



STATE OF WASHINGTON
PUBLIC DISCLOSURE COMMISSION

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February 10, 2016

Larry Mann

by email only to: weldingmann@juno.com

Subject: PDC Complaint 2205, South Kitsap School Supporters

Dear Mr. Mann:

The Public Disclosure Commission (PDC) has completed its initial review of the complaint you filed on January 14, 2016. Your complaint alleged that the South Kitsap School Supporters political committee (SKSS) violated RCW 42.17A.235 and .240 by failing to disclose contributions received in connection with the committee's campaign in support of a February 9, 2016 bond measure. On January 29, 2016, you amended your complaint to include allegations concerning SKSS's failure to include sponsor identification in political advertising, an alleged violation of RCW 42.17A.320.

PDC staff reviewed your allegations to determine whether a formal investigation or enforcement action is warranted. As a result of staff's initial review, we found the following:

- On January 16, 2016, South Kitsap School Supporters filed reports of \$8,571 in contributions received and deposited from October 2015 – January 2016. Although some of these contributions were disclosed in a timely manner, the bulk, 75%, were disclosed 26 days late.
- SKSS' treasurer explained the late filings by stating that he began contacting PDC staff for filing assistance in September 2015, but did not initially receive a response to his calls or emails.
- SKSS' late-reported contributions were disclosed to the public more than 21 days before the February 9, 2016 special election.
- SKSS' 21-day pre-election C-4 summary report of receipts and expenditures was timely filed, as were the committee's 7-day pre-election C-4 report and all subsequent C-3 monetary contribution reports.
- As alleged in your complaint, SKSS received cash contributions through the use of change cans, and was not able to attribute these contributions. However, because all accumulated unidentified contributions were within the \$300 limit of RCW 42.17A.220(4), the committee is permitted to keep them.
- You alleged that SKSS and "YES4SK," the sponsor of online advertising, are two separate entities, each with a campaign disclosure requirement. However, "YES4SK" is not a separate entity from SKSS. Rather, YES4SK.com and the YES4SK Facebook page

are SKSS' online presence. Both Web locations clearly indicate an affiliation with SKSS.

- You alleged that SKSS sponsored an outdoor banner with dimensions greater than 8 x 4 feet that did not include a statement of sponsor identification. PDC staff's review indicates that while the banner did not include a statement of sponsor identification, or the SKSS mailing address, it did direct the viewer to the SKSS Web site, YES4SK.com.
- SKSS' treasurer reported to PDC staff that the banner was removed by the end of January 2016. He stated that all future advertising will contain a complete statement of sponsor identification.
- SKSS has no prior infractions on record involving sponsor identification or other political advertising requirements.
- Your complaint alleged violations by SKSS connected with a citizen's donation to the South Kitsap School District to support a new football playing surface. You also alleged violations by SKSS connected with an election-related informational brochure sponsored by the South Kitsap School District. Our review indicates that these matters involve only the school district, and do not create a reporting requirement for the SKSS political committee.

Based on these initial findings, I have determined there is no reason to believe that South Kitsap School Supporters committed a material violation of any law under the Commission's jurisdiction. For this reason, the PDC has closed the matter, and will not be conducting a more formal investigation into your complaint or pursuing enforcement action in this case. SKSS will be cautioned regarding contribution and expenditure disclosure requirements, including the requirement to avoid the use of change cans, and to keep detailed records of contributions. In accordance with PDC practice to issue a warning for first-time minor violations of political advertising requirements, SKSS will also receive a written warning that the failure to include complete sponsor identification in future political advertisements could result in enforcement action before the Commission.

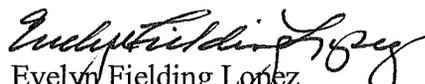
If you have questions, you may contact me at (360) 586-1042, toll-free at 1-877-601-2828, or by replying to the attached email.

Sincerely,



Tony Perkins
PDC Compliance Officer

Endorsed by:



Evelyn Fielding Lopez
Executive Director

cc: Craig Hatfield, South Kitsap School Supporters