



State of Washington

PUBLIC DISCLOSURE COMMISSION

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

(360) 753-1111 • FAX (360) 753-1112

**Toll Free 1-877-601-2828 • E-mail: [pdc@pdc.wa.gov](mailto:pdc@pdc.wa.gov) • Website: [www.pdc.wa.gov](http://www.pdc.wa.gov)**

March 5, 2018

Richard Anderson  
PO Box 158  
Menlo, WA 98561-0158

Mailed and Sent electronically to Mr. Anderson at “kellykaech@hotmail.com”

Subject: Order for PDC Case 7946

Mr. Anderson:

Enclosed is a copy of the Public Disclosure Commission’s Order Imposing Fine that was entered in the above-referenced case. At the February 27, 2018, Commission Enforcement Hearing, the Commission accepted the signed Stipulation as to Facts, Violations and Penalty, that included a \$1,500 civil penalty assessed against you, of which \$500 is suspended based on the following conditions: (1) no further violations of RCW 42.17A or WAC 390 are committed for four years from the date of this Order; (2) the \$1,000 non-suspended portion of the penalty is paid within 30 days from the Order date; and (3) you are in compliance with the PDC reporting requirements.

The \$1,000 non-suspended portion of the penalty is payable within 30 days of this Order or not later than April 4, 2018. Please make the check or money order payable to the WA State Treasurer, and mail the payment to the following:

WA State Treasurer - Public Disclosure Commission  
Financial Office  
PO Box 41465  
Olympia, WA 98504-1465

Thank you for your participation at the Hearing, and your cooperation throughout this process. If you have any questions, please contact me at (360) 664-8854 or by email.

Sincerely,

Kurt Young  
PDC Compliance Officer

Enclosure



**Public Disclosure Commission**  
Shining Light on Washington Politics Since 1972



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

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

In re the Matter of Enforcement Action  
Against:

Richard Anderson,

Respondent.

PDC CASE NO. 7946

FINAL ORDER

**I. INTRODUCTION**

This matter was heard by the Washington State Public Disclosure Commission (Commission) on February 27, 2018, at the Public Disclosure Commission Office, 711 Capitol Way, Room 206, Olympia, Washington 98504. The hearing was held pursuant to RCW 34.05, RCW 42.17A, and WAC 390-37. This matter was heard concurrently with PDC Case No. 8116 (Patrick Myers).

Commissioners present included Anne Levinson, Commission Chair (presiding); Jack Johnson, Commission Vice-Chair; and Commissioners David Ammons and William Downing. Also present were Assistant Attorney General Scott Douglas representing the Commission; Kurt Young, Compliance Officer on behalf of PDC Staff; and Assistant Attorney General Chad Standifer on behalf of PDC Staff. Respondent Richard Anderson did not participate in the proceeding. The proceeding was open to the public and recorded.

The hearing concerned allegations that Respondent Richard Anderson:

1. Violated WAC 390-16-125 by exceeding the limitations for the Mini Reporting Option

1 as selected on the Candidate Registration (C-1 report) and as specified in WAC 390-16-105;

2 2. Violated WAC 390-16-105 by failing to apply to the Commission for authorization to  
3 change reporting options and to file reports disclosing all campaign activities undertaken to date;

4 3. Failed to file an amended C-1 report, a C-3 Monetary Contribution report, and a C-4  
5 Summary Contribution and Expenditure report with relevant schedules and attachments,  
6 disclosing contribution and expenditure activities undertaken to date; and

7 4. Violated RCW 42.17A.205, .235, and .240 by failing to file the required campaign  
8 finance reports as a candidate under the Full Reporting Option.

9 The Commission had before it the following materials:

- 10 • Notice of Administrative Charges dated December 27, 2017;
- 11 • Report of Investigation prepared by PDC Compliance Officer Kurt Young, dated December  
12 27, 2017;
- 13 • February 16, 2016, Candidate Registration filed by Richard Anderson declaring his  
14 candidacy for Pacific County PUD Commissioner, District #2, in 2016;
- 15 • Amended C-1 report filed by Richard Anderson listing himself as Treasurer;
- 16 • August 30, 2016, complaint filed by Ron Brummel against Richard Anderson and Pat Myers;
- 17 • C-6 reports filed by Pat Myers on behalf of Willapa Harbor Herald;
- 18 • August 30, 2016, email from Pat Myers responding to the complaint filed by Ron Brummel;
- 19 • May 19, 2017, response from Pat Myers to PDC staff request for information;
- 20 • July 19, 2017, response from Pat Myers to PDC staff request for additional information;
- 21 • May 30, 2017, response from Richard Anderson providing additional information to the  
22 • initial response provided by Pat Myers;
- 23 • 2014 flyer inserted into Willapa Harbor Herald newspaper in support of Mike Swanson's  
24 re-election efforts for Pacific County PUD Commissioner;
- 25 • Email exchange between PDC staff and Patrick Myers concerning the 2014 Mike Swanson  
26

