty
3 for failure to file the F-1 report for calendar year 2021 in violation of
4 RCW 42.17A.700 is paid by the Respondent within 30 days of the date
5 of this Final Order.
6

7 c. The missing F-1 reports for calendar years 2019, 2020, and 2021
8 are filed within 30 days of the date of this Final Order.
9

10 d. The Respondent remains in full compliance with all PDC
11 reporting requirements and is not found to have committed any further
12 violations of Chapter 42.17A RCW or Title 390 WAC within four years
13 of the date of this Final Order. The suspended penalty shall not be
14 assessed based solely upon any remediable violation, minor violation, or
15 error classified by the Commission as appropriate to address by a
16 technical correction.
17

- 18 2. If the Respondent fails to meet the conditions in Section III(1) of this order within
19 30 days of the date of this order, the suspended portion of the penalty for calendar
20 year 2021 shall immediately become due and the matter may be sent to collection
21 or brought to Superior Court as allowed by law without further action by the
22 Commission.
23

24 ///

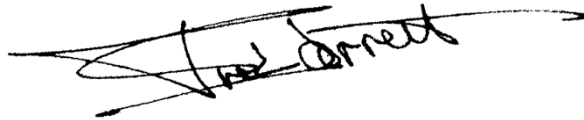
25 ///

26

SO ORDERED this 13th day of October 2022.

WASHINGTON STATE PUBLIC
DISCLOSURE COMMISSION

FOR THE COMMISSION:



Fred Jarrett,
Chair, Public Disclosure Commission

This order sent by email to:

John R. Martin, Respondent
martinjohnr13@gmail.com

Tabatha Blacksmith,
PDC Compliance Coordinator
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.

Electronically signed Tabatha Blacksmith
Signed

Oct. 13, 2022
Date

NOTICE: RECONSIDERATION

Pursuant to the provisions of RCW 34.05.470 and WAC 390-37-150, you may file a Petition for Reconsideration with the PDC within ten (10) days from the date this Final Order is served upon you. Any Request for reconsideration must state the specific grounds for the relief requested. Petitions must be delivered or mailed to the Washington State Public Disclosure Commission, 711 Capitol Way, Room 206, Box 40908, Olympia WA 98504-0908.

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.