

[Olympia master Builders](#) replied (Wed, 11 Apr at 1:40 PM)

to : pdc@pdc.wa.gov

Micaiah Titus Ragins

Compliance Coordinator

Public Disclosure Commission

711 Capitol Way S #206

Olympia, WA 98504

Dear Mr. Ragins:

This email is in response to the two-part April 04, 2018 complaint filed by Andrew Saturn, against The Affordable Housing Council of Olympia Master Builders.

In response to Allegation One - Violation of RCW 42.17A.255 for failure to file independent expenditures for advertisements placed against 2017 political candidates:

The Affordable Housing Council is in compliance with reporting regulations regarding this allegation. Please find attached a copy of the Affordable Housing Council's C6 form reporting the independent expenditure in question. Additionally, please find attached a copy of the digital receipt from the PDC for the C6 in question. This includes the date and time stamp that shows we did indeed concurrently file with our response to PDC Case Number 27466, despite Mr. Saturn's claims.

In response to Allegation Two - Violation of RCW 42.17A.320 for failure to accurately disclose required sponsor information:

Firstly, the 'sponsors' in question within this allegation are Angela White, Jill Williams and Joel Baxter. All three individuals were employed as staff at Olympia Master Builders, engaging in solely ministerial functions as defined by RCW 42.17A.005, at the time of the independent expenditure in question. Per RCW 42.17A.005 (B)(ix), contributions do not include "ministerial functions", acts or duties carried out as part of the duties of an administrative office without exercise of personal judgment or discretion and "a person who performs ministerial functions under this subsection (13)(b)(ix) is not considered an agent of the candidate or committee as long as he or she has no authority to authorize expenditures or make decisions on behalf of the candidate or committee." The staff members cited in Mr. Saturn's complaint were executing the directives of the Board of Trustees of The Affordable Housing Council of Olympia Master Builders without personal latitude or interpretation and as such cannot be construed as direct political contributions.

Moreover, the individuals' paid hours of work, at fair market value are a donation to The Affordable Housing Council, by their employer Olympia Master Builders. As such, 'Olympia Master Builders' is listed appropriately as the donating organization on both the reporting form and clearly as the sponsor of the independent expenditure in text: "No candidate authorized this ad. It is paid for by The Affordable Housing Council of **Olympia Master Builders.**"

The Affordable Housing Council of Olympia Master Builders clearly and transparently reported all contributions to the independent expenditure in question.

Given the content of Mr. Saturn's complaint, it appears that his true objection is to the content of our lawful, political speech. We respect Mr. Saturn's first amendment right to object to the political activity of The Affordable Housing Council of Olympia Master Builders but propose that the Public Disclosure Committee's Compliance department is not an appropriate venue to debate political philosophy.

Thank you for the opportunity to respond.

Sincerely yours,

Angela White
Executive Officer