



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 10, 2017

Clark Fire Protection District 10
Attn: Brian Snure
Snure Law Office PSC
612 S 227th St.
Des Moines, WA 98198

Subject: Danny Walling; PDC Case 22190

Brian Snure:

On September 28, 2017, the Washington State Public Disclosure Commission (PDC) held a hearing concerning the allegation that Danny Walling, a Clark Fire Protection District 10 commissioner, failed to file the annual Personal Financial Affairs Statement (F-1 report) as required for an incumbent fire commissioner for calendar year 2016.

Enclosed is a copy of the Public Disclosure Commission's Order for Mr. Walling in PDC Case No. 22190. The Order assesses a civil penalty of \$1000 against Mr. Walling for the missing F-1 report due April 17, 2017 for calendar year 2016. The F-1 Personal Financial Affairs Statement is an annual filing requirement for elected and appointed officials, due each April 15, to certify for the previous calendar year.

At the request of the Public Disclosure Commission, PDC staff is alerting you to the enforcement action against Mr. Caton, and offering any help necessary to assist Mr. Caton and other district officials in complying with their disclosure requirements as elected school directors.

If you have questions, please contact me at (360) 753-1980; toll free at (877) 601-2828 or by email at fox.blackhorn@pdcc.wa.gov.

Sincerely,

Fox Blackhorn
Compliance Coordinator

Enclosure: Order in Case 22190



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October 10, 2017

Danny Walling
34817 NE 119th Avenue
La Center, WA 99362

Subject: PDC Order, Danny Walling; PDC Case No. 22190

Dear Mr. Walling:

Enclosed is a copy of the Public Disclosure Commission's Order for PDC Case No. 22190. The Order assesses a civil penalty of \$1,000 against you for the missing Personal Financial Affairs Statement (F-1 report) for calendar year 2016. The 2016 F-1 report was required to have been filed by April 17, 2017, as an incumbent Fire Commissioner for Clark Fire Protection District 10.

Under the terms of the Order, you are required to pay the \$1000 penalty, and file the missing F-1 report for calendar year 2016, within 30 days of the date of the Order, or not later than **November 9, 2017**. Please make the check or money order payable to the WA State Treasurer, and mail the payment to the following:

WA State Treasurer - Public Disclosure Commission
Financial Office
PO Box 41465
Olympia, WA 98504-1465

If you have questions or require reporting materials, please contact me by e-mail at fox.blackhorn@pdcc.wa.gov

Sincerely,

Fox Blackhorn
PDC Compliance Coordinator

Enclosures: Order in Case No. 22190
Information about Appeals and Enforcement of Orders

cc: Clark Fire Protection District 10 Legal Counsel

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

In re the Matter of Enforcement Action Against: Danny Walling, Respondent.	PDC CASE NO. 22190 FINAL ORDER
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I. INTRODUCTION

This matter was heard by the Washington State Public Disclosure Commission (Commission) on September 28, 2017 at the Public Disclosure Commission Office, 711 Capitol Way, Room 206, Olympia, Washington 98504. The hearing was held pursuant to RCW 34.05, RCW 42.17A, and WAC 390-37. The proceeding was open to the public and recorded.

Commissioners Anne Levinson, Chair, Katrina Asay, and David Ammons were present. Micaiah Ragins, Compliance Coordinator, presented the matter on behalf of Public Disclosure Commission Staff (Staff). Chad Standifer, Assistant Attorney General, was also present on behalf of Staff. Also present was Scott Douglas, Assistant Attorney General, on behalf of the Commission. Respondent Danny Walling did not appear.

The PDC had before it the following materials:

- Enforcement Hearing Memorandum prepared by PDC Compliance Coordinator Fox Blackhorn-Delph dated September 18, 2017;
- Notice of F-1 Enforcement Hearing dated September 15, 2017 for Case No. 22190;
- Letter from Kurt Young, PDC Compliance Officer, to Danny Walling dated August 17,

1 2015 regarding assessment of a \$300 penalty in PDC Case No. 16-069;

2 • Findings of Fact, Conclusions of Law, and Order Imposing Fine in Case No. 16-069
3 dated August 17, 2015, imposing a fine of \$300 for failing to timely file a F-1 report for 2014;

4 • Letter from Kurt Young, PDC Compliance Officer, to Danny Walling dated March 29,
5 2017 regarding the Amended Final Order in Case No. 10089, reducing the assessed penalty
6 from \$1000 to \$500;

7 • Amended Final Order in Case No. 10089 against Danny Walling, dated March 29, 2017,
8 reducing the assessed penalty from \$1000 to \$500.

