



STATE OF WASHINGTON  
PUBLIC DISCLOSURE COMMISSION

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BEFORE THE PUBLIC DISCLOSURE COMMISSION  
OF THE STATE OF WASHINGTON

Danny Walling  
34817 North East 119th Avenue  
La Center, WA 98629

In Re Compliance with RCW 42.17A

Danny Walling

Respondent.

PDC Case No. 12-242

Findings of Fact,  
Conclusions of Law, and  
**Order Imposing Fine**

A brief enforcement hearing (brief adjudicative proceeding) was held July 2, 2012, in Room 206, Evergreen Plaza Building, 711 Capitol Way, Olympia, Washington to consider whether the Respondent violated RCW 42.17A.700 by failing to file a Personal Financial Affairs Statement (F-1 report) covering calendar year 2011, which was due to be filed by April 16, 2012.

The hearing was held in accordance with Chapters 34.05 and 42.17A RCW and Chapter 390-37 WAC. Commission Chair Jennifer Joly was the Presiding Officer. The Commission staff was represented by Kurt Young, Compliance Officer. The Respondent was not present and did not submit any written material to be considered by the Presiding Officer.

Brief enforcement hearing notices were sent to Danny Walling on June 7, and June 11, 2012. Having considered the evidence, the Presiding Officer finds as follows:

FINDINGS OF FACT

1. The Respondent is a Fire Commissioner for Clark County Fire District No. 10. He was elected to that position in 2005, and re-elected in 2011.
2. As an incumbent Fire Commissioner, the Respondent was required to file an annual F-1 report by April 16, 2012, disclosing his financial activities for the previous calendar year.
3. The Respondent did not file the required F-1 report by April 16, 2012.

4. The Respondent did not file the missing F-1 report as of the date of the hearing.
5. The Respondent has no prior violations.

CONCLUSIONS OF LAW

Based on the above facts, as a matter of law, the Presiding Officer concluded as follows:

1. This matter was duly and properly convened and all jurisdictional, substantive and procedural requirements have been satisfied.
2. The Respondent violated RCW 42.17A.700 by failing to file the F-1 report by April 16, 2012.

ORDER

ON the basis of the foregoing Findings of Fact and Conclusions of Law,

**IT IS HEREBY ORDERED that the Respondent is assessed a civil penalty of \$150<sup>1</sup> in accordance with WAC 390-37-160, of which \$50 is suspended on the following conditions:**

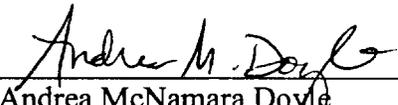
- (1) Respondent is not found to have committed any further violations of RCW 42.17A within four years of the date of the order;**
- (2) The missing F-1 report is filed within 30 days of the date of the order; and**
- (3) The \$100 non-suspended portion of the penalty is paid within 30 days of the date of the order.**

If Respondent fails to comply with any of these conditions, the suspended portion of the penalty will become immediately due and payable without further action by the Commission.

This is an **Initial Order** of the Public Disclosure Commission.

Entered this 17<sup>th</sup> day of July, 2012.

Public Disclosure Commission

  
Andrea McNamara Doyle  
Executive Director

Enclosure: Information about Appeal Rights

<sup>1</sup> The assessed penalty is based on the F-1 penalty schedule previously adopted by the Commission that takes into consideration prior violations and whether the F-1 report was filed before the date of the hearing.

**INFORMATION ABOUT APPEALS OF INITIAL ORDERS,  
FURTHER APPEAL RIGHTS,  
AND ENFORCEMENT OF FINAL ORDERS**

**APPEALS**

**REVIEW OF INITIAL ORDER - BY THE COMMISSION**

The presiding officer will issue an initial order following a brief enforcement hearing. Any party may request the Commission **review** an initial order. Parties seeking the review must:

- Make the request orally or in writing, stating the reason for review. *WAC 390-37-144.*
- Deliver the request so it is received at the Commission office within **TWENTY-ONE (21) BUSINESS DAYS** after the postmark date of the initial order.

A Respondent does not need to pay a penalty until after the Commission rules on the request.

If the Commission is unable to schedule a meeting to consider the request within twenty (20) business days, the initial order becomes a **final order** and the request will automatically be treated as a **request for reconsideration** of a final order (unless the party advises the Commission otherwise, such as by withdrawing the request). See more information on reconsideration below. If the request for review was an oral request, it must now be confirmed in writing. The matter will be scheduled before the full Commission as soon as practicable.

If the Commission does not receive a request for review within twenty-one (21) business days, the initial order will automatically become a **final order**. At that point, the Respondent is legally obligated to pay the penalty unless reconsideration has been sought or the matter has been timely appealed to Superior Court. *RCW 42.17A.755; RCW 34.05.470; RCW 34.05.570.*

**RECONSIDERATION OF FINAL ORDER – BY THE COMMISSION**

Any party may ask the Commission to **reconsider** a final order. Parties seeking reconsideration must:

- Make the request in writing;
- Include the specific grounds or reasons for the request; and
- Deliver the request to the PDC office so it is received within **TWENTY-ONE (21) BUSINESS DAYS** of the date that the Commission serves this order upon the party. *WAC 390-37-150.* (Note that the date of service by the Commission on a party is considered the