

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

3 IN RE THE MATTER OF ENFORCEMENT
4 ACTION AGAINST

PDC CASE NO. 13-273

5 Scott Horton

**ORDER ON
RECONSIDERATION**

(Order Upholding Prior Order)

6 Respondent.
7
8

9 This matter came before the Washington State Public Disclosure Commission on
10 September 26, 2013 at the PDC office, Room 206, Evergreen Plaza Building, 711 Capitol
11 Way, Olympia, Washington. The Respondent, Scott Horton, requested a reconsideration¹ of
12 the initial order of a brief enforcement hearing (brief adjudicative proceeding) in this matter.
13 The review hearing was held in accordance with Chapters 34.05 and 42.17A RCW and Chapter
14 390-37 WAC.

15 Those present included Amit Ranade, Commission Chair; Grant Degginger,
16 Commission Vice-Chair; and Kathy Turner, Member. Also present were Kurt Young, PDC
17 Compliance Officer on behalf of the PDC Staff; PDC Executive Director Andrea McNamara
18 Doyle; Nancy Krier, General Counsel for the Commission; and PDC staff member Nancy
19 Coverdale as recorder/reporter of the proceedings. The Respondent, Scott Horton, represented
20 himself and participated at the hearing by telephone. The proceeding was open to the public
21 and recorded.

22
23 ¹ Respondent's request for a review could not be heard within 20 business days. Therefore, under
24 WAC 390-37-144 the initial order became a final order, and the request is automatically treated as a
25 request for reconsideration of a final order. For ease of reference, the initial order will be referred to as
26 the "prior order."

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

I. PROCEDURAL HISTORY

The matter involved allegations that Respondent violated RCW 42.17A.700 by failing to file a Personal Financial Affairs Statement (F-1 report) as a candidate for Fire Commissioner in Fire District #20 – Cowlitz-Lewis County in 2013.

A brief hearing was held on August 1, 2013. An initial order (prior order) was entered August 14, 2013, making Findings of Fact, Conclusions of Law and assessing a \$150 civil penalty for the violations found in that hearing.

On August 19, 2013, after receiving the prior order, Respondent left a voice message for staff requesting the Commission review that prior order. Respondent also met with PDC staff and delivered a letter on September 11, 2013, requesting review. The prior order became a final order during this time period, and the Respondent's request was considered a request for reconsideration of a final order.

Following consideration of the prior order, Respondent's request, Mr. Young's September 17, 2013 memorandum and testimony, and Respondent's testimony, the Commission unanimously voted to uphold the prior order.

II. FINDINGS OF FACT AND CONCLUSIONS OF LAW AND ORDER

The Findings of Fact, Conclusions of Law and Order Imposing Fine entered August 14, 2013 are upheld.

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

So ORDERED this 5th day of November, 2013.

WASHINGTON STATE PUBLIC
DISCLOSURE COMMISSION

FOR THE COMMISSION:



ANDREA MCNAMARA DOYLE
Executive Director

1 **ATTACHMENTS**

2 (1) Prior Order

3 (2) Appeals and Enforcement of Final Orders

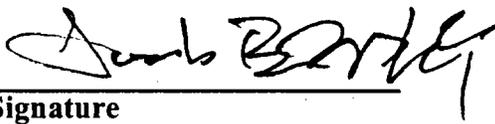
4 *Copy of this order to:*

5 Scott Horton

6 1226 SR 506

7 Vader, WA 98593

8 I, Jacob Berkeley, certify that I mailed a copy of this order to the Respondent
9 at Respondent's respective address, postage prepaid, on the date stated herein.

10 

11 **Signature**

12 11/9/13

13 **Date**