



STATE OF WASHINGTON
PUBLIC DISCLOSURE COMMISSION

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April 23, 2019

Sent electronically to Andrew Saturn at saturn@gmail.com

Subject: Complaint regarding Up for Thurston County, PDC Case No. 48521

Dear Mr. Saturn:

The Public Disclosure Commission (PDC) has completed its review of the complaint you filed on March 13, 2019. Your complaint alleged that the Up for Thurston County PAC (Committee), a Single Election Year Only Political Committee, may have violated RCW 42.17A.205, RCW 42.17A.320 and RCW 42.17A.750: (1) by failing to disclose any full committee officer on the Committee Registration (C-1pc) at the time of initial registration, amending the registration to attest that Jason Bennett provided more than ministerial services, then amending the registration again to attest that no person served as a full committee officer; (2) by knowingly filing a false C-1pc reports with the Commission; and (3) by failing to list Jason Bennett in sponsor identification on political advertising as the sole controlling individual for Up for Thurston County.

PDC staff reviewed your allegations; the applicable statutes, rules, and reporting requirements; the applicable C-1pcs filed by the Commission; and the response provided by the Committee.

- On October 15, 2018, Up for Thurston County filed a Committee Registration (C-1pc) report with the PDC as a Single Election Year Only Political Committee for the 2018 election cycle in support of Linda Oosterman for Thurston County Public Utility District. The C-1pc report disclosed the Committee selected the Full Reporting Option and listed Jason Bennett as treasurer performing only ministerial functions.
- On December 5, 2018, Up for Thurston County filed an amended (first amended) Committee Registration (C-1pc) report with the PDC as a Single Election Year Only Political Committee for the 2018 election cycle in support of Linda Oosterman for Thurston County Public Utility District. The C-1pc report disclosed the Committee selected the Full Reporting Option and listed Jason Bennett as treasurer, without including any committee officers.
- On January 11, 2019, Up for Thurston County filed a second amended Committee Registration (C-1pc) report with the PDC as a Single Election Year Only Political Committee for the 2018 election cycle in support of Linda Oosterman for Thurston County Public Utility District. The C-1pc report disclosed the Committee selected the Full Reporting Option and listed Jason Bennett as treasurer performing only ministerial functions. The C-1pc also disclosed Puget Sound Energy as sponsor of the Committee.
- On March 29, 2019, Up for Thurston County filed a third amended Committee Registration (C-1pc) report with the PDC as a Single Election Year Only Political Committee for the 2018 election cycle in support of Linda Oosterman for Thurston County Public Utility District. The C-1pc report disclosed the Committee selected the Full Reporting Option and listed Jason Bennett as treasurer performing only ministerial

functions and Paul Berendt as a committee officer and “mail piece designer.” The C-1pc also disclosed Puget Sound Energy as sponsor of the Committee.

Allegation One: Failure to disclose any full committee officer on the Committee Registration (C-1pc) at the time of initial registration, amending the registration to attest that Jason Bennett provided more than ministerial services, then amending the registration again to attest that no person served as a full committee officer

- RCW 42.17A.205(2) requires that certain specific information be included and depicted on the C-1pc form. Information such as the names and addresses of the treasurer and campaign officers must be included on the C-1pc form.
- Staff reviewed this allegation and determined that Up for Thurston County Committee did not include the information expressly required by law on the initial C-1pc form. Specifically, the C-1pc did not include the names of the committee officers. However, this information was later included with subsequent amendments to the Committee’s C-1pc.

Allegation Two: Intentionally filing a false C-1pc report with the Commission.

- Staff reviewed this allegation and determined that Up for Thurston County Committee did not initially include the information expressly required by law on the C-1pc, but later amended its C-1pc and included both the sponsor and the committee officer. It appears that there was confusion regarding the roles of the individuals affiliated with the Committee given their limited roles and the fact that this was a small effort that involved only one mailer.
- In its response to this allegation, the Committee by way of Jason Bennett, stated, “when I described the roles of Paul Berendt, Rodney Anderson from Capitol City Press and I on the campaign, it was advised that I wasn’t a sponsor or my role wasn’t more than ministerial and Paul’s and Rodney’s roles were so limited that it didn’t qualify as a committee member as described in the WAC or on the C-1pc. The C-1pc reflects the advice I received at the time.”

Allegation Three: Failure to list Jason Bennett in sponsor identification on political advertising as the sole controlling individual for Up for Thurston County.

- Staff reviewed this allegation and determined that Up for Thurston County Committee was sponsored by Puget Sound Energy. Puget Sound Energy was listed in the sponsor identification on the political advertising. The Committee amended its C-1pc on January 11, 2019 and included Puget Sound Energy as sponsor of the Committee.

While Up for Thurston County failed to include the full committee officer(s) and the name of the committee sponsor on the initial C-1pc and the subsequent two amended C-1pcs, it did eventually include both the sponsor’s name and the name of the controlling officer of the Committee after reaching out to the PDC for guidance/advice.

Based on these findings staff has determined that, in this instance, the failure to file an accurate and complete Committee Registration (C-1pc), which was later amended to include all the required information, does not amount to an actual material violation warranting further investigation or enforcement action.

However, pursuant to WAC 390-37-060(1)(b), the Up for Thurston County Committee will receive a formal written warning concerning its failure to accurately complete the Committee Registration (C-1pc) at the time of the initial registration. The formal written warning will include staff’s expectation that the Up for Thurston County Committee will accurately complete C-1pc reports in the future. The Commission will consider the

formal written warning in deciding on further Commission action if there are future violations of PDC laws or rules by the Committee.

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

If you have questions, you may contact Erick Agina 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, Compliance Officer

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

cc: Jason Bennett

