



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, 2013

JERRY GALLAND  
4503 SOUTH 346TH ST  
AUBURN WA 98001

Subject: Complaint against Yes on Prop 1 Committee – PDC Case No. 12-161

Dear Mr. Galland:

The Public Disclosure Commission (PDC) has completed its investigation of your complaint, received on November 16, 2011, alleging that Yes on Proposition 1 Committee (Yes on Prop 1), a political committee supporting South King County Fire and Rescue's Proposition 1, a ballot measure on the August 17, 2010 primary election ballot, violated RCW 42.17.080 and .090<sup>1</sup> by failing to disclose a \$948 expenditure on Schedule A to the Campaign Summary Receipts and Expenditures report (C-4 report).

PDC staff reviewed your allegation in light of the following statutes:

**RCW 42.17.080 and .090** 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.

We reviewed campaign finance reports filed by Yes on Prop 1 and communicated with Joel Barrett, treasurer for Yes on Prop 1. As a result of our investigation, we found that:

- On May 14, 2010, Yes on Prop 1 filed a Committee Registration (Form C-1pc) with the PDC, registering as a single year election committee supporting South King County Fire and Rescue's Proposition 1, a ballot measure on the August 17, 2010 primary election ballot. Yes on Prop 1 was a first-time committee and selected the full reporting option.
- On August 11, 2010, Yes on Prop 1 filed its 7-day pre-primary C-4 report covering the period July 27 through August 9, 2010, disclosing that \$3,055 in monetary contributions had been received and that \$331 in committee expenditures had been made. The 7-day pre-primary C-4 report was required to be filed by August 10, 2010 and was filed one day late.

<sup>1</sup> Effective January 1, 2012, RCW 42.17.080 and .090 were recodified as RCW 42.17A.235 and .240, respectively.

- On September 2, 2010, Yes on Prop 1 timely filed its post-election C-4 report, covering the period August 10 through August 31, 2010, disclosing that no monetary contributions had been received, and \$2,660 in expenditures had been made. The post-election C-4 report disclosed a beginning expenditure balance of \$29,567 which was \$1,243 higher than the ending expenditure balance on the prior report (the 7-day pre-primary C-4 report) filed on August 11, 2010. After receiving and reviewing the complaint, PDC staff made Mr. Barrett aware of the discrepancy.
- On March 2, 2012, Yes on Prop 1 filed an amended 7-day pre-primary C-4 report disclosing a total of \$1,243 in expenditures, which included \$911 in new, previously unreported expenditures. The \$911 included a \$900 expenditure made on August 4, 2010 to Eastl, Inc. for robo-calls, and an additional \$11.35 for a non-itemized expenditure. The additional expenditures were reported 588 days late.
- Mr. Barrett said the \$331 initially reported as expenditures on the 7-day pre-primary C-4 report had been timely entered into the PDC's ORCA filing software, and properly disclosed when the initial C-4 report was up-loaded and successfully transmitted to the PDC. He said he did not receive the information about the \$911.35 in expenditures early enough to include them in the 7-day pre-primary C-4 report. He acknowledged that he up-loaded and transmitted the 7-day pre-primary C-4 report before those expenditures were entered into the ORCA software program. He apologized for the discrepancy. He also acknowledged that he should have filed an amended C-4 report when he entered the expenses into the ORCA program.

While Yes on Prop 1 failed to timely disclose two expenditures totaling \$911.35, this discrepancy was due to an oversight by the committee's treasurer, and represented 2.8 percent of the committee's total expenditures (\$32,227) for the election. Except for \$311 in expenditures filed one day late, Yes on Prop 1 timely disclosed \$28,619 in expenditures before the election was held. Prop 1 further timely disclosed the remaining \$2,697 in expenditures made after the election was held.

Based on these initial findings and a careful review of the circumstances, I have determined that Yes on Prop 1 has substantially complied with the applicable reporting requirements, and no further action is warranted. For this reason, I am dismissing your complaint against Yes on Prop 1, with the concurrence of the Chair of the Public Disclosure Commission.

Thank you for bringing this matter to our attention. The process relies on citizens monitoring campaign activity to promote full compliance with the law. Your actions will contribute to better awareness of the campaign finance and disclosure laws.

If you have questions, you may contact Phil Stutzman at (360) 664-8853, toll-free at 1-877-601-2828, or by e-mail at [phil.stutzman@pdc.wa.gov](mailto:phil.stutzman@pdc.wa.gov).

Sincerely,

  
Andrea McNamara Doyle  
Executive Director