



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

March 29, 2017

Peter Swant  
310 A Street  
Walla Walla WA 99362

Subject: Amended Final Order, PDC Case 10086

Dear Mr. Swant:

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@pdcc.wa.gov](mailto:kurt.young@pdcc.wa.gov).

Sincerely,



Kurt Young  
Compliance Officer

Enclosure

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

In re Compliance with RCW 42.17A

PDC CASE NO. 10086

Peter Swant,

Respondent.

AMENDED FINAL ORDER ON  
RECONSIDERATION

**I. INTRODUCTION**

This matter was heard by the Washington State Public Disclosure Commission (Commission) on March 23, 2017 at the Public Disclosure Commission Office, 711 Capitol Way, Room 206, Olympia, Washington 98504. The Respondent, Peter Swant, timely requested reconsideration of the February 3, 2017 PDC Order which determined that he had failed to timely file his F-1 and assessed a \$1,000 civil penalty. 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, 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. The Respondent Peter Swant was present by phone.

1 Also present were PDC Executive Director Evelyn Fielding Lopez, PDC Assistant  
2 Director Barbara Sandahl, PDC executive assistant Jana Greer, and Penny Allen, Assistant  
3 Attorney General, attorney for the Commission.  
4

## 5 II. PROCEDURAL HISTORY

6 A brief adjudicative enforcement hearing was held on January 20, 2017 to consider  
7 whether the Respondent violated RCW 41.17A.700 by failing to file a Personal Financial  
8 Affairs Statement (F-1 report) as an incumbent official no later than April 15, 2016 which  
9 disclosed his financial activities for calendar year 2015.  
10

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

15 On February 14, 2017, Respondent requested reconsideration of the February 3, 2017  
16 order and requested that the Commission reduce his penalty.  
17

18 The Commission voted unanimously to reconsider the previous order and to reduce the  
19 penalty to \$500.00 because \$500.00 was the maximum amount of the penalty that could have  
20 been assessed as of April 15, 2016. The previous \$1,000.00 penalty was based on amendment  
21 to WAC 390-37-143 which was not effective at the time of the violation.

22 Having heard and considered the parties positions on the Motion for Reconsideration,  
23 having considered the files and records in this matter, and being otherwise fully advised, the  
24 Commission HEREBY makes the following findings of fact and conclusions of law:  
25  
26

1 **III. FINDINGS OF FACT**

2 1. The Respondent is an incumbent Port Commissioner for the Port of Walla Walla,  
3 since being elected to that position in 2013.

4 2. As an incumbent Port Commissioner, the Respondent was required to file an F-1  
5 report no later than April 15, 2016.

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

8 4. The Respondent has two prior PDC Violations in the last five years, PDC Case  
9 14-110 and 16-064.  
10

11 **IV. CONCLUSIONS OF LAW**

12 1. The Commission has jurisdiction to hear this matter pursuant to WAC 390-37-  
13 144.

14 2. The Respondent violated RCW42.17A.700 by failing to file the F-1 report by  
15 April 15, 2016.  
16

17 **V. ORDER**

18 Based upon the findings and conclusions, the Commission ORDERS that:  
19

20 1. Respondent Peter Swant is assessed a civil penalty of \$500.00 in accordance with  
21 WAC 390-37-160 which was effective on April 16, 2015 for a filer with two prior PDC  
22 violations in the last five years, payable within 30 days of the date of the Order.  
23

24 2. If Respondent Peter Swant fails to pay the \$500.00 penalty within 30 days of the  
25 date of this Order, PDC Staff is directed to refer this matter to DES for collection of the debt.  
26

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

2 So ORDERED this 24th day of March, 2017.

3  
4 WASHINGTON STATE PUBLIC  
5 DISCLOSURE COMMISSION

6 FOR THE COMMISSION:

7   
8 Evelyn Fielding Lopez  
9 Executive Director

10 *Copy of this Order mailed to:*

11 Peter Swant  
12 310 A Street  
13 Walla Walla WA 99362

14 I, Kurt Young, certify that I mailed a  
15 copy of this order to the Respondent/ Applicant at his/her  
16 respective address postage pre-paid on the date stated  
17 herein. WF 3/29/2017  
18 Signed \_\_\_\_\_ Date \_\_\_\_\_

19 NOTICE: PETITION FOR JUDICIAL REVIEW

20 YOU HAVE THE RIGHT TO APPEAL THIS FINAL ORDER TO SUPERIOR COURT,  
21 PURSUANT TO THE PETITION FOR JUDICIAL REVIEW PROVISIONS OF  
22 RCW 34.05.542. ANY PETITION FOR JUDICIAL REVIEW OF THIS FINAL ORDER  
23 MUST BE FILED WITH THE COURT AND ALSO SERVED UPON BOTH THE  
24 COMMISSION AND THE OFFICE OF THE ATTORNEY GENERAL WITHIN THIRTY (30)  
25 DAYS AFTER THE DATE THIS FINAL ORDER IS SERVED UPON YOU.  
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