

Date: November 6, 2018

From: James Clancy, Frank Wolfe, Allison Friese, Karen Spackman, Doug Kess, Christie Marrs, Mike Robinson

To: Mr. Fox Blackhorn, Washington State Public Disclosure Commission

RE: Pacific County Democratic Central Committee (2): Alleged Violation RCW 42.17A.235, .220 for failure to properly dissolve a political committee, preserve books of account, and return excess contributions. (MARCH 2018). Ticket 33373.

Attachments:

Final C4 Report, Pacific County Democrats

1. The following materials are submitted in response to Public Disclosure Commission email dated November 5, 2018, 5:12PM. It is a response to the allegations shown on the PDC website concerning Ticket 33373, dated March 28, 2018.

- a. Complaint 1: RCW 42.17A.235, Failure to properly dissolve a political Committee
 - (b) Any committee may dissolve sixty days after it files its notice to dissolve, only if:
 - (i) The political committee does not make any expenditures other than those related to the dissolution process or engage in any political activity or any other activities that generate additional reporting requirements under this chapter after filing such notice;
 - (ii) No complaint or court action under this chapter is pending against the political committee; and
 - (iii) All penalties assessed by the commission or court order are paid by the political committee.
 - (c) The political committee must continue to report regularly as required under this chapter until all the conditions under (b) of this subsection are resolved.
 - (d) The treasurer may not close the political committee's bank account before the political committee has dissolved.
 - (e) Upon dissolution, the commission must issue an acknowledgment of dissolution, the duties of the treasurer shall cease, and there ((is)) shall be no further obligations ((to make any further reports)) under this chapter. Dissolution does not absolve the candidate or board of the committee from responsibility for any future obligations resulting from the finding after dissolution of a violation committed prior to dissolution.

Response: We believe that as of the date of dissolution and our final C4 (see attached), no complaint or court action was pending against the Pacific County Democrats. We followed all procedures contained in public law and settled all liabilities levied against the Pacific County Democrats. We undertook no financial activities that would require additional reporting under public law after dissolution of the group.

- b. Complaint 2: Failure to return excess funds RCW 42.17A.220, Deposit of contributions—Investment—Unidentified contributions.

(4) Accumulated unidentified contributions, other than those made by persons whose names must be maintained on a separate and private list by a political committee's treasurer pursuant to RCW 42.17A.240(2), in excess of one percent of the total accumulated contributions received in the current calendar year, or three hundred dollars, whichever is more, may not be deposited, used, or expended, but shall be returned to the donor if his or her identity can be ascertained. If the donor cannot be ascertained, the contribution shall escheat to the state and shall be paid to the state treasurer for deposit in the state general fund.

Response: Accumulated excess contributions were turned over to the Washington State Democratic Party based on recommendations of the state party and council.

c. Complaint 3: Failure to preserve books of account. Violation of RCW 42.17A.235 for failure to preserve the books of account, bills, receipts, and related financial records.

Response: We have retained all records of the Pacific County Democrats that bear on the financial activities of the group. These records are fully available for inspection as determined by the Public Disclosure Commission.

2. We are available for further consultation on this matter at your convenience. Please contact James Clancy, james.clancy.wa@gmail.com, to make arrangements with this group.