1 flyer inserted into Willapa Harbor Herald newspapers; and

- 2 • Stipulation As To Facts, Violations, and Penalty submitted by the parties, signed on February  
3 22, 2018.

4  
5 **II. STIPULATION**

6 The parties jointly submitted a signed Stipulation as to Facts, Violations, and Penalty  
7 (Stipulation). Mr. Standifer summarized the Stipulation and the Commission voted 4-0 to accept  
8 the Stipulation.

9 **III. FINDINGS OF FACT**

10 1. On February 16, 2016, Richard E. Anderson filed a Candidate Registration (C-1 report)  
11 with the PDC declaring his candidacy for Pacific County PUD Commissioner District #2,  
12 Position No. 3 in 2016. Mr. Anderson, a first-time candidate for public office, selected the Mini  
13 Reporting Option and listed Patrick S. Myers as his Campaign Treasurer.

14 2. Under WAC 390-16-105, candidates selecting the Mini Reporting Option are relieved  
15 from filing C-3 and C-4 reports as otherwise required under RCW 42.17A.235 and .240. To  
16 qualify for the Mini Reporting Option, a candidate checks the Mini Reporting Option box on the  
17 C-1 report indicating that the candidate's campaign will not receive contributions or make  
18 expenditures in excess of \$5,000 and that no contribution or contributions received from any one  
19 person will exceed \$500 in the aggregate.

20 3. Mr. Myers is the Publisher of the Willapa Harbor Herald, and he served in that capacity  
21 during the time he was Mr. Anderson's Campaign Treasurer from February 16 through  
22 September 30, 2016.

23 4. Between May 25 and August 3, 2016, a banner advertisement or a full-page  
24 advertisement ran in almost every weekly edition of the Willapa Harbor Herald in support of Mr.  
25 Anderson's candidacy. As Publisher of the Willapa Harbor Herald, Mr. Myers authorized the  
26 advertisements in support of Mr. Anderson's candidacy that appeared in the newspaper.

1           5. Mr. Myers filed twenty-two Independent Expenditure reports (C-6 reports) and five  
2 amended C-6 reports on behalf of the Willapa Harbor Herald as Publisher, disclosing \$10,980  
3 in newspaper advertisements for independent expenditures (IE) or electioneering  
4 communications (EC) that had been made in support of Mr. Anderson during the 2016 election.  
5 The initial C-6 reports were all filed by Mr. Myers on July 29, 2016, only four days prior to the  
6 August 2, 2016 primary election, disclosing that the Willapa Harbor Herald ran \$7,920 in  
7 newspaper advertisements in support of Mr. Anderson.

8           6. Mr. Myers stated that he created the messages for the advertisements since he "knew  
9 of Mr. Anderson's positions from attending the [PUD Commission] meetings. I produced the  
10 large ad and it was placed by the production department" of the Willapa Harbor Herald. Mr.  
11 Myers was both Treasurer of Mr. Anderson's Campaign and Publisher of the Willapa Harbor  
12 Herald. By authorizing and working on the content of the free advertisements supporting Mr.  
13 Anderson, the advertisements became in-kind contributions to that Campaign.

14           7. While serving as Mr. Anderson's Treasurer, Mr. Myers, as Publisher of the Willapa  
15 Harbor Herald, filed C-6 reports disclosing that 19 banner or full-page newspaper advertisements  
16 with a total value of \$10,350 ran in the newspaper in support of Mr. Anderson. Based on the C-  
17 6 reports filed by Mr. Myers on behalf of the Willapa Harbor Herald, the \$500 limitation on  
18 aggregate contributions from any one contributor was exceeded by Mr. Anderson on June 8,  
19 2016, when the third banner advertisement ran in the Willapa Harbor Herald for an aggregate  
20 total value of \$630 as of that date.

