



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 • Website: www.pdc.wa.gov

March 29, 2017

Marianne Naslund
PO Box 1426
Sultan, WA 98294

Subject: Amended Final Order, PDC Case 10069

Dear Ms. Naslund:

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.

Sincerely,

Kurt Young
Compliance Officer

Enclosure

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

7 IN RE THE MATTER OF ENFORCEMENT
8 ACTION AGAINST

9 Marianne Naslund

10 Respondent.

PDC Case 10069

11 **AMENDED FINAL ORDER**

(Order On Reconsideration and
Amending Penalty)

12 **I. INTRODUCTION**

13 This matter came before the Washington State Public Disclosure Commission on March
14 23, 2017, at the PDC office, Room 206, Evergreen Plaza Building, 711 Capitol Way, Olympia,
15 Washington. The Commission, after becoming aware of a procedural defect in the original
16 Order, reconsidered the prior order issued following a brief enforcement hearing (brief
17 adjudicative proceeding) in this matter. The matter was held in accordance with Chapters 34.05
and 42.17A RCW and Chapter 390-37 WAC.

18 Commissioners Anne Levinson, Chair, John Bridges, Vice Chair, Katrina Asay, Jack
19 Johnson, and David Ammons were present. Kurt Young, Compliance Officer, presented the
20 matter on behalf of Public Disclosure Commission Staff (Staff). Chad Standifer, Assistant
21 Attorney General, was also present on behalf of Staff. Also present were PDC Executive
22 Director Evelyn Fielding Lopez, PDC Assistant Director Barbara Sandahl, PDC executive
23 assistant Jana Greer, and Penny Allen, Assistant Attorney General, attorney for the Commission.
24 The proceeding was open to the public and recorded.

II. PROCEDURAL HISTORY

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

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

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

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

III. FINDINGS OF FACT

1. The Respondent is an incumbent City Councilmember for the City of Sultan, since being elected to that position in 2013.

2. As an incumbent City Councilmember, the Respondent was required to file an F-1 report no later than April 15, 2016.

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

4. The Respondent has two prior PDC Violations in the last five years, PDC Case 13-294 and 16-047.

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IV. CONCLUSIONS OF LAW

1. The Commission has jurisdiction to hear this matter pursuant to WAC 390-37-144.
2. The Respondent violated RCW42.17A.700 by failing to file the F-1 report by April 15, 2016.

V. ORDER

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

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

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

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

So ORDERED this 29th day of March, 2017.

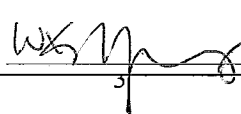
WASHINGTON STATE PUBLIC
DISCLOSURE COMMISSION

FOR THE COMMISSION:


Evelyn Fielding Lopez
Executive Director

Copy of this order mailed to
Marianne Naslund at
PO Box 1426
Sultan, WA 98294

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

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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