



STATE OF WASHINGTON
PUBLIC DISCLOSURE COMMISSION

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January 31, 2019

Sent electronically to Glen Morgan at glenmorgan89@gmail.com

Subject: 9th Legislative District Democrats, PDC Case 28109

Mr. Morgan:

The Public Disclosure Commission (PDC) has completed its review of the complaint you filed on November 23, 2017. The complaint alleged that the 9th Legislative District Democrats (Committee) may have violated RCW 42.17A.235 by failing to timely and accurately report contributions (C-3 reports) and expenditures (C-4 reports); and RCW 42.17A.205 by failing to file an accurate campaign registration form (C-1pc) with required amendments.

PDC staff reviewed your allegations; the applicable statutes, rules, and reporting requirements; the July 20, 2018 response from the Committee, by way of the previous treasurer, Christopher Van Drimmelen, and PDC reports filed by the Respondent, to determine whether the record supports a finding of one or more violations.

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

- On June 20, 2015, the Committee filed a C-1pc report, selecting the Mini Reporting Option. The Committee did not file a C-1pc between January 1st and January 31st of 2016, as required by WAC 390-16-115(4), to indicate its intention to use the mini reporting system during 2016, resulting in the Committee being under the full reporting system. The Committee next filed a C-1pc, selecting the Mini Reporting Option, on February 10, 2017, listing Gretchen Patrick and Christopher Van Drimmelen as campaign manager and treasurer, respectively. The Committee has been registered with the PDC as a continuing political committee since January 2003.

Allegation 1: Failure to timely and accurately file C-3 and C-4 reports.

- The Committee failed to file any C-3 or C-4 reports in 2016. However, the Committee's treasurer stated that the Committee did not file any C-3 or C-4 reports "due to the depleted financial state of the organization and lack of resources or plans to raise or spend any money in 2016." He stated that "the Committee had no expectation of receiving contributions or making expenditures in support of, or opposition to, any candidate or ballot proposition."
- The treasurer further stated that "I have verified based on bank records that I'm happy to furnish to your office and the PDC upon request, that not only did the organization have no expectation of receiving contributions or making expenditures to support a candidate or ballot measure, that in fact the organization had no financial activity at all in 2016, even for the purposes not covered by the Public Disclosure Act. No money was spent, and no money was received."

Allegation 2: Failure to file an updated C-1pc with amended changes.

- No evidence was provided to substantiate your allegation that changes to the Committee officers occurred that would require amending the Committee's C-1pc in 2016. The Committee responded, by way of its treasurer, that "after consulting with the organization's officers for 2015-2016, I have verified that no officer changes took place at all between when the organization's 2015 C-1pc was filed and the end of 2016 when the committee's biennial officer term ended."
- The treasurer also stated that "on January 7, 2017, the organization conducted its biennial reorganization meeting and elected a new chair, vice chair, treasurer and secretary, which was the first time the organization's officers changed since 2015."

Based on these findings, staff has determined that the Committee was not required to amend its C-1pc to report changes in its officers, and even if the Committee was deemed to be under the full reporting option during 2016 because it failed to file a C-1pc selecting the mini reporting option, the Committee was not required to file C-3 and C-4 reports during 2016 because of its inactivity. In this instance, the failure to file a C-1pc between January 1st and January 31st in 2016, to indicate its intention to continue using the mini reporting option during 2016, does not appear to be an actual material violation warranting further investigation. However, staff is reminding the Committee officers about the importance of filing timely and accurate campaign registration reports (C-1pc) in future years, including the requirement in WAC 390-16-115(4) for filers under the Mini Reporting Option to "file a new C-1pc between January 1st and January 31st for each year in which the committee intends to use the mini reporting system."

Accordingly, the PDC finds that no further action is warranted and has dismissed this matter in accordance with RCW 42.17A.755(1).

If you have questions, you may contact me at (360) 586-2869, toll-free at 1-877-601-2828, or by e-mail at erick.agina@pdc.wa.gov.

Sincerely,

Endorsed by:

s/ _____

Erick Agina
PDC Compliance Officer

s/ _____

BG Sandahl, Deputy Director for
Peter Lavalley, Executive Director

cc: 9th Legislative District Democrats

