



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

August 2, 2019

Sent electronically to Mark Lamb

Subject: Complaint regarding Jacquelin Maycumber, PDC Case 27082

Mr. Lamb:

Below is a copy of an electronic letter sent to Walter Smith concerning the complaint he filed with the Public Disclosure Commission (PDC) on behalf of Karen Hardy against your client, Representative Jacquelin Maycumber.

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

Based on this information, the PDC has dismissed the allegations in this matter in accordance with RCW 42.17A.755(1). If you have questions, you may contact Kurt Young at (360) 664-8854, toll-free at 1-877-6012828, or by e-mail at kurt.young@pdc.wa.gov.

Sincerely,

Endorsed by:

s/_____
Kurt Young, Compliance Officer

s/_____
BG Sandahl, Deputy Director
For Peter Lavalley, Executive Director



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August 2, 2019

Sent electronically to Walter Smith on behalf of Karen Hardy

Subject: Complaint regarding Jacquelin Maycumber, PDC Case 27082

Dear Mr. Smith:

The Public Disclosure Commission (PDC) has completed its review of the complaint you filed on October 27, 2017, on behalf of Karen Hardy. The complaint alleged that Jacquelin Maycumber, a candidate for State Representative in the 7th Legislative District, Position 1, may have violated: (1) RCW 42.17A.560 and WAC 390-17-400, by receiving contributions from the 7th Legislative District Republican Party during the 2017 Legislative Session freeze period; and (2) RCW 42.17A.320 for failing to include the sponsor identification on an electronic billboard advertisement in support of Ms. Maycumber.

PDC staff reviewed the allegations listed in your complaint; the applicable statutes, rules, and reporting requirements; the Monetary Contributions reports (C-3 reports) and Summary Full Campaign Contributions and Expenditures reports filed by the Committee to Elect Jacquelin Maycumber (Campaign); the Independent Expenditure reports (C-6 reports) filed by the Spokane Homebuilders Association and PDC Case 27641; and the responses provided by 7th Legislative District Republican Party in PDC Case 27714. Based on staff's review, we found the following:

- On May 1, 2017, Jacquelin Maycumber filed a Candidate Registration (C-1 report) declaring her candidacy for State Representative in the 7th Legislative District, Position 1, selecting the Full Reporting Option, and disclosing that Steve Oswin was the Campaign Treasurer, and Mitch Short was her Campaign Manager. Ms. Maycumber was appointed State Representative on February 2, 2017 and was a first-time candidate for public office in 2017.
- RCW 42.17A.560 states that during the period 30 days prior to a regular legislative session convening and continuing through the until adjournment, "no state official or a person employed by or acting on behalf of a state official or state legislator may solicit or accept contributions to a public office fund, to a candidate or authorized committee, or to retire a campaign debt."
- Wes McCart, Chairman of the 7th Legislative District Republicans (Committee), stated that the Committee made expenditures in 2017 to purchase 4' x 8' campaign yard signs and standard sized yard signs from both the Campaign and the Committee to Elect Shelly Short. He stated the expenditures made by the Committee to the two campaigns only reimbursed each campaign for the actual costs of the signs, and the expenditures were not contributions to either candidate. He stated that Mr. Short had contacted the PDC on behalf of the both campaigns, inquiring about reporting the sale of campaign signs to a political party organization.

The Committee provided staff with a copy of the May 2017 email string between PDC staff and Mr. Short questioning whether a county political party committee could “purchase campaign signs on behalf of Senator Short and Representative Maycumber while they are in special session.”

- The email went on to state “they would give out the signs at their meetings and to whomever ask for one” and he requested guidance on how to report those activities and how the two campaigns would “categorize” those payments. The email string included a May 25, 2017, email from PDC staff responding to Mr. Short and stating that the two candidates would report the payments received from the Committee for the fair market value of the campaign signs as a Miscellaneous Receipt on their respective C-3 report.
- A January 23, 2019 email from the Committee indicated on June 6, 2017, the Committee purchased 200 standard yard signs from the Campaign for \$906 (\$4.53 per sign), and on June 30, 2017, the Committee purchased 50 4’ x 8’ signs from the Campaign for \$2,153 (\$43 per sign). Both amounts paid by the Committee to the Campaign were the fair market value for the signs and were not contributions.
- Concerning the allegation for failing to include the sponsor identification on an electronic billboard, the advertisement in question was sponsored by the Spokane Home Builders Association (SHBA) on their own billboard and was not sponsored by or coordinated with the Maycumber Campaign.
- On May 8, 2018, the SHBA filed a C-6 report disclosing that on October 19, 2017, an advertisement in support of Representative Maycumber was displayed on its own electronic billboard and valuing the independent expenditure (IE) advertisement as \$158.83. The SHBA filed several C-6 reports that same day disclosing IE advertisements opposing Proposition No. 2, and its support for the following candidates: (1) 2017 Spokane Valley City Council candidates Caleb Collier, Rod Higgins, Pam Haley, & Mike Munch; (2) 2017 Spokane City Council candidates Tim Benn & Andy Dunau; and (3) 2017 Legislative candidates Senator Shelly Short, and State Representative Jaquelin Maycumber.
- The SHBA completed a Statement of Understanding (SOU) and paid a \$150 civil penalty resolving the allegations listed in PDC Case 27641 for the late filed C-6 reports. SHBA also received a formal written warning to include the sponsor identification on future electronic billboard advertisements.

Representative Maycumber’s Campaign did not receive a prohibited contribution from the 7th Legislative District Republican Party during the 2017 Legislative Session freeze period, since the Campaign signs were sold at the fair market value to party committee members and other individuals. The Campaign timely disclosed the payments from the Committee on C-3 reports, listing the proceeds of the sale as a Miscellaneous Receipt as instructed by PDC staff. The electronic billboard advertisement was an independent expenditure sponsored by the SHBA, so the Campaign’s sponsor identification was not required on the advertisement.

Based on this information, the PDC has dismissed the allegations listed in the complaint in accordance with RCW 42.17A.755(1). If you have questions, you may contact Kurt Young at (360) 664-8854, toll-free at 1-877601-2828, or by e-mail at kurt.young@pdc.wa.gov.

Sincerely,

Endorsed by:

s/ _____
Kurt Young, Compliance Officer

s/ _____
BG Sandahl, Deputy Director
For Peter Lavalley, Executive Director

cc: Mark Lamb, Legal Counsel for Jacquelin Maycumber