



STATE OF WASHINGTON
PUBLIC DISCLOSURE COMMISSION

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BEFORE THE PUBLIC DISCLOSURE COMMISSION
OF THE STATE OF WASHINGTON

In the Matter of Enforcement Action
Against

AARP No on I 2124 Sponsored by AARP
Washington State

Respondent.

PDC Case 158257

Notice of Administrative Charges

I. JURISDICTION

The Public Disclosure Commission (PDC) has jurisdiction over this proceeding pursuant to Chapter 42.17A RCW, the state campaign finance and disclosure laws; Chapter 34.05 RCW, the Administrative Procedure Act; and Title 390 WAC.

II. ALLEGATION(S)

PDC Staff alleges that, during the period March 29 through Nov. 30, 2024, Respondent AARP No on I 2124 Sponsored by AARP Washington State violated RCW 42.17A.235 and 42.17A.240 by: (1) failing to timely and accurately report the receipt of in-kind contributions from AARP Washington State; and (2) failing to timely provide complete descriptions of in-kind contributions received during its campaign to defeat statewide initiative 2124.

III. FACTS

1. On March 29, 2024, the Washington State chapter of AARP created the Political Committee “AARP No on I 2124 Sponsored by AARP Washington State” (the Committee). The Committee opposed statewide initiative 2124 that sought to make funding for the state’s long term care program voluntary instead of mandatory. The Committee’s treasurer was Cathy MacCaul, AARP Washington State’s Advocacy Director. The Committee received in-kind

contributions totaling \$506,945.29 during the period March 29 through Nov. 30, 2024 from AARP Washington State. The Committee received no monetary contributions.

Late Reporting

2. C-4 Report, 3/29/24 – 7/31/24, filed 8/2/24 (Report #110 235 448) This report was the initial C-4 report filed by the Committee, consisting of in-kind contributions totaling \$17,415. Of this amount, contributions totaling \$3,245 were received April 30, 2024 and were required to be reported by May 10, 2024, but were reported 84 days late on Aug. 2, 2024. In-kind contributions totaling \$4,345 were received May 31, 2024 and were required to be reported by June 10, 2024, but were reported 53 days late on August 2, 2024.
3. C-4 Report, 9/1/24 – 10/14/24, filed 10/7/24 (Report #110 249 913) This report was the original 21-day pre-general election C-4 report that was timely filed, disclosing \$30,718.57 in in-kind contributions. However, the report failed to include an in-kind contribution of \$2,750 that was received on Oct. 7, 2024 described as “TVW – Cable ads, digital ads on website. Rotated by station.” This additional \$2,750 in-kind contribution was required to be reported by Oct. 15, 2024 but was reported 111 days late on Feb. 3, 2025, 90 days after the general election, on amended Report #110 269 953.
4. In addition, the final amended 21-day pre-general election report, C-4 Report, 9/1/24 – 10/14/24, filed 2/6/25 (Report #110 270 515) included additional in-kind contributions totaling \$390,000 (\$125,000 received Oct. 1, 2024 and \$265,000 received Oct. 4, 2024) for political advertising that included radio spots that ran from Oct. 1 to Nov. 5, 2024 and digital video commercials in multiple media outlets that ran from Oct. 4 to Nov. 5, 2024. These in-kind contributions were initially reported on the original 7-day pre-general election C-4 report, due Oct. 29, 2024 but filed on Nov. 8, 2024, 10 days late and three days after the Nov. 5, 2024 general election. However, because these in-kind contributions, totaling \$390,000, were required to be reported by Oct. 15, 2024, on the 21-day pre-general election C-4 report, they were reported 24 days late and three days after the general election.

5. C-4 Report, 10/15/24 – 10/28/24, filed 11/8/24 (C-4 Report #110 259 639) This report was the original 7-day pre-general election C-4 report that initially reported the in-kind contributions totaling \$390,000, initially reported as received on Oct. 28, 2024, as part of in-kind contributions totaling \$432,830.72. The \$390,000 in in-kind contributions were later removed from the 7-day pre-general election C-4 report and included on the final, amended, 21-day pre-general election C-4 report, and reported as received on Oct. 1 and Oct. 4, 2024.
6. The original 7-day pre-general election C-4 report also included in-kind contributions totaling \$42,830.72, later amended to \$43,221.72, that were reported 10 days late and three days after the general election.

