



State of Washington

PUBLIC DISCLOSURE COMMISSION

711 Capitol Way Rm. 206, PO Box 40908 • Olympia, Washington 98504-0908

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Toll Free 1-877-601-2828 • E-mail: pdcc@pdcc.wa.gov • Website: www.pdca.wa.gov

March 8, 2019

Delivered electronically to Shaunie Wheeler

Subject: Shaunie Wheeler Complaint Return Cover Letter, PDC Case 19050 and 24255

Ms. Wheeler:

Below is a copy of an electronic letter sent to Glen Morgan concerning the two complaints he filed with the Public Disclosure Commission (PDC) against you alleging violations of RCW 42.17A for the lobbyist registration and reporting requirements and the candidate campaign finance reporting requirements. As noted below in the electronic letter to Mr. Morgan, the PDC will not be conducting a more formal investigation into these allegations or taking enforcement action in these matters.

However, PDC staff is reminding you: (1) about the importance of timely filing L-2 reports once you are registered as a lobbyist, even when there is no reportable lobbying activities to disclose; and (2) if you become a candidate again in the future, the importance of timely filing C-3 and C-4 reports disclosing contribution and expenditure activities undertaken by your Campaign, including the candidate filing fee as either an in-kind contribution or a campaign expenditure, as required by PDC laws and rules.

Based on this information, the PDC has dismissed the allegations listed in the two complaints, PDC Case 19050 and 24255, in accordance with RCW 42.17A.755(1). If you have questions, please contact PDC staff member Kurt Young by e-mail at kurt.young@pdcc.wa.gov.

Sincerely,

Endorsed by,

/s _____
Kurt Young, Compliance Officer

/s _____
Barbara Sandahl, Deputy Director
For Peter Lavalley, Executive Director



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March 8, 2019

Delivered electronically to Glen Morgan

Subject: Complaints filed against Shaunie Wheeler, PDC Cases 19050 and 24555

Mr. Morgan:

The Public Disclosure Commission (PDC) has completed its review of the two complaints you filed against Shaunie Wheeler, an employee of International Brotherhood of Electrical Workers Local Union 77 (IBEW Local 77) and registered with the PDC as an employee lobbyist in 2015, and a candidate for Sea-Tac City Council in 2017 for PDC Cases 19050 and 24555.

The complaints alleged that Ms. Wheeler may have violated RCW 42.17A by failing to: (1) timely and accurately file monthly Lobbyist Expense Reports (L-2 reports) disclosing lobbying activities including the percentage of time spent lobbying the Legislature vs. State Agencies; (2) file a Lobbyist Biography page along with the Lobbyist Registration (L-1 report); (3) timely file a Candidate Registration (C-1 report) and Personal Financial Affairs Statement (F-1 report) within two weeks of declaring her candidacy; and (4) failing to timely file Monetary Contribution Reports (C-3 report), and Campaign Summary Full Campaign Contribution and Expenditure reports (C-4 reports).

For your information, to more efficiently use PDC resources, the two complaints you filed have been combined into one letter/ PDC staff reviewed the allegations listed in your complaint, the statutes, rules, and lobbyist and candidate reporting requirements, the L-1 and L-2 reports, and the C-1 and F-1 reports, and the initial C-3 and C-4 reports filed by Ms. Wheeler, and the response from Ms. Wheeler. As a result, we found the following:

Lobbying allegations:

- On January 6, 2015, Shaunie Wheeler timely filed a Lobbyist Registration (L-1 report) registering as a Permanent Lobbyist for IBEW Local 77, that lobbying was only a portion of her duties, and that IBEW Local 77 was affiliated with IBEW Local 77/Joe Murphy PAC.
- You alleged that Ms. Wheeler failed to file L-2 reports disclosing lobbying activities undertaken by her on behalf of IBEW Local 77 for the months of January through August of 2016 until September 13, 2016.
- Staff's review found that Ms. Wheeler timely filed L-2 reports using the PDC's lobbyist electronic filing application covering the period June of 2015 through June of 2016. Those L-2 reports disclosed Ms. Wheeler had no reportable compensation or lobbying activities were undertaken for July through October 2015, and March through June of 2016.

