



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

45th Legislative District Democratic
Central Committee

Respondent.

PDC Case No. 13-020

Notice of Administrative Charges

I. Jurisdiction

1. The Public Disclosure Commission (PDC) has jurisdiction over this proceeding pursuant to Chapter 42.17A RCW, the Public Disclosure Act; 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 45th Legislative District Democratic Central Committee, a bona fide political party organization, violated RCW 42.17A.235 and 42.17A.240 by failing to timely file multiple Monetary Contribution reports (C-3 report) and Summary Contribution and Expenditure reports (C-4 report) disclosing contribution and expenditures activities undertaken during the 2012 election cycle. Late-filed C-3 reports totaled ~~\$32,563~~ ^{\$23,563} and were filed between one and 227 days late. Late-filed C-4 reports totaled \$27,433 in contributions received and \$27,526 in expenditures made, and were filed between seven and 134 days late.

III. Facts

3. The 45th Legislative District Democratic Central Committee (45th District Democrats or Committee) has been registered as a bona fide political party committee with the Public Disclosure Commission (PDC) and filing contribution and expenditure reports disclosing committee activities under the Full Reporting option since July 1992.

4. RCW 42.17A.235 and 42.17A.240 requires committees, including bona fide political party committees participating in the 2012 election, 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-3 and 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. Beginning four months before the election, weekly C-3 reports are required to be filed every Monday disclosing contributions received and deposited during the previous week.

Alleged failure to timely file C-4 Reports (RCW 42.17A.235 and 42.17A.240)

5. The 45th District Democrats filed the following C-4 reports late:

5.1 January 2012 C-4 report: On May 10, 2012, the 45th District Democrats filed a C-4 report for the month of January 2012 disclosing that no contributions had been received and \$464 in expenditures had been made for room rentals for precinct caucus activities and for the rental of a post office box. The C-4 report was due by February 10, 2012, and was filed 90 days late.

5.2 February 2012 C-4 report: On May 10, 2012, the 45th District Democrats filed a C-4 report for the month of February 2012 disclosing that no contributions had been received and \$212 in expenditures had been made for room rentals for precinct caucus activities. The C-4 report was due by March 10, 2012, and was filed 61 days late.

5.3 May 2012 C-4 report: On October 23, 2012, the 45th District Democrats filed a C-4 report for the month of May 2012 disclosing \$1,585 in contributions received and \$1,216 in expenditures made for caucus activities. The C-4 report was required to be filed no later than June 11, 2012, and was filed 134 days late.

5.4 21-day pre-primary election C-4 report: On October 23, 2012, the 45th District Democrats filed the 21-day pre-primary election C-4 report covering the period June 1 through July 16, 2012 disclosing no contributions received and \$1,696 in expenditures

made for fundraisers and party-building activities. The 21-day pre-primary election C-4 report was required to be filed no later than July 17, 2012, and was filed 98 days late.

5.5 7-day pre-primary election C-4 report: On October 23, 2012, the 45th District Democrats filed the 7-day pre-primary election C-4 report covering the period July 17 through July 30, 2012 disclosing \$4,700 in contributions received and \$4,850 in expenditures made. The expenditures included a \$4,500 monetary contribution to the Friends of Roger Goodman made on July 25, 2012. The 7-day pre-primary election C-4 report was required to be filed no later than July 31, 2012, and was filed 84 days late.

5.6 Post-primary election C-4 report: On October 23, 2012, the 45th District Democrats filed the post-primary election C-4 report covering the period July 31 through August 31, 2012 disclosing \$3,600 in contributions received and \$927 in expenditures made. The expenditures included \$629 for printing a voters' guide. The post-primary election C-4 report was required to be filed no later than September 10, 2012, and was filed 43 days late.

5.7 21-day pre-general election C-4 report: On October 23, 2012, the 45th District Democrats filed the 21-day pre-general election C-4 report covering the period September 1 through October 15, 2012 disclosing \$17,548 in contributions received and \$18,161 in expenditures made. The expenditures included a \$4,000 monetary contribution to the Friends of Roger Goodman on October 5, 2012, and a \$13,500 monetary contribution made to the Friends of Roger Goodman on October 15, 2012. The 21-day pre-general election C-4 report was required to be filed no later than October 16, 2012, and was filed seven days late.

Alleged failure to timely file C-3 Reports (RCW 42.17A.235 and 42.17A.240)

6. The 45th District Democrats filed the following C-3 reports late:

6.1 On July 6, 2012, the 45th District Democrats filed a C-3 report totaling \$1,345 listing multiple dates for the receipt of small itemized contributions from members during the period January 29, 2012 through March 7, 2012, and disclosing the following:

- Contributions totaling \$505 were received from 12 individuals between January 29, 2012 and February 1, 2012. The contribution information was due by March 12, 2012, and was filed 116 days late.
- Contributions totaling \$80 were received from two individuals on March 7, 2012. The contribution information was due by April 10, 2012, and was filed 87 days late.

6.2 In addition, the 45th District Democrats filed 14 C-3 reports between October 22, 2012 and October 25, 2012, totaling \$31,978, disclosing monetary contributions and the proceeds from several low cost fundraisers that had been received and deposited from February 1 through November 1, 2012.

7. Eleven of these C-3 reports were filed between 1 and 227 days late and totaled \$22,978. Four of these 11 late-filed C-3 reports totaled \$19,950, and were filed late as follows:

- One C-3 report totaling \$8,000 was filed one day late disclosing a \$4,500 contribution from the Roosevelt Fund and a \$3,500 contribution from SEIU WA PAC;
- One C-3 report totaling \$4,000 was filed 14 days late disclosing a \$4,000 contribution from the Washington Federation of State Employees;
- One C-3 report totaling \$3,250 was filed 52 days late disclosing a \$3,250 contribution from the Eastside Democratic Dinner Committee; and
- One C-3 report totaling \$4,700 was filed 91 days late disclosing a \$4,500 contribution from the Harry Truman Fund.

IV. Law

RCW 42.17A.235 and 42.17A.240 require political committees, including bona fide political party committees, to timely and accurately file reports of contributions and expenditures, including the disclosure of contributions made to candidates for public office. 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 26th day of November, 2012.


Philip E. Stutzman
Director of Compliance