



STATE OF WASHINGTON  
PUBLIC DISCLOSURE COMMISSION

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BEFORE THE PUBLIC DISCLOSURE COMMISSION  
OF THE STATE OF WASHINGTON

In RE COMPLIANCE WITH  
RCW 42.17

Anne Blair and 2011 Anne Blair  
Campaign

Respondent.

PDC Case No. 12-156

Report of Investigation

**I.**

**Background and Allegations**

- 1.1 On June 20, 2011, Anne Blair filed a Candidate Registration (C-1 report) with the Public Disclosure Commission (PDC), declaring her candidacy for Bainbridge Island City Council, Ward #2 in 2011. **See Exhibit 1.** The C-1 filed by Ms. Blair disclosed she selected the Full Reporting option indicating Ms. Blair's campaign would file frequent, detailed campaign reports of contribution and expenditure activities as required by law. The C-1 named Carol White, a first-time treasurer, as the campaign treasurer.
- 1.2 Ms. Blair was a first-time candidate for public office in 2011, and she was opposed by Melanie Keenan. Since only two candidates were running for the position on the City Council, the two candidates did not appear on the 2011 primary election ballot. Ms. Blair won the general election by receiving 57.9 percent of the vote.
- 1.3 On December 29, 2011, Sharon Gilpin filed a complaint with the PDC against Ms. Blair, alleging that the Anne Blair campaign for Bainbridge Island City Council failed to timely file Summary Contribution and Expenditure reports (C-4 report) in violation of RCW 42.17.080 and .090. **See Exhibit 2.**

**II. Findings**

- 2.1 Under the Full Reporting option, candidates that appeared only on the November 8, 2011, general election ballot, were required to file C-3 and C-4 reports as follows:

- Weekly Monetary Contribution Reports (C-3 reports) reports are required to be filed every Monday beginning four months prior to the election, disclosing contributions that were received and deposited for the previous five business days;
- Monthly C-4 reports are required to be filed by the 10<sup>th</sup> of every month or reporting period, if the candidate has received \$200 in contributions or made \$200 in expenditures since the last C-4 report was filed;
- A 21-day pre-general election C-4 report was required to be filed on October 18, 2011, covering the period September 1 through October 17, 2011;
- A 7-day pre-general election C-4 report was required to be filed on November 1, 2011, covering the period October 18 through October 31, 2011;
- A post-general election C-4 report was required to be filed no later than December 10, 2011, covering all of calendar month November 2011.

2.2 During the 2011 election cycle, the Anne Blair Campaign received monetary and in-kind contributions totaling \$7,299, and made campaign expenditures totaling \$6,653.

### **C-3 Reporting by the Anne Blair Campaign**

2.3 PDC staff reviewed the C-3 reports filed by the campaign, and found they substantially complied concerning the timeliness in the filing of C-3 reports. Out of the 30 C-3 reports filed by the campaign, four reports were filed late as follows: (1) one C-3 report was filed one day late; (2) one C-3 report was filed five days late; and (3) two C-3 reports were filed seven days late.

### **C-4 reporting by the Anne Blair Campaign:**

2.4 On July 27, 2011, the Anne Blair campaign (referred to as the campaign) filed a C-4 report covering the period of June 17, 2011 - June 30, 2011, disclosing that \$1,350 in monetary contributions had been received, along with a \$120 in-kind contribution/loan from the candidate for the filing fee. The C-4 report was due to be filed by July 11, 2011. It was filed 16 days late, and disclosed the campaign made \$51 in expenditures of less than \$50.

2.5 On November 1, 2011, the campaign filed a C-4 report for the month of July, 2011, disclosing that a \$46 in-kind contribution had been received, and \$871 in monetary expenditures during the period. The campaign expenditures included \$783 in reimbursements made to Ms. Blair for out-of-pocket expenses for banners, signs, business cards, stamps and a candidate photograph. The C-4 report was due to be filed on August 10, 2011, and was filed by the campaign 83 days late.

2.6 On November 1, 2011, the campaign filed a C-4 report for the month of August, 2011, disclosing that \$3,270 in monetary contributions had been received, and \$2,080 in

expenditures had been made, which included a \$2,025 expenditure made to Jennergy for design work and \$55 in expenditures less than \$50. The C-4 report was due to be filed on September 10, 2011, and was filed 52 days late.

- 2.7 On November 1, 2011, the campaign filed the 21-day pre-general election C-4 report covering the period September 1 through October 17, 2011, disclosing \$3,270 in monetary contributions received and \$2,190 in expenditures made during the period.
- 2.8 The campaign expenditures included \$1,228 paid to the Bainbridge Review for three newspaper advertisements, reimbursements to Ms. Blair for out-of-pocket expenses she made totaling \$683 for printing, campaign stickers, and to purchase jam for hostesses, and a \$280 payment to Jennergy for web design and miscellaneous printing. The 21-day pre-general election C-4 report was due to be filed by the campaign on October 18, 2011, and was filed by the campaign one week before the general election, and 14 days late.
- 2.9 On November 4, 2011, the campaign filed the 7-day pre-general election C-4 report covering the period October 17 through 31, 2011, showing \$1,750 in monetary contributions received and no expenditures. The C-4 report was due to be filed by the campaign on November 1, 2011, and was filed by the campaign four days before the general election, and three days late.
- 2.10 On December 12, 2011, the campaign timely filed the post-general election C-4 report covering the calendar month of November disclosing \$301 in monetary contributions received and \$3,104.09 in expenditures. The campaign expenditures included four loan payments totaling \$2,762 that were made to Ms. Blair, a \$270 expenditure made to the Kitsap Sun for a newspaper advertisement, and \$72 for "coffee hostess gifts."
- 2.11 The campaign did not receive any contributions or make any expenditures during the month of December, 2011. On March 1, 2012, the campaign filed a C-4 report covering the period of December 1 through January 31, 2012, disclosing \$45 in contributions received, and \$149 in expenditures. The campaign filed the C-4 report 20 days late and reported a surplus of \$646.
- 2.12 The follow chart summarizes the C-4 reports filed by the Anne Blair campaign during the 2011 election cycle:

