



**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 • Website: www.pdc.wa.gov

Nov. 15, 2018

Delivered electronically to john.m.persak@gmail.com and joelefebvre@ilwulocal23.org

Subject: Complaint return with warning letter regarding, PDC Case 34584

Dear John Persak and Joe Lefebvre

Enclosed is a copy of a letter sent to Glen Morgan concerning a complaint he filed with the Public Disclosure Commission (PDC) on April 11, 2018 against the Puget Sound District Council ILWU-PAC, a political committee affiliated with the International Longshore and Warehouse Union (ILWU).

As noted in the letter to Mr. Morgan, the PDC has dismissed this matter in accordance with RCW 42.17A.755(1) and will not be conducting a more formal investigation into these allegations or taking further enforcement action in this matter.

However, pursuant to WAC 390-37-060(1)(b), this letter serves as a formal written warning concerning your failure to comply with the reporting requirements for a Political Committee under the Full Reporting option to file timely and accurate Monetary Contribution reports (C-3) and Campaign Summary Receipts and Expenditure (C-4) reports, in accordance with RCW 42.17A.235 and .240. This includes disclosing all contribution and expenditure activities undertaken by your Committee, as provided by RCW 42.17A.235.

This formal written warning comes with the staff's expectation that you will file timely, complete and accurate reports in future years in accordance with PDC laws and rules. The Commission will consider this formal written warning in deciding on further Commission action if there are future violations of PDC laws or rules.

If you have questions, you may contact Alice Fiman at 1-360-586-4746 or toll-free at 1-877-601-2828, or by e-mail alice.fiman@pdc.wa.gov.

Sincerely,

/s_____

Alice Fiman

Compliance Officer

Endorsed by,

/s_____

Peter Lavallee

Executive Director



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Nov. 15, 2018

Delivered electronically to Glen Morgan at glenmorgan89@gmail.com

Subject: Complaint regarding, Puget Sound District Council ILWU-PAC, PDC Case 34584

Dear Mr. Morgan

The Public Disclosure Commission (PDC) has completed its review of the complaint you filed against the Puget Sound District Council ILWU-PAC, a political committee affiliated with the International Longshore and Warehouse Union (ILWU) that you initially filed with the PDC on April 11, 2018.

The complaint alleged violations of RCW 42.17A.235 and .240 by failing to timely file complete and accurate Monetary Contribution reports (C-3 reports) and Summary Full Campaign Contributions and Expenditure reports (C-4 reports).

PDC staff reviewed the allegations listed in the complaint you filed, the statutes, rules and reporting requirements, the Political Committee Registration (C-1PC), C-3 and C-4 reports filed by the Committee.

Based on staff's review, we found the following:

- On July 19, 2017, the Committee filed a C-1PC with the commission, selecting the Full Reporting Option and listing Joe Lefebvre as treasurer. The Committee listed its affiliation with ILWU.
- On Oct. 21, 2017, the Committee filed three C-3 reports and nine C-4 reports. These reports listed activity from Jan. 1, 2017 to Oct. 16, 2017.
- Five of the C-4 reports (January, February, March, April and May 2017) listed zero activity and were not required to be filed.
- The Committee's first C-3 report, filed Oct. 21, 2017, listed a \$5,000 contribution from the Puget Sound Council.
- The 21-Day Pre-Primary C-4 report for 2017, 100794915, filed Oct. 21, 2017, listed a total of \$5,000 in contributions. This report was filed 102 days late, and 81 days after the 2017 Primary Election.
- The 7-Day Pre-Primary C-4 report for 2017, 100794916, listed the Committee's spending from July 11-24, 2017 and showed three July 24, 2017 expenditures. These were contributions to Friends of Don Orange (\$1,000), King County Democrats (\$2,500) and Gigi for Port Commissioner (\$1,000). This report was filed 88 days late and 81 days after the 2017 Primary Election.
- The Committee's 2017 Post-Primary report, filed Oct. 21, 2017, listed no activity. This report was filed 40 days late.
- C-3 reports filed Oct. 21, 2017 listed the Committee's final two contributions for 2017, a \$4,500 Sept. 25, 2017 contribution from the Puget Sound Council and small contributions totaling \$100 from 10 persons, received on July 20, 2017.
- The Committee's 21-Day Pre-General C-4 report for 2017, filed Oct. 21, 2017, listed the Committee's only two contributions to candidates made during the 2017 General Election. These were to Persak for Port (\$1,950) and People for Bill McGregor (\$1,000). This report was four days late.
- The Committee's 7-Day Pre-General report (100799866), was filed Nov. 10, 2017, ten days late. The report listed zero activity.
- The Committee's 2017 December C-4, filed March 19, 2018, listed zero activity, with \$9,600 in contributions and \$7,450 in expenditures during the 2017 election year. This report was filed 68 days late.
- On Aug. 7, 2018, the Committee filed a new C-1PC, filing as a Continuing Committee with no affiliation. The C-1PC listed Dan McKisson as campaign manager and Joe Lefebvre as treasurer.
- On Aug. 8, 2018, the Committee filed eight C-4 reports and one C-3 report. The C-4 reports covered Jan. 1, 2018 through July 30 and showed no activity and a \$2,150 balance.
- A C-3 report filed Aug. 8, 2018, reported a \$100 deposit on Aug. 7, 2018 from small contributions from 10 persons.

- On Aug. 15, 2018, the Committee filed a new C-1PC, as a Continuing Committee with no affiliation, under Full Reporting. The C-1PC listed John Persak as both Campaign Manager and Treasurer.

Based on these findings, and the fact that: (1) Puget Sound District Council ILWU-PAC was a first-time filer in 2017; (2) the Committee spent less than \$7,500 on five candidates; (3) several of the reports listed as late showed no activity and were not required; and (4) all of its funds were from the organization that created it, staff has determined that in this instance, the failure to timely file all reports of contributions and expenditures does not amount to a material violation warranting further investigation.

Pursuant to WAC to WAC 390-37-060(1) Puget Sound District Council ILWU-PAC will receive a formal written warning concerning its failure to comply with the reporting requirements to timely and accurately file C-3 and C-4 reports disclosing contributions and expenditures activities in accordance with RCW 42.17A.235 and .240. PDC staff has the expectation the Committee will timely file complete and accurate reports in future years in accordance with PDC laws and rules.

The Commission will consider the formal written warning in deciding on further Commission action if there are future violations of PDC laws or rules.

Based on this information, the PDC has dismissed this matter in accordance with RCW 42.17A.755(1).

In addition, the PDC has also dismissed the allegations listed in your complaints that were based “on information and belief” in accordance with RCW 42.17A.755(1), since you failed to provide any evidence to support or substantiate those allegations.

If you have questions, you may contact Alice Fiman at 1-360-586-4746 toll-free at 1-877-601-2828, or by e-mail at alice.fiman@pdc.wa.gov.

Sincerely,

/s_____

Alice Fiman

Compliance Officer

Endorsed by,

/s_____

Peter Lavalley

Executive Director