- The review also found that Ms. Wheeler disclosed compensation for her time spent lobbying on the L-2 reports covering November of 2015 through February of 2016 included \$900 for November 2015; \$1,352 for December 2015; \$4,318 for January of 2016; and \$5,145 for February of 2016.
- Beginning in July of 2016, PDC staff replaced the lobbyist electronic filing application with lobbyist reporting software, and Ms. Wheeler re-filed the January through June 2016 L-2 reports, so those reports were initially timely filed on paper filed L-2 reports.
- The July, August and September 2016 L-2 reports were timely filed using the PDC lobbying software. The October and November 2016 L-2 reports were filed late disclosing no lobbying activities or compensation, and the April 2017 L-2 report was filed two days late.
- Ms. Wheeler acknowledged that she failed to timely file the monthly L-2 reports when PDC replaced the lobbyist electronic filing application with lobbyist reporting software but stated there was no intent on her part to not disclose her lobbying activities. She stated she was promoted to Political Director for IBEW Local 77, and her new administrative assistant had issues in filing the lobbying reports electronically for both the PDC and Seattle Ethics and Elections Commission. She stated that she had taken over filing those reports for herself, and timely filed the remaining L-2 reports for calendar year 2017.
- Ms. Wheeler stated her lobbying efforts were in support of HB 2087 and HB 1859, and that she filed a lobbyist biography when she filed the L-1 report and attached a copy of it.

Candidate campaign finance allegations:

- On May 19, 2017, Ms. Wheeler timely filed a C-1 report declaring her candidacy for Sea-Tac City Council, Position 4, selecting the Full Reporting option and Stephanie Bowman as Campaign Treasurer.
- On May 23, 2017, Ms. Wheeler timely filed an amended C-1 report disclosing the only change was Stephanie Schlegel was listed as Campaign Treasurer.
- Ms. Wheeler stated that she did not decide to run for Sea-Tac City Council in 2017 until the last day to file for office with King County Elections, so she did not have any contribution or expenditure activities to disclose prior to filing the C-1 report. She stated since there were no activities, there was no requirement to file C-3 or C-4 reports prior to the C-1 report being filed.
- Ms. Wheeler stated she listed her personal post office box as the Campaign address, and that she paid the filing fee using her personal funds. She stated there was no professional photographer used, and a friend (who is not a professional photographer) took the picture that she used for her campaign photo so there was nothing to report for that activity
- The Campaign timely filed the 21-Day and 7-Day Pre-Primary Election C-4 reports, and the Post Primary Election C-4 report. In addition, the Campaign timely filed weekly C-3 reports disclosing monetary contributions that were timely received and deposited into the Campaign bank account.
- Ms. Wheeler was defeated in the 2017 Primary Election. The Post-Primary Election C-4 report was the “Final” C-4 report filed by her Campaign disclosing \$20,025 in total contributions received and \$16,186 in expenditures made.

- Ms. Wheeler stated concerning her C-1 report that her Treasurer's name was Stephanie Schlegel, but her surname was similar to Stephanie Bowman, an incumbent Port of Seattle Commissioner.
- Ms. Wheeler stated that when she completed and filed the C-1 report, she inadvertently misspelled her Treasurer's surname, and the campaign timely amended filed an amended C-1 report four days later to correct that information.

Ms. Wheeler timely filed the L-2 reports disclosing lobbying activities including the compensation paid to her by IBEW Local 77 to lobby. Ms. Wheeler also timely filed most of the L-2 reports disclosing zero or no reportable lobbying activities, and her Campaign timely filed all C-3 and C-4 reports throughout the 2017 primary election.

Based on these findings staff has determined that, in this instance, Ms. Wheeler's failure to timely file several L-2 reports disclosing no lobbying activities and failing to disclose her filing fee paid with her personal funds as an in-kind contribution, does not amount to an actual violation warranting further investigation.

There were several allegations which you failed to provide any evidence other than stating they were being made on information and belief. Since no evidence was provided, staff did not review those allegations. Based on this information, the PDC has dismissed those allegations listed in the complaint in accordance with RCW 42.17A.755(1).

PDC staff is reminding Shaunie Wheeler about the importance of timely filing L-2 reports as a registered lobbyist, even when there is no reportable lobbying activities to disclose, and if she should become a candidate again in the future, to timely file C-3 and C-4 reports disclosing contribution and expenditure activities undertaken by the Campaign, including the filing fee, as required by PDC laws and rules.

Based on this information, the PDC has dismissed the remaining allegations in accordance with RCW 42.17A.755(1). If you have questions, you may contact Kurt Young by e-mail at kurt.young@pdc.wa.gov.

Sincerely,

/s _____
Kurt Young, Compliance Officer

Endorsed by,

/s _____
Barbara Sandahl, Deputy Director
For Peter Lavalley, Executive Director

cc: Shaunie Wheeler

