



STATE OF WASHINGTON
PUBLIC DISCLOSURE COMMISSION

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BEFORE THE PUBLIC DISCLOSURE COMMISSION
OF THE STATE OF WASHINGTON

In the Matter of Enforcement Action
Against

Pam Roach 2014 Campaign

Respondent.

PDC Case No. 2329
(Formerly Case 14-057)

Notice of Administrative Charges
(Brief Enforcement Hearing)

I. Jurisdiction

1. The Public Disclosure Commission (PDC) has jurisdiction over this proceeding pursuant to Chapter 42.17A RCW, the state's campaign disclosure and contribution law; Chapter 34.05 RCW, the Administrative Procedure Act; and Title 390 WAC. These charges incorporate the Report of Investigation and all related exhibits by reference.

II. Allegations

2. Staff alleges that the Pam Roach 2014 Campaign violated:
 - RCW 42.17A.235 and 42.17A.240 by failing to timely file Monetary Contributions reports (C-3 reports) disclosing contributions received by the campaign.
 - RCW 42.17A.245 by failing to timely file all contribution reports and expenditure reports required by Chapter RCW 42.17A by the electronic alternative provided by the Commission.

II. Facts

3. On August 5, 2013, Senator Pam Roach filed a C-1 Candidate Registration to establish her candidacy for re-election to State Senate in the November 4, 2014 general election.
4. In her prior campaign for State Senate in the November 2, 2010 general election, Senator Roach spent approximately \$125,000.

5. In an email submitted to PDC staff on January 15, 2014, Senator Roach requested a temporary exception to the electronic filing requirement of RCW 42.17A.245, as permitted by RCW 42.17A.245(1). Senator Roach stated that her campaign treasurer was then out of the country but would return in February 2014 to resume her duties.
6. At its regular meeting on January 23, 2014, the Public Disclosure Commission considered Senator Roach's request. On January 27, 2014, PDC staff notified Senator Roach by letter that the Commission had granted a temporary exception from the electronic filing requirement, on the condition that by March 10, 2014, she electronically file all required C-3 and C-4 reports disclosing contributions and expenditures from October 2013 through February 2014.
7. The Pam Roach 2014 campaign did not file electronic reports of contribution and expenditure activity during this time period until May 8 and 9, 2014, approximately two months after the March 10, 2014 extension approved by the Commission.
8. The Pam Roach 2014 campaign disclosed the following contributions for the first time in the electronic filings submitted on May 8 and 9, 2014:

Contributor	Date Received	Amount
PREMERA	2013-09-03	\$900
WASHINGTON STATE AUTO DEALERS PAC	2013-09-30	\$900
NOVARTIS PHARMACEUTICALS CORP.	2013-10-01	\$900
TAKEDA PHARMACEUTICALS USA	2013-10-01	\$500
BOEING EMPLOYEES CREDIT UNION	2013-11-27	\$450
CAMP. FOR TRIBAL SELF-RELIANCE BY WA INDIAN GAMING ASSN.	2013-11-27	\$900
THE LEADERSHIP COUNCIL	2013-11-27	\$900
WASHINGTON CHIROPRACTIC TRUST	2013-11-27	\$900
YOUNG'S MARKET CO.	2013-11-27	\$900
WASHINGTON BANK PAC	2013-12-12	\$900
	TOTAL	\$8,150

9. The above \$8,150 in contributions were required to be reported in C-3 filings due from October 10, 2013 – January 10, 2014. The contributions were disclosed between 118 - 210 days late.

10. Senator Roach has two prior instances of enforcement action before the Commission regarding disclosure of contribution and expenditure activity, one occurring ten years ago and one occurring 15 years ago. At a June 14, 2006 brief hearing in Case 06-322, the Presiding Officer found a violation of RCW 42.17.080 and 42.17.090 for failing to timely file contribution and expenditure reports for her 2003 campaign for King County Council, and assessed a penalty of \$500 with \$250 suspended. At a January 22, 2001 brief hearing in Case 99-006, the Presiding Officer found a violation of RCW 42.17.080 and 42.17.090 for failing to timely report contribution and expenditure activity during her 1998 primary and general election campaigns for State Senate, and assessed a penalty of \$200 with \$150 suspended.
11. Senator Roach has no prior instances of enforcement action involving the failure to report using the Commission's approved alternative for electronic filing.

IV. Law

RCW 42.17A.235 and **RCW 42.17A.240** require candidates to file timely, accurate reports of contributions and expenditures. Under the full reporting option, until five months before the general election, C-3 and C-4 reports are required monthly when contributions or expenditures exceed \$200 since the last report.

RCW 42.17A.245 states the following:

(1) Each candidate or political committee that expended five thousand dollars or more in the preceding year or expects to expend five thousand dollars or more in the current year shall file all contribution reports and expenditure reports required by this chapter by the electronic alternative provided by the commission under RCW 42.17A.055. The commission may make exceptions on a case-by-case basis for candidates whose authorized committees lack the technological ability to file reports using the electronic alternative provided by the commission.

(2) Failure by a candidate or political committee to comply with this section is a violation of this chapter.

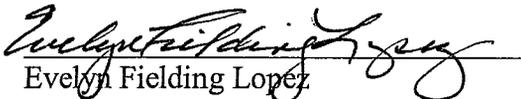
WAC 390-19-030 states that it is presumed that a filer "expects to expend" \$5,000 or more when the filer is a candidate for the same office last sought and his or her campaign expenditures in the previous election for the same office were \$5,000 or more.

WAC 390-19-020 states that any filer who is required to file electronically, but who files on paper, is in violation of RCW 42.17A.245 and may be subject to enforcement action unless the

filer is a candidate who has sought and been granted an exception from electronic filing under WAC 390-19-050.

WAC 390-19-050 states that the Commission may make exceptions on a case-by-case basis for candidates whose authorized committees lack the technological ability to file reports electronically. The rule requires that a candidate seeking an exception under RCW 42.17A.245 shall file with the PDC a written statement of reasons why the authorized committee lacks the ability to file reports electronically.

RESPECTFULLY SUBMITTED this 14th day of April, 2016.


Evelyn Fielding Lopez
PDC Executive Director