C-4 Report Period	Due Date	Date Filed	Monetary and In-kind Contributions	Expenditures and In-kind	Days Late
June, 2011	7-12-2011	7-27-2011	\$ 1,470	\$ 171	15
July, 2011	8-10-2011	11-1-2011	\$ 46	\$ 916	83
August, 2011	9-10-2011	11-1-2011	\$ 3,270	\$ 2,080	52
21 day pre-general	10-18-2011	11-1-2011	\$ 3,270	\$ 2,190	14
7 day pre-	11-1-2011	11-4-2011	\$ 1,750	\$ 0	3

general					
Post-general	12-12-2011	12-12-2011	\$ 301	\$ 3,104	0
Jan 2012	2-10-2012	3-1-2012	\$ 45	\$ 149	20
Total			\$10,152	\$8,609.77	3-83

- 2.13 On February 28, 2012, Anne Blair submitted a response letter to the complaint that also included a response from the treasurer, Ms. White. **See Exhibit # 3.**
- 2.14 Ms. Blair stated that as the candidate, she was responsible for all aspects of her campaign, and that the C-4 reports were completed and filed by November 1, 2011, seven days before the 2011 general election.
- 2.15 Ms. Blair said she believes the public was not denied learning of the material facts about her campaign financing, and that the lateness of the C-4 reports was not an attempt to purposely deceive the public. She stated the \$5,141 in expenses that were reported late were used to purchase political advertising in support of her campaign, such as newspaper advertisements, printed stickers, and campaign door-hangers. She stated that Carol White was her volunteer treasurer, and Ms. White was a first-time treasurer who was not familiar with the PDC reporting requirements.
- 2.16 Ms. Blair said the campaign happened to coincide with a difficult and demanding period in Ms. White's personal life. Ms. White stated that during the summer of 2011 and in the middle of the campaign, she was out of town for many weeks tending to her ailing 94 year old mother in New York, and assisting her military daughter in Utah, and her daughter's young child.
- 2.17 Ms. White responded to additional PDC staff questions by e-mail on April 11, 2012. **See Exhibit 4.** She stated that she was out of town dealing with family matters a total of five times between June 12 through October 28, 2011, as follows: (1) June 12-16, 2011, for a total of four days; (2) July 12 – 26, 2011, for a total of 14 days; (3) August 28 through September 2, 2011, for a total of five days; (4) September 18- 28, for a total of 10 days; and (5) October 19 – 28, for a total of nine days.
- 2.18 Ms. Blair stated that when Ms. White was confronted with the extra demands on her personal life she decided that the C-3 reports were more relevant to the public's right-to-know. She stated her priority was to file the C-3 reports because they were due to be filed weekly, there were more contributions than expenditures, and she thought the reporting of donors was more important.
- 2.19 Ms. White stated there is no dispute about what reports were filed, when they were filed, and that some of the reports were filed late. Ms. White vigorously disputed the allegation that the campaign purposefully attempted to deceive the public by not filing the C-4 reports. She said the late filing of C-4 reports was due to her inadvertence and the family matters that required her attention. She stated there was no intent to deceive by anyone

connected with Ms. Blair's campaign, and that all of the C-4 reports required to be filed were filed on November 1, 2011, one week prior to the general election.

- 2.20 Ms. White said she regrets any mistakes that were made, and she attributes the late filings of the C-4 reports to the out-of-town trips she took concerning family matters. She stated she did explore the possibility of having someone file reports in her absence, but the filings required using the ORCA software that was installed on her computer, or else filing paper copies of the PDC reports and having to electronically file them again later when she returned.

### **III.** **Scope**

- 3.1 PDC staff reviewed the complaint received from Sharon Gilpin on December 29, 2011.
- 3.2 Staff reviewed Anne Blair's written response received by the PDC on February 28, 2011.
- 3.3 Staff reviewed the C-3 and C-4 reports filed by the Anne Blair campaign for the 2011 election cycle.
- 3.4 Staff spoke with Carol White, campaign treasurer, by telephone.
- 3.5 Staff reviewed the April 11, 2012, e-mail sent by Ms. White on behalf of the Anne Blair campaign.

### **IV. Law**

- 4.1 **RCW 42.17.080 and 090<sup>1</sup>** require candidates to file timely, accurate reports of contributions and expenditures, including in-kind contributions. Under the full reporting option, until five months before the general election, C-4 reports are required monthly when contributions or expenditures exceed \$200 since the last report. C-4 reports are also required 21 and 7 days before each election, and in the month following the election, regardless of the level of activity. Contribution deposits made during this same time period must be disclosed on the Monday following the date of deposit.

Respectfully submitted this 21<sup>st</sup> day of September, 2012.

  
Kurt Young  
PDC Compliance Officer

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<sup>1</sup> RCW 42.17.080 and 42.17.090 were recodified as RCW 42.17A.235 and 42.17A.240, effective January 1, 2012.

**List of Exhibits**

- Exhibit 1** C-1 filed by Anne Blair on June 20, 2011.
- Exhibit 2** Complaint filed by Sharon Gilpin on December 29, 2011.
- Exhibit 3** Response letter from Anne Blair and Carol White received February 28, 2012.
- Exhibit 4** Response submitted by Carol White to additional PDC staff questions.