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

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

PDC CASE NO. 138110

FINAL ORDER

11 PAMELA MARTIN,
12 Respondent.
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15 This matter was heard in-person and remotely by the Washington State Public Disclosure
16 Commission (Commission) on July 27, 2023, by in-person, telephonic, and online streaming
17 access. Respondent Pamela Martin was provided notice on July 5, 2023, of the hearing date and
18 did not appear on her own behalf. The hearing was held in accordance with Chapters 34.05 and
19 42.17A RCW, and Chapter 390-37 WAC.

20 Commissioners present in-person were Nancy Isserlis, Commission Chair (presiding);
21 Allen Hayward, Commission Vice-Chair; and Commissioners Fred Jarrett, and J. Robert Leach.
22 Also present both in-person and online were Assistant Attorney General John S. Meader
23 representing the Commission, Senior Assistant Attorney General Chad Standifer and Assistant
24 Attorney General Susie Giles-Klein, representing PDC Staff, and Tanya Mercier, PDC
25 Compliance Officer. The proceeding was open to the public and recorded.
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1 The Commissioners had before them the following materials:

- 2 1. Case memorandum dated July 18, 2023, prepared by Tanya Mercier, PDC Compliance
3 Officer;
- 4 2. Enforcement Hearing Notice, PDC Case No. 138110, mailed and dated July 5, 2023;
- 5 3. F-1 filing record as of July 14, 2023;
- 6 4. Penalty balance owing as of July 14, 2023;
- 7 5. WAC 390-37-182 penalty schedule.

9 I. FINDINGS OF FACT

10 The matter involves Respondent Pamela Martin, a current Water and Sewer
11 Commissioner for Coal Creek Utility District. She has served in that position since January 1,
12 2019, and is running for reelection with a campaign start date of May 16, 2023. Respondent is
13 alleged to have violated RCW 42.17A.700 for failure to timely file a Personal Financial Affairs
14 Statement (F-1 Report) with the Public Disclosure Commission no later than April 17, 2023,
15 disclosing financial information for the calendar year 2022. The Respondent has two prior
16 violations within the last five years.

- 18 1. In March and April, 2023, PDC staff emailed reminders to all elected and
19 appointed officials regarding their missing F-1 reports for calendar year 2022.
- 21 2. On July 5, 2023, PDC Staff served the Respondent by email and mail, a hearing
22 notice for a July 27, 2023, Enforcement Hearing before the full Public Disclosure
23 Commission concerning her failure to file the F-1 report for calendar year 2022.
- 25 3. As of the date of the hearing the Respondent has not filed the missing F-1 report

1 covering calendar year 2022 that was due no later than April 17, 2023.

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3 4. There are two prior cases for violation of RCW 42.17A.700:

- 5
- 6 • PDC Case 94265. At a July 15, 2021, Brief Enforcement Hearing,
7 Respondent was found in violation of RCW 42.17A.700 for failing
8 to file the F-1 report for calendar year 2020, which was due not
9 later than April 15, 2021. A total civil penalty of \$250 was
10 assessed in accordance with the penalty schedule adopted by the
11 Commission that was in effect at that time. The Respondent has
12 not filed the missing F-1 report but paid the civil penalty on June
13 9, 2022.
 - 14 • PDC Case 109820. At a September 22, 2022, Enforcement
15 Hearing before the full Commission, the Respondent was found in
16 violation of RCW 42.17A.700 for failing to file the F-1 report for
17 calendar year 2021, which was due not later than April 15, 2022.
18 A total civil penalty of \$1,000 was assessed in accordance with the
19 penalty schedule adopted by the Commission that was in effect at
20 that time. The Respondent has not filed the missing F-1 report
21 and has not paid the civil penalty and it has been sent to collection.

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- This Order will be the Final Order. After consideration of the mitigating and aggravating factors, the Findings of Fact, and the Conclusions of Law, the Commission assesses a civil penalty of \$3,000 for the late filed F-1 report with \$1,500 suspended on the following conditions:

- FINAL ORDER
PDC CASE NO. 138110

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2 c. The missing F-1 reports for calendar years 2020, 2021, and 2022, are
3 filed within 30 days of the date of this Final Order.
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5 d. The Respondent remains in full compliance with all PDC reporting
6 requirements and is not found to have committed any further violations of
7 Chapter 42.17A RCW or Title 390 WAC within four years of the date of this
8 Final Order. The suspended penalty shall not be assessed based solely upon any
9 remediable violation, minor violation, or error classified by the Commission as
10 appropriate to address by a technical correction.
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- 12 2. If the Respondent fails to meet the conditions in Section III(1) of this order within
13 30 days of the date of this order, the suspended portion of the penalty for calendar
14 year 2022 shall immediately become due without further action by the
15 Commission and all past due penalties may be sent to collections or to Superior
16 Court for enforcement.
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18 SO ORDERED this 3rd day of August, 2023.
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20 WASHINGTON STATE PUBLIC
21 DISCLOSURE COMMISSION

22 FOR THE COMMISSION:
23

24 /s/ Electronically Signed
25 Nancy Isserlis, Commission Chair (presiding)
26 Public Disclosure Commission

1
2 *This order sent by email to:*

3 Pamela Martin, Respondent,
4 pamemartin@comcast.net

5 Tanya Mercier,
6 PDC Compliance Officer,
7 tanya.mercier@pdc.wa.gov

I, Tanya Mercier, certify that I emailed a copy of this order to the Respondent at their respective email address.

/s/ Electronically Signed August 3, 2023
Tanya Mercier Date
Compliance Officer

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9 **NOTICE: RECONSIDERATION**

10 Pursuant to the provisions of RCW 34.05.470 and WAC 390-37-150, you may file a Petition for
11 Reconsideration with the PDC within ten (10) days from the date this Final Order is served upon
12 you. Any Request for reconsideration must state the specific grounds for the relief requested.
13 Petitions must be delivered or mailed to the Washington State Public Disclosure Commission,
14 711 Capitol Way, Room 206, Box 40908, Olympia WA 98504-0908.

15 **NOTICE: PETITION FOR JUDICIAL REVIEW**

16 You have the right to appeal this Final Order to Superior Court, pursuant to the Petition for
17 Judicial Review provisions of RCW 34.05.542. Any Petition for Judicial Review of this Final
18 Order must be filed with the court and also served upon both the Commission and the Office of
19 the Attorney general within thirty (30) days after the date this Final Order is served upon you.
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