



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: [pdc@pdc.wa.gov](mailto:pdc@pdc.wa.gov) • Website: [www.pdc.wa.gov](http://www.pdc.wa.gov)

March 29, 2017

Danny Walling  
34817 NE 119<sup>th</sup> Avenue  
LaCenter, WA 98629

Subject: Amended Final Order, PDC Case 10089

Dear Mr. Walling:

Enclosed is a copy of the Public Disclosure Commission's Amended Final Order reducing a previously imposed fine that was entered in the above-referenced case. At the January 20, 2017, Brief Adjudicative Hearing (Brief Enforcement Hearing), the Presiding Officer assessed a total civil penalty of \$1,000 in accordance with WAC 390-37-143 for a filer with two prior violations. However, the \$1,000 penalty that was assessed was based on the rule, WAC 390-37-143 which had not taken effect at the time the Brief Enforcement hearings were held.


At the March 23, 2017 Commission meeting, the Commission voted unanimously to reconsider the previous order and to reduce the penalty to \$500, since \$500 was the maximum penalty that could have been assessed at the January 20, 2017 hearing, which is payable within 30 days of the date of this Order.

The \$500 penalty is payable no later than April 28, 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, please contact me by email at [kurt.young@pdc.wa.gov](mailto:kurt.young@pdc.wa.gov).

Sincerely,

  
Kurt Young  
Compliance Officer

Enclosure

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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 10089

**AMENDED FINAL ORDER**  
(Order On Reconsideration and  
Amending Penalty)

**I. INTRODUCTION**

This matter came before the Washington State Public Disclosure Commission on March 23, 2017, at the PDC office, Room 206, Evergreen Plaza Building, 711 Capitol Way, Olympia, Washington. The Commission, after becoming aware of a procedural defect in the original Order, reconsidered the prior order issued following a brief enforcement hearing (brief adjudicative proceeding) in this matter. The matter was held in accordance with Chapters 34.05 and 42.17A RCW and Chapter 390-37 WAC.

Commissioners Anne Levinson, Chair, John Bridges, Vice Chair, Katrina Asay, Jack Johnson, and David Ammons were present. Kurt Young, Compliance Officer, 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 were PDC Executive Director Evelyn Fielding Lopez, PDC Assistant Director Barbara Sandahl, PDC executive assistant Jana Greer, and Penny Allen, Assistant Attorney General, attorney for the Commission. The proceeding was open to the public and recorded.

1 **II. PROCEDURAL HISTORY**

2 A brief adjudicative enforcement hearing was held on January 20, 2017 to consider  
3 whether the Respondent violated RCW 41.17A.700 by failing to file a Personal Financial Affairs  
4 Statement (F-1 report) as an incumbent Fire Commissioner for the Clark County Fire Protection  
5 District No. 10, no later than April 15, 2016 which disclosed his financial activities for calendar  
6 year 2015.

7 Although Respondent was timely notified of the brief adjudicative enforcement hearing, he  
8 did not attend the hearing nor did he submit any written materials. The Presiding Officer, found  
9 that the Respondent had not timely filed his F-1 report, and had had two prior PDC violations in  
10 the last five years, and imposed a \$1,000 penalty.

11 The Commission voted unanimously to reconsider the previous order and to reduce the  
12 penalty to \$500 because \$500 was the maximum amount of the penalty that could have been  
13 assessed as of April 15, 2016. The previous \$1,000 penalty was based on amendment to WAC  
14 390-37-143 which was not effective at the time of the violation.

15 Having heard staff's positions on a Motion for Reconsideration from another Respondent in  
16 PDC Case 10069, having considered the files and records in this matter, and being otherwise  
17 fully advised, the Commission HEREBY makes the following findings of fact and conclusions  
18 of law:

19 **III. FINDINGS OF FACT**

20 1. The Respondent is an incumbent Fire Commissioner for the Clark County Fire  
21 Protection District No. 10, since being elected to that office in 2003.

22 2. As an incumbent Fire Commissioner, the Respondent was required to file an F-1  
23 report no later than April 15, 2016.

24 3. The Respondent did not file the missing F-1 report by January 20, 2017, the date  
25 this matter was originally heard.

1 4. The Respondent has two prior PDC Violations in the last five years, PDC Case  
2 12-242 and 16-069.

3 **IV. CONCLUSIONS OF LAW**

4 1. The Commission has jurisdiction to hear this matter pursuant to WAC 390-37-  
5 144.

6 2. The Respondent violated RCW42.17A.700 by failing to file the F-1 report by  
7 April 15, 2016.

8 **V. ORDER**

9 Based upon the findings and conclusions, the Commission ORDERS that:

10 1. Respondent Danny Walling is assessed a civil penalty of \$500 in accordance with  
11 WAC 390-37-160 which was effective on April 16, 2016, for a filer with two prior PDC  
12 violations in the last five years, payable within 30 days of the date of the Order.

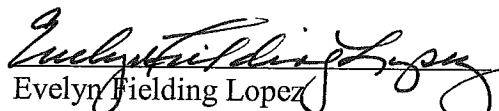
13 2. If Respondent Danny Walling fails to pay the \$500 penalty within 30 days of the  
14 date of this Order, PDC Staff is directed to refer this matter to DES for collection of the debt.

15 The Executive Director is authorized to enter this order on behalf of the Commission.

16 So ORDERED this 29th day of March, 2017.

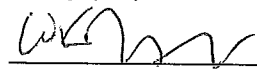
18 WASHINGTON STATE PUBLIC  
19 DISCLOSURE COMMISSION

20 FOR THE COMMISSION:

21   
22 Evelyn Fielding Lopez  
23 Executive Director

24 Copy of this order mailed to  
25 Danny Walling at  
26 34817 NE 119<sup>th</sup> Avenue  
LaCenter, WA 98629

I, Kurt Young, certify that I emailed a copy of this  
order to the Respondent/Applicant at his/her respective address  
postage pre-paid on the date stated herein.

 3/29/2017  
Signed Date

1 NOTICE: PETITION FOR JUDICIAL REVIEW

2 YOU HAVE THE RIGHT TO APPEAL THIS FINAL ORDER TO SUPERIOR COURT,  
3 PURSUANT TO THE PETITION FOR JUDICIAL REVIEW PROVISIONS OF RCW  
4 34.05.542. ANY PETITION FOR JUDICIAL REVIEW OF THIS FINAL ORDER MUST BE  
5 FILED WITH THE COURT AND ALSO SERVED UPON BOTH THE COMMISSION AND  
6 THE OFFICE OF THE ATTORNEY GENERAL WITHIN THIRTY (30) DAYS AFTER THE  
7 DATE THIS FINAL ORDER IS SERVED UPON YOU.  
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