9 The hearing concerned allegations that Respondent violated RCW 42.17A.700 by failing
10 to file a Personal Financial Affairs Statement (F-1 report) for calendar year 2016, due not later
11 than April 17, 2017.

12 After reviewing the record, including testimony by PDC Staff, the Commission
13 HEREBY ORDERS that the following Findings of Fact, Conclusions of Law, and Final Order
14 of the Commission be entered:

15 **II. FINDINGS OF FACT**

16 1. Respondent Danny Walling was elected Fire Commissioner for Clark Fire Protection
17 District 10 in 2005. He continued to serve in that capacity for the duration of 2016, and remains
18 the incumbent in that position.

19 2. Respondent Danny Walling had previously been found to be in violation of RCW
20 42.17A.700 by failing to timely file an F-1 report in 2015 for calendar year 2014 (Case No. 16-
21 069). A penalty of \$300 was assessed. He was found to be in violation of RCW 42.17A.700 for
22 failure to timely file a F-1 report for 2015 (Case No. 10089). A penalty of \$500 was assessed.

23 3. As an incumbent Fire Commissioner, Mr. Walling was required to file an F-1 report no
24 later than April 17, 2017, disclosing personal financial information for calendar year 2016. As
25 of the date of the hearing, Mr. Walling had not filed the F-1 report for calendar year 2016.
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III. CONCLUSIONS OF LAW

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

2. RCW 42.17A.700 states in part: “After January 1st and before April 15th of each year, every elected official and every executive state officer shall file with the commission a statement of financial affairs for the preceding calendar year.”

3. WAC 390-24-025 states in part: “Any person holding elected public office, except as exempted by the terms of RCW 42.17A.700, ... is required to file the statement of financial affairs if such person holds such public office between January 1 and April 15 of any year. Such report shall be for the preceding calendar year.”

4. Respondent Danny Walling violated RCW 42.17A.700 by failing to timely file a Personal Financial Affairs Statement (F-1 report) for calendar year 2016.

IV. ORDER

Based upon the Findings and Conclusions, the Commission orders that:

1. Respondent Danny Walling is assessed a total civil penalty of \$1,000, payable within 30 days of the date of this Order.

2. Respondent Danny Walling is to pay the outstanding penalties of \$300 from Case No. 16-069, and \$500 from case No. 10089 which have been previously sent to a collections agency, as well as any associated interest and collections fees owed to date.

3. Respondent Danny Walling is to file the missing F-1 report for calendar year 2016 within 30 days of the date of this Order, and in accordance with RCW 42.17A.755(4) to cease and desist from failing to file his required PDC reports.

4. PDC Staff are to contact the legal counsel for the Clark County Fire Protection District 10 to remind Danny Walling and other Fire Commissioners about the F-1 filing requirement.

1 The Executive Director is authorized to enter this Order on behalf of the Commission.

2 So ORDERED this 10th day of October, 2017.

3
4 WASHINGTON STATE PUBLIC
DISCLOSURE COMMISSION

5 FOR THE COMMISSION:

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7 Peter Lavalice
Executive Director

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11 **NOTICE: RECONSIDERATION**

12 Pursuant to the provisions of RCW 34.05.470 and WAC 390-37-150, you may file a Petition for
13 Reconsideration with the PDC within twenty-one (21) 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 Capitols Way, Room 206, Box 40908, Olympia WA 98504-0908.

14 **NOTICE: PETITION FOR JUDICIAL REVIEW**

15 You have the right to appeal this Final Order to Superior Court, pursuant to the Petition for
16 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.

17
18 *Copy of this Order mailed and/or emailed to:*

19 Danny Walling, Respondent

20 Phil Stutzman, PDC Staff (phil.stutzman@pdc.wa.gov)

21 I, Kox Blackhorn, certify that I mailed a
22 copy of this order to the Respondent/ Applicant at his/her
respective address postage pre-paid on the date stated
23 herein. [Signature] 6/19/17
Signed Date