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

IN RE THE MATTER OF ENFORCEMENT
ACTION AGAINST

PDC CASE NO. 12-058

Amanda Lawrence

**FINAL ORDER
(Order Granting Review and
Vacating Initial Order)**

Respondent.

This matter came before the Washington State Public Disclosure Commission on September 22, 2011 at the PDC office, Room 206, Evergreen Plaza Building, 711 Capitol Way, Olympia, Washington. The Respondent, Amanda Lawrence, requested a review of the initial order of a brief enforcement hearing (brief adjudicative proceeding) in this matter. The review hearing was held in accordance with Chapters 34.05 and 42.17 RCW and Chapter 390-37 WAC.

Those present included Jennifer Joly, Vice Chair; Dave Seabrook, Member; and Jim Clements, Member. Participating were: Kurt Young, PDC Compliance Officer (representing PDC staff), and Ms. Lawrence, who represented herself and participated by letter. Also present were: Doug Ellis, Interim Executive Director; Nancy Krier, Commission General Counsel; and PDC staff member Jennifer Hansen as recorder/reporter of the proceedings. The proceedings were recorded and open to the public.

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1 **I. PROCEDURAL HISTORY**

2 The matter involved allegations that Amanda Lawrence violated RCW 42.17.240 by
3 failing to timely file a Personal Financial Affairs Statement (PDC Form F-1) as a candidate for
4 City Council member, City of White Salmon. A brief hearing was held on August 10, 2011.
5 An initial order was entered August 18, 2011, making Findings of Fact, Conclusions of Law
6 and assessing a civil penalty for the violations found in that hearing. By telephone call on
7 August 22, 2011, Ms. Lawrence requested the Commission review that initial order.

8 Following consideration of the initial order, Ms. Lawrence's telephone call requesting
9 review, Mr. Young's September 14, 2011 memorandum concerning this case, an email
10 exchange between Ms. Lawrence and the Klickitat County Auditor's Office on June 17, 2011,
11 and the oral presentation of PDC staff, the Commission voted unanimously to vacate the initial
12 order. Therefore:

13 **II. FINDINGS OF FACT AND CONCLUSIONS OF LAW**

14 1. Amanda Lawrence was a candidate for City Council member, City of White Salmon in
15 2011. As a candidate, she was required to file a PDC form F-1 within two weeks of declaring
16 her candidacy, or no later than June 25, 2011, disclosing her financial activities for the
17 previous 12 months.

18 2. On June 17, 2011, the Respondent withdrew her candidacy by filing a Withdrawal of
19 Candidacy form with the Klickitat County Auditor's Office. In an email exchange on June 17,
20 2011 between the Respondent and the Klickitat County Auditor's Office, the Auditor's Office
21 confirmed that the Respondent officially withdrew as a candidate on June 17, 2011.

22 3. As of June 17, 2011, the Respondent was not required to file PDC form F-1. Therefore,
23 the Respondent did not violate RCW 42.17.240.

24 **III. ORDER**

25 The initial order entered August 18, 2011 is vacated.
26

1 **IV. APPEALS**

2 **RECONSIDERATION OF FINAL ORDER - COMMISSION**

3 Any party may ask the Commission to reconsider this final order. Parties must place
4 their requests for reconsideration in writing, include the specific grounds or reasons for the
5 request, and deliver the request to the Public Disclosure Commission Office within
6 **TWENTY-ONE (21) BUSINESS DAYS** of the date that the Commission serves this order
7 upon the party. WAC 390-37-150. Service by the Commission on a party is accomplished on
8 the date of mailing by U.S. mail if the order is mailed, or the date of personal service if
9 personal service is made. RCW 34.05.010(19). The Commission orders are generally mailed
10 via U.S. mail.

11 Pursuant to WAC 390-37-150, the Public Disclosure Commission is deemed to have
12 denied the petition for reconsideration if, within twenty (20) business days from the date the
13 petition is filed, the Commission does not either dispose of the petition or serve the parties with
14 written notice specifying the date by which it will act on the petition. Pursuant to RCW
15 34.05.470(5), the Respondent is not required to ask the Public Disclosure Commission to
16 reconsider the final order before seeking judicial review by a superior court.

17 **FURTHER APPEAL RIGHTS – SUPERIOR COURT**

18 Pursuant to RCW 42.17.395(5), a **final order** issued by the Public Disclosure
19 Commission is subject to judicial review under the Administrative Procedure Act, chapter
20 34.05 RCW. The procedures are provided in RCW 34.05.510 - .598. Pursuant to RCW
21 34.05.542(2), a petition for judicial review must be filed with the superior court in Thurston
22 County or the petitioner’s county of residence or principal place of business. The petition for
23 judicial review must be served on the Public Disclosure Commission and any other parties
24 within **30 days** of the date that the Public Disclosure Commission serves this final order on the
25 parties. RCW 34.05.542(4) provides: “Service of the petition on the agency shall be by
26 delivery of a copy of the petition to the office of the director, or other chief administrative

1 officer or chairperson of the agency, at the principal office of the agency. Service of a copy by
2 mail upon the other parties of record and the office of the attorney general shall be deemed
3 complete upon deposit in the United States mail, as evidenced by the postmark.”

4 If reconsideration is properly sought, the petition for judicial review must be served on
5 the Public Disclosure Commission and any other parties within thirty (30) days after the
6 Commission acts on the petition for reconsideration.

7 **V. ENFORCEMENT OF FINAL ORDERS**

8 The Commission may seek to enforce this final order in superior court under RCW
9 42.17.395-.397, and recover legal costs and attorney’s fees, if a penalty that is due and owing
10 remains unpaid and no petition for judicial review has been filed under chapter 34.05 RCW.
11 This action will be taken without further order by the Commission.

12
13 The Executive Director is authorized to enter this order on behalf of the Commission.

14 So ORDERED this 7th day of October, 2011.

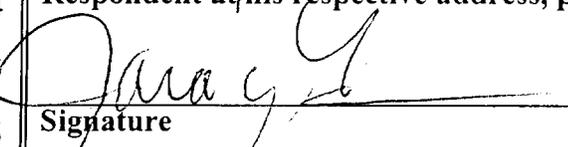
15 WASHINGTON STATE PUBLIC
16 DISCLOSURE COMMISSION

17 FOR THE COMMISSION:

18 
19 DOUG ELLIS
20 Interim Executive Director

21 *Copy of this Final Order to:*
22 Amanda Lawrence
23 P.O Box 1683
24 Hood River, OR 97031

25 I, Jana Y. Greer, certify that I mailed a copy of this order to the
26 Respondent at his respective address, postage prepaid, on the date stated herein.


Signature

Date 10/7/11