



**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: pdcc@pdcc.wa.gov • Website: www.pdca.wa.gov

December 19, 2018

Delivered electronically to "stevekirby@harbornet.com"

Subject: PDC Case 27169

Dear Steven Kirby:

Below is a copy of an electronic letter sent to Glen Morgan concerning a complaint filed with the Public Disclosure Commission (PDC).

As noted below to Glen Morgan, the PDC will not be conducting a more formal investigation into these allegations or taking further enforcement action in this matter.

PDC staff is reminding you about the importance of the timely disclosure of contribution and expenditure activity, including complete and detailed breakdown of expenditures in accordance with WAC 390-16-037 and the breakdown of subvendors in accordance with WAC 390-16-205. Staff advises you to remain mindful of debt reporting under the current version of RCW 42.17A.240(8) which requires reporting of any debt with a value of more than \$750 which has not been paid within 5 business days within 30 days of an election, or within 10 business days during any other period.

If you have questions, you may contact Fox Blackhorn at 1-360-753-1980 toll-free at 1-877-601-2828, or by e-mail pdcc@pdcc.wa.gov.

Sincerely,

/s _____
Fox Blackhorn
Compliance Coordinator 2

Endorsed by,

/s _____
Barbara Sandahl
Deputy Director
For Peter Lavallee
Executive Director



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December 19, 2018

Delivered electronically to “glenmorgan89@gmail.com”

Subject: Complaint regarding Steve Kirby, PDC Case 27169

Dear Glen Morgan:

The Public Disclosure Commission (PDC) has completed its initial review of the complaint you filed on November 1, 2017. Your complaint alleged that Steve Kirby may have violated RCW 42.17A.235 for failure to timely report contributions and expenditures, and RCW 42.17A.240 for failure to accurately report debts and detailed breakdowns of expenditures.

PDC staff reviewed your allegations, and as a result of staff’s initial review, we found the following:

- During the 2016 campaign, Steve Kirby filed at least 10 C-3 reports as much as 90 days beyond the statutory deadlines of RCW 42.17A.235, late disclosing \$6,900 in contributions, or 6% of total contributions in that year.
- During the 2016 campaign, Steve Kirby additionally filed at least 3 C-4 reports as much as 90 days late, disclosing \$9,576 in contributions, 9% of total contributions, and \$4,700 in expenditures, 4% of total expenditures in that year.
- Steve Kirby failed to provide accurate and complete reporting of debts and obligations under the version of RCW 42.17A.240 in effect at that time, which required the reporting of any promise to pay over \$50 that had been outstanding for over 30 days, or any promise to pay over \$250 without time constraints.
- Steve Kirby failed to provide accurate and complete breakdowns of expenditures with number of items printed for political advertising, as required by RCW 42.17A.240 and WAC 390-16-037.
- Steve Kirby also failed to provide accurate and complete breakdowns of expenditures made through sub-vendors acting as agents of the campaign, as required by WAC 390-16-205.
- Steve Kirby has no prior found violations of PDC laws or rules.

Based on these initial findings, staff has determined that in this instance, failure to accurately, timely, and completely disclose contribution and expenditure activity does not amount to an actual violation warranting further investigation.

PDC staff is reminding Steve Kirby about the importance of the timely disclosure of contribution and expenditure activity, including complete and detailed breakdown of expenditures in

accordance with WAC 390-16-037 and the breakdown of subvendors in accordance with WAC 390-16-205. Staff advises Steve Kirby to remain mindful of debt reporting under the current version of RCW 42.17A.240(8) which requires reporting of any debt with a value of more than \$750 which has not been paid within 5 business days within 30 days of an election, or within 10 business days during any other period.

Based on this information, the PDC has dismissed this matter in accordance with RCW 42.17A.755(1), and will not be conducting a more formal investigation into your complaint or pursuing further enforcement action in this case.

If you have questions, you may contact Fox Blackhorn at 1-360-753-1980 toll-free at 1-877-601-2828, or by e-mail at fdc@fdc.wa.gov.

Sincerely,

/s _____
Fox Blackhorn
Compliance Coordinator 2

Endorsed by,

/s _____
Barbara Sandahl
Deputy Director
For Peter Lavalley
Executive Director

cc: Steve Kirby