



**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](mailto:pdc@pdc.wa.gov) • Website: [www.pdc.wa.gov](http://www.pdc.wa.gov)**

November 26, 2019

Delivered electronically to Dan Brady on behalf of Coalition for a Better Northwest Washington (CBNWA) at “dan@danbradylaw.com”

Subject: Complaint filed by Alex Ramel, PDC Case 59064

Dear Mr. Brady:

Below is a copy of an electronic letter sent to Alex Ramel concerning a complaint filed with the Public Disclosure Commission (PDC).

As noted in the letter to Mr. Ramel, the PDC has dismissed this matter in accordance with RCW 42.17A.755(1) and will not conduct a more formal investigation into these allegations or take further enforcement action in this matter.

PDC staff is reminding your client about the importance of the timely disclosure of all contributions, including pledges, received during the time period and of the dollar amount described in RCW 42.17A.265. PDC staff expects in the future that CBNWA will timely file reports disclosing all contributions received within the special reporting period before an election in accordance with PDC laws and rules.

If you have questions, you may contact Jennifer Hansen at 1-360-586-4560, toll-free at 1-877-601-2828, or by e-mail at [pdc@pdc.wa.gov](mailto:pdc@pdc.wa.gov).

Sincerely,

Endorsed by,

/s

\_\_\_\_\_  
Jennifer Hansen  
Compliance Officer

/s

\_\_\_\_\_  
Barbara Sandahl  
Deputy Director  
For Peter Lavalley  
Executive Director



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November 26, 2019

Delivered electronically to Alex Ramel at "alexwramel@gmail.com"

Subject: Complaint regarding Coalition for a Better Northwest Washington, PDC Case 59064

Dear Mr. Ramel:

The Public Disclosure Commission (PDC) has completed its review of the complaint you filed on October 23, 2019. The complaint alleged that Coalition for a Better Northwest Washington (CBNWA), a political committee registered in 2019 making contributions to Whatcom County Council candidate, Ben Elenbaas, and independent expenditures opposing Whatcom County Executive candidate, Satpal Sidhu, may have violated: (1) RCW 42.17A.220 for failure to deposit monetary contributions within five business days of receipt; (2) RCW 42.17A.235 and .240 for failure to timely and accurately file Summary Full Campaign Contribution and Expenditure reports (C-4 reports) disclosing a monetary pledge; and (3) RCW 42.17A.420 for accepting contributions exceeding \$5,000 from a single source within twenty-one days of an election.

PDC staff reviewed the allegations; the applicable statutes, rules, and reporting requirements; the response provided by Dan Brady on behalf of his client CBNWA; the applicable PDC reports filed by Respondent; and queried the Respondent's data in the PDC contribution and expenditure database], to determine whether the record supports a finding of one or more violations.

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

- On August 21, 2019, CBNWA filed a Committee Registration (C-1pc report) registering as a political action committee for calendar year 2019 and choosing the "Full Reporting" option. The C-1pc was amended on October 1<sup>st</sup>, October 8<sup>th</sup> and October 22<sup>nd</sup>, to reflect changes to the committee officers.
- RCW 42.17A.320 requires that, unless otherwise exempt, all written political advertisement shall include the sponsor's name and address and if the political advertisement is undertaken as an independent expenditure, the advertisement must also include the statement "No candidate authorized this ad. It is paid for by (name, address, city, state)." In addition, if the sponsor is a political committee, the ad must also include the statement "Top Five Contributors," followed by the names of the largest contributors to the committee, and, if necessary, the statement "Top Three Donors to PAC Contributors" followed by the names of non-PAC donors.
- On October 17, 2019, CBNWA filed an Independent