



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

October 3, 2024

Misipati Semi Bird
PO Box 1070
Richland, WA 99352
Sent electronically to misipati@frontier.com

Subject: PDC Order, Case 155941

Misipati Semi Bird:

Enclosed is a copy of the Public Disclosure Commission's Order Imposing Fine that was entered in the above-referenced case. At the Oct. 3, 2024, Brief Enforcement hearing, the Presiding Officer assessed a total civil penalty of \$600, of which \$500 is suspended, in accordance with WAC 390-37-143. The \$100 non-suspended penalty is payable within 30 days of the date of this Order, which is **November 4, 2024.**

Online Payment Option:

To make an online payment email payments@pdcc.wa.gov.

A payment link will be sent to you, in which you will need to provide the following information:
(1) Case Number; and (2) Respondent Name.

Processing fees may apply.

USPS Mail Option

To mail a check or money order, make it payable to the "Washington State Treasurer" and be sure to include the PDC Case Number 155941 in the memorandum field.

For Regular Mail:

Public Disclosure Commission
PO Box 40908
Olympia, WA 98504-0908

For Overnight Mail or In-Person

Public Disclosure Commission
711 Capitol Way S, STE 206
Olympia, WA 98501-1267

Thank you for your prompt attention to this matter. If you have questions, please contact us by email at cdc@cdc.wa.gov.

Sincerely,

Electronically Signed by Alice Fiman

PDC Staff

Enclosure: Initial Order



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

BEFORE THE PUBLIC DISCLOSURE COMMISSION
OF THE STATE OF WASHINGTON

In Re: Compliance with RCW 42.17A	PDC Case 155941
Misipati Semi Bird,	Findings of Fact,
Respondent.	Conclusions of Law, and
	Order Imposing Fine

Pursuant to the notice of brief enforcement hearing (brief adjudicative proceeding) sent to Misipati Semi Bird on October 4, 2024, a brief adjudicative proceeding was held on Oct. 3, 2024 remotely from Olympia, WA. The purpose of the hearing was to consider whether Misipati Semi Bird violated RCW 42.17A.320 for failure to provide party preference and sponsor identification on political advertising for election year 2024.

The hearing was held in accordance with Chapters 34.05 RCW, 42.17A RCW and Chapter 390-37 WAC. Commissioner Allen Hayward was the Presiding Officer, and Commissioner J. Robert Leach attended. The Commission staff was represented by Compliance Coordinator Jordan Campbell and Compliance Officers Alice Fiman, Tanya Mercier and Tabatha Blacksmith. The Respondent participated in the hearing.

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

FINDINGS OF FACT

1. On November 12, 2022, Misipati Semi Bird filed with the Public Disclosure Commission (PDC) a Candidate Registration (C-1) for the Full Reporting option. On the registration, Bird listed the party preference as Republican.
2. On Feb. 13, 2024, Misipati Semi Bird was issued a formal written from the Public Disclosure Commission in Case 145404 concerning the failure to include the party preference on political advertising sponsored by the Campaign.

3. On May 24, 2024, PDC staff received a signed Statement of Understanding where Bird acknowledged a violation of RCW 42.17A.320 by failing to include a party preference on political advertising.
4. On June 21, 2024, PDC staff received a complaint from Daniel Hodun, alleging Misipati Semi Bird failed to include party preference on political advertising.
5. On June 25, 2024, PDC staff received a complaint from Robert Parker, alleging Misipati Semi Bird failed to include party preference on political advertising.
6. PDC staff found the Bird for Governor campaign maintained Facebook, Instagram, YouTube, Twitter and TikTok accounts. However, there was no sponsor identification or party preference on the Instagram, YouTube, Twitter or TikTok accounts.
7. The campaign stated on July 31, 2024, they would review these accounts and added the information required under RCW 42.17A.320.

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. Misipati Semi Bird violated RCW 42.17A.320 for failure to provide party preference and sponsor identification on political advertising for election year 2024.

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 \$600 in accordance with the Brief Enforcement penalty schedule set forth in WAC 390-37-143.
2. **It is further ordered that \$500 of the \$600 penalty is suspended on the following conditions:**
 - a. **The Respondent does not commit any further violations of Chapter 42.17A RCW or Title 390 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.**
 - b. **The Respondent pays the \$100 non-suspended civil penalty within 30 days of the date of this Order.**

3. It is further ordered that, if the Respondent fails to comply with any of the above conditions:

- a. The full \$600 penalty shall immediately become due without further action by the Commission and PDC Staff is directed to refer the matter to collections and/or commence other legal proceedings as authorized by RCW 42.17A and 390 WAC.

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

Entered this 4th day of October, 2024.

Public Disclosure Commission

Electronically signed by Peter Frey Lavallee

Peter Frey Lavallee

Executive Director

I, Alice Fiman, certify that I emailed a copy of this order to the Respondent at their respective email address of record. I certify that I also mailed a copy of this order to the Respondent at their physical address of record.

Electronically Signed Alice Fiman

Oct. 4, 2024

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 cdc@cdc.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.