



STATE OF WASHINGTON  
PUBLIC DISCLOSURE COMMISSION

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BEFORE THE PUBLIC DISCLOSURE COMMISSION  
OF THE STATE OF WASHINGTON

Tacomans for Integrity in Government  
Attn: Ken Miller  
3421 North 29<sup>th</sup> Street  
Tacoma, WA 98407

In Re Compliance with RCW 42.17A

Tacomans for Integrity in Government

Respondent.

PDC Case No. 13-012

Findings of Fact,  
Conclusions of Law, and  
**Order Imposing Fine**

A brief enforcement hearing (brief adjudicative proceeding) was held May 22, 2013, in Room 206, Evergreen Plaza Building, 711 Capitol Way, Olympia, Washington to consider whether the Respondent violated: (1) RCW 42.17A.235 and .240 by failing to file, and failing to timely file Campaign Summary Receipts and Expenditures reports (C-4 reports); and (2) RCW 42.17A.260 by failing to timely file two Independent Expenditure reports (C-6 reports) disclosing independent expenditure political advertisements undertaken during 2012 primary election.

The hearing was held in accordance with Chapters 34.05 and 42.17A RCW and Chapter 390-37 WAC. A brief enforcement hearing notice was sent to Tacomans for Integrity in Government on May 7, 2013. Commission Chair Amit Ranade was the Presiding Officer. The Commission staff was represented by Kurt Young, Compliance Officer. Ken Miller participated by telephone on behalf of the Respondent and provided testimony that was considered by the Presiding Officer.

Having considered the evidence, the Presiding Officer finds as follows:

FINDINGS OF FACT

1. The Respondent filed a Committee Registration (C-1pc report) on June 25, 2012, under the name Citizens for Integrity in Government, registering as a first-time political committee and selecting the Full Reporting option. The Respondent was notified by PDC staff that the name Citizens for Integrity in Government was already in use by another political committee, and on July 12, 2012, the Respondent filed an amended C-1pc under the name Tacomans for Integrity in Government.
2. On August 3, 2012, the Respondent filed a C-6 report disclosing a \$7,385 expenditure to Capital City Press on July 17, 2012 for an electioneering communication mailing in opposition to John Connelly, a candidate for State Senator in the 27th District.

3. Because the mailing was presented to the public on July 20, 2012, within 21 days of an election, the Respondent was required to file a C-6 report no later than July 21, 2012. The Respondent filed the C-6 report 12 days late.
4. On August 3, 2012, the Respondent filed a C-6 report disclosing a \$7,379 expenditure to Capital City Press on July 25, 2012 for an electioneering communication mailing in opposition to John Connelly, and an additional \$2,000 expenditure for consulting services. Because the mailing was presented to the public on August 1, 2012, the Respondent was required to file a C-6 report no later than August 2, 2012. The Respondent filed the C-6 report one day late and four days before the August 7, 2012 Primary election.
5. The Respondent failed to file the required 21-day Pre-Primary election C-4 report, due July 17, 2012, disclosing a \$13,564 contribution loan from Ken Miller.
6. The Respondent failed to timely file the required 7-day Pre-Primary election C-4 report, due July 31, 2012. The C-4 report was filed by the Respondent three days late on August 3, 2012, four days before the 2012 Primary election, and belatedly included the \$13,564 contribution loan from Ken Miller that should have been reported on the 21-day Pre-Primary election C-4 report.
7. The late-filed 7-day Pre-Primary election C-4 report disclosed the receipt of \$3,200 in monetary contributions and \$16,764 in expenditures, which included expenditures to Capital City Press totaling \$14,764 for the two electioneering communication mailings, and an additional \$2,000 expenditure for consulting services.
8. Mr. Miller acknowledged that the Respondent failed to timely file C-4 and C-6 reports. He stated that the Respondent was willing to stipulate to findings 3.1 through 3.26 in staff's Report of Investigation dated May 10, 2013, and did not dispute any of the allegations. He apologized for the late filings by the Respondent, and stated he did not anticipate the Respondent being active as a political committee in the future.

#### **Accuracy of Committee Registration & Timeliness of Depositing Contributions**

9. The Respondent timely filed its C-1pc report, registering as a first-time political committee; however, the C-1pc failed to disclose the name, office sought, and party preference of the candidate the committee planned to oppose. The independent expenditure advertisements and the C-4 and C-6 reports clearly identified the candidate being opposed. In all other respects, the C-1pc substantially complied with the reporting requirements.
10. On August 3, 2012, the Respondent filed a Monetary Contributions report (C-3 report) disclosing that the committee received eight contributions during the period July 12 through July 30, 2012, totaling \$16,764.
11. The C-3 report disclosed that all eight contributions were deposited on July 30, 2012. Five of the eight contributions were deposited between four and 13 days late, but all contributions were disclosed four days before the August 7, 2012, primary election.

CONCLUSIONS OF LAW

Based on the above facts, as a matter of law, the Presiding Officer concludes as follows:

1. This matter was duly and properly convened and all jurisdictional, substantive and procedural requirements have been satisfied.
2. The Respondent violated RCW 42.17A.235 and .240 on two occasions by failing to file the 21-day Pre-Primary C-4 report, and by failing to timely file the 7-day Pre-Primary C-4 report.
3. The Respondent violated RCW 42.17A.260 on two occasions by failing to timely file C-6 reports disclosing independent expenditure political advertisements undertaken during the 2012 primary election.
4. The Respondent substantially complied with RCW 42.17A. 205 and RCW 42.17A. 220.

ORDER

ON the basis of the foregoing Findings of Fact and Conclusions of Law, and in consideration of the penalty factors set forth in WAC 390-37-182.

**IT IS HEREBY ORDERED that the Respondent is assessed a civil penalty of \$200, which is payable within 30 days of the date of the order.**

~~IT IS HEREBY ORDERED that the two remaining allegations concerning the accuracy of the committee's registration and the timeliness of depositing contributions are dismissed.~~

This is an **Initial Order** of the Public Disclosure Commission.

Entered this 4<sup>th</sup> day of June, 2013.

Public Disclosure Commission

Andrea M. Doyle  
Andrea McNamara Doyle  
Executive Director

Enclosure: Information about Appeal Rights

I, Naub Berkley, certify that I mailed a copy of this order to the Respondent(s) at his/her/its respective address, postage pre-paid, on the date stated herein.

Naub Berkley  
Signed

6/11/13  
Date