21           8. On September 14, 2016, Mr. Anderson filed an amended C-1 report disclosing that  
22 Mr. Myers was no longer serving as the Campaign Treasurer, and that he taken over those duties  
23 as candidate.

24           9. Mr. Anderson stated that his Campaign received two \$500 monetary contributions  
25 under the Mini Reporting Option, which included a \$500 monetary contribution from the IBEW  
26

1 Union and a \$500 monetary contribution from Dick Sheldon. In addition, he stated his Campaign  
2 made two expenditures of more than \$1,000 that included a \$1,345 expenditure to the Chinook  
3 Observer, a local newspaper for newspaper political advertising, and a \$1,950 expenditure to  
4 purchase campaign yard signs.

#### 5 IV. CONCLUSIONS OF LAW

6 1. The Commission has jurisdiction over this proceeding pursuant to RCW 42.17A, the  
7 State campaign finance and disclosure law; RCW 34.05, the Administrative Procedure Act; and  
8 WAC 390.

9 2. Respondent Richard Anderson violated WAC 390-16-125 by exceeding the  
10 limitations for the Mini Reporting Option as selected on the Candidate Registration (C-1 report)  
11 and as specified in WAC 390-16-105.

12 3. Respondent Richard Anderson violated RCW 42.1 7A.205, 235. and .240 by  
13 failing to file the following campaign finance reports as a candidate under the Full Reporting  
14 Option: an amended C-1 report; a Monetary Contribution report (C-3 report); and a Summary  
15 Contribution and Expenditure report (C-4 report) with relevant schedules and attachments,  
16 disclosing contribution and expenditure activities undertaken to date.

#### 17 V. ORDER

18 The Commission accepts the stipulation of the parties, and based upon the Findings and  
19 Conclusions therein, orders that:

20 1. Respondent Richard Anderson is assessed a total civil penalty of \$1,500, with \$500  
21 of the penalty suspended on the following conditions:

22 a. Respondent Richard Anderson pays the non-suspended portion of the penalty  
23 (\$1,000) within 30 days from the date of entry of this Final Order;

24 b. Respondent Richard Anderson is in compliance with all PDC reporting  
25 requirements; and  
26

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

c. Respondent Richard Anderson is not found to have committed any further violations of RCW 42.17A or WAC 390 within four years of the date of the Final Order in this matter.

2. If Respondent Richard Anderson fails to comply with any of the conditions of this Order, the suspended portion of the penalty shall immediately become due without further action by the Commission.

So ORDERED this 5th day of March, 2018.

WASHINGTON STATE PUBLIC  
DISCLOSURE COMMISSION

FOR THE COMMISSION:

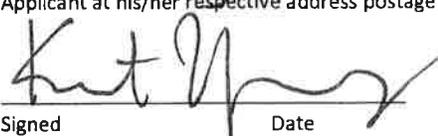
  
\_\_\_\_\_  
Anne Levinson  
Chair, Public Disclosure Commission

*Copy of this Order mailed and/or emailed to:*

Richard Anderson  
PO Box 158  
Menlo, WA 98561

Phil Stutzman, PDC Staff (phil.stutzman@pdc.wa.gov )

Chad Standifer, Assistant Attorney General (ChadS@atg.wa.gov)

I, Kurt Young, certify that I mailed a copy of this order to the Respondent/  
Applicant at his/her respective address postage pre-paid on the date stated herein.  
 3/5/2018  
Signed \_\_\_\_\_ Date \_\_\_\_\_

1 **NOTICE: RECONSIDERATION**

2 Pursuant to the provisions of RCW 34.05.470 and WAC 390-37-150, you may file a Petition for  
3 Reconsideration with the PDC within ten (10) days from the date this Final Order is served upon  
4 you. Any Request for reconsideration must state the specific grounds for the relief requested.  
5 Petitions must be delivered or mailed to the Washington State Public Disclosure Commission,  
6 711 Capitols Way, Room 206, Box 40908, Olympia WA 98504-0908.

6 **NOTICE: PETITION FOR JUDICIAL REVIEW**

7 You have the right to appeal this Final Order to Superior Court, pursuant to the Petition for  
8 Judicial Review provisions of RCW 34.05.542. Any Petition for Judicial Review of this Final  
9 Order must be filed with the court and also served upon both the Commission and the Office of  
10 the Attorney general within thirty (30) days after the date this Final Order is served upon you.

