



STATE OF WASHINGTON  
PUBLIC DISCLOSURE COMMISSION

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October 1, 2010

WILLIAM ATKINSON  
PO BOX 215  
SKYKOMISH WA 98288-0215

Subject: Order Granting Request for Reconsideration and Suspending Penalty - PDC  
Case No. 10-071

Dear Mr. Atkinson:

Enclosed is a copy of the Public Disclosure Commission's Order granting your request for Reconsideration in Case No. 10-071. As noted in the Order, the Commission voted to grant your request for Reconsideration, and based on new evidence, suspended the entire \$500 monetary penalty.

If you have questions, please contact Kurt Young at (360) 664-8854; toll free at (877) 601-2828 or by email at [kurt.young@pdc.wa.gov](mailto:kurt.young@pdc.wa.gov).

Sincerely,

Philip E. Stutzman  
Director of Compliance

Enclosure

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

In the Matter of:	)	PDC CASE NO. 10-071
	)	
William Atkinson	)	<b>ORDER GRANTING REQUEST</b>
	)	<b>FOR RECONSIDERATION AND</b>
Respondent	)	<b>SUSPENDING PENALTY</b>
_____	)	

**I. COMMISSION CONSIDERATION**

1.1 On September 23, 2010, the Commission considered a timely Request for Reconsideration made by William Atkinson, Respondent, received on July 29, 2010. Respondent Atkinson requested that the Commission reconsider the Findings of Fact, Conclusions of Law and Order, entered in PDC Case No. 10-071, following a brief enforcement hearing (brief adjudicative proceeding) held June 23, 2010. The initial order was served on the Respondent on July 1, 2010, and found that the Respondent failed to file a Personal Financial Affairs Statement (PDC Form F-1), due no later than April 15, 2010, disclosing financial activities for calendar year 2009. The initial order became a final order on August 2, 2010.

1.2 Record of Proceeding. The Commission was given a copy of the initial order in PDC Case No. 10-071, a copy of the Respondent's Request for Reconsideration, the F-1 report filed by the Respondent on July 28, 2010, and a completed Statement of Understanding acknowledging a violation of RCW 42.17.240. The Respondent did not appear or participate at the proceeding.

1 1.3a Additional Findings. The Respondent stated in his Request for Reconsideration that  
2 he suffers from “end stage heart failure” and was consumed with his hospitalization  
3 for that condition and the subsequent follow-up visits. He said these factors prevented  
4 him from timely filing the F-1 report.  
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6 1.3b Kurt Young appeared on behalf of PDC staff. He stated he contacted the Skykomish  
7 School District and spoke with Jeff Long, Superintendent, who stated that Mr.  
8 Atkinson resigned his position as a School Board member effective the last day of July  
9 2010. Mr. Long stated Mr. Atkinson has had some medical issues over the last several  
10 years, but has continued to attend school board meetings up until the time of his  
11 resignation.  
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14 1.4a Request for Reconsideration. The Request for Reconsideration by the Respondent  
15 provided new information that the Presiding Officer and PDC staff were not aware of  
16 at the time of the June 23, 2010 hearing. At the hearing, the Respondent was assessed  
17 a \$500 penalty, of which \$350 was suspended on the condition the Respondent file the  
18 missing F-1 report and pay the \$150 non-suspended portion of the penalty within 60  
19 days of the order in PDC Case No. 10-071, for failing to file the annual Financial  
20 Affairs Statement (PDC Form F-1). The assessed penalty was consistent with the  
21 Commission’s authority under Chapter 42.17 RCW, and with the Penalty Schedule  
22 adopted by the Commission in WAC 390-37-160.  
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25 1.4b The Commission voted to reconsider the penalty amount in the initial order in PDC  
26 Case No.10-071.

1 **II. ORDER**

2 Based upon the foregoing, the Commission **ORDERS:**

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4 2.1 The Respondent's Request for Reconsideration is granted.

5 2.2 Based upon the new evidence, the Commission suspends the entire \$500 monetary  
6 penalty previously assessed in PDC Case No. 10-071.  
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8 **III. FURTHER APPEAL RIGHTS – SUPERIOR COURT**

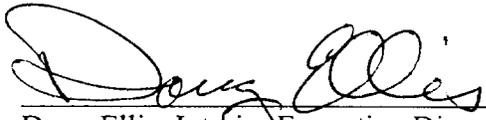
9 3.1 A **final order** issued by the Public Disclosure Commission is subject to judicial review  
10 under the Administrative Procedure Act, chapter 34.05 RCW. (RCW 42.17.395(5)).  
11 The procedures are provided in RCW 34.05.510 - .598.  
12

13 3.2 The petition for judicial review must be filed with the superior court and served on the  
14 Public Disclosure Commission and any other parties within **30 days** of the date that the  
15 Public Disclosure Commission serves this Final Order on the parties. (RCW  
16 34.05.542(2)).  
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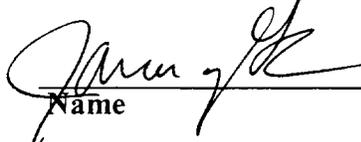
18 3.3 Service is defined in RCW 34.05.010(19) as the date of mailing or personal service.

19 DATED THIS 30<sup>th</sup> day of September, 2010.  
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21 FOR THE COMMISSION:

22   
23 Doug Ellis, Interim Executive Director

24 "I certify that I mailed a copy of this order to the Respondent/Applicant at his/her  
25 respective address postage prepaid on the date stated herein."

26   
Name

Date 10/11/10