Table of Late Reporting

Amount of In-Kind Contributions Reported Late	Days Late	Days After General Election	Relevant C-4 Report & Exhibit Number
\$3,245.00	84	NA	3/29-7/31/24; Report #110 235 448; Exhibit 5
\$4,345.00	53	NA	3/29-7/31/24; Report #110 235 448; Exhibit 5
\$2,750.00	111	90	9/1-10/14/24; Report #110 269 953; Exhibit 8
\$390,000.00	24	3	9/1-10/14/24; Report #110 270 515; Exhibit 9
\$43,221.72	10	3	10/15-10/28/24; Report #110 259 639 Exhibit 10
(Totals) \$443,561.72	10-111	0-90	

Inadequate Descriptions of In-Kind Contributions

7. C-4 Report, 3/29/24 – 7/31/24, filed 8/2/24 (Report #110 235 448) The initial C-4 report filed by the Committee consisted of in-kind contributions totaling \$17,415. Of this amount, \$8,315 was for AARP staff time, stating “AARP staff time on No on I 2124,” listing the names of the employees but not describing the work performed by the employees; \$2,850

was described as print and online advertising in the May 2024 edition of Third Act Magazine; and \$6,250 was described as “KING 5 ‘New Day’ July 17, TVW general long term care rotators during months.” The report was amended on Feb. 3, 2025 (Report #110 269 951) to add \$5 to staff time, and to provide the number of hours worked along with more detailed descriptions of the work performed.

8. C-4 Report, 8/1/24 – 8/31/24, filed 9/5/24 (Report #110 242 508) This C-4 included in-kind contributions totaling \$13,660. Of this amount, \$7,410 was for AARP staff time, listing the names of the AARP employees without describing the work performed; and \$6,250 was described as “New Day and TVW.” This C-4 was amended on Feb. 3, 2025 with Report #110 269 952) to provide more detailed descriptions of the work performed.
9. C-4 Report, 9/1/24 – 10/14/24, filed 10/7/24 (Report #110 249 913). This C-4 was the original 21-day pre-general election C-4 report that was due by Oct. 15, 2024. It included in-kind contributions totaling \$30,718.57. Of this amount, \$11,115 was for AARP staff time, listing the names of the AARP employees without describing the work performed; \$2,827.57 was described as “GMMB Production;” \$2,850 was described as “3rd Act Magazine;” and \$13,926, was described as “New Day (King 5), TVW, KXLY-TV.”
10. On Feb. 6, 2025, Ms. MacCaul filed Report #110 270 515, to amend the previous amendment of the 21-day pre-general election C-4 report. In addition, with PDC staff permission, Ms. MacCaul used the Attach a Note function when filing Report #110 270 515, to supplement previously reported in-kind contribution descriptions on original and amended C-4 reports covering activities in June, July, August, September, October, and November 2024.

IV. Law and Rules

RCW 42.17A.225, .235 and .240 require candidates, political committees, and continuing political committees to file timely, accurate reports of contributions and expenditures, including in-kind contributions/expenditures, including the name and address of each person who has made one or more contributions during the period, together with the money or in-kind value, the date of each contribution, and the aggregate value of all contributions received from each person during the campaign, or in the case of a continuing political committee, the current calendar year, with certain exceptions. In-kind contributions must include a detailed description of the

contribution, including the name and address of vendors where contributed goods or services were purchased, and if applicable, the same information for subvendors used by vendors.

Under the full reporting option, until five months before the general election, C-4 reports are required monthly when contributions or expenditures exceed \$750 since the last report. C-4 reports are also required 21 and 7 days before each election in which the committee makes expenditures, and in the month following the election. Monetary contributions are reported weekly during this same time period and must be disclosed on Monday for contributions deposited during the previous seven days.

WAC 390-16-207 concerns the reporting of in-kind contributions (1) An in-kind contribution must be reported on the C-4 report. An in-kind contribution, as that term is used in the act and these rules, occurs when a person provides goods, services or anything of value, other than money or its equivalent, to a candidate or political committee free-of-charge or for less than fair market value, unless the item or service given is not a contribution according to RCW 42.17A.005 or WAC 390-17-405. An in-kind contribution includes an expenditure that: ***“Supports or opposes a candidate or a ballot measure.”*** (Emphasis added.)

RESPECTFULLY SUBMITTED this 14th day of March 2025.

Electronically Signed Peter Frey Lavallee
Peter Frey Lavallee
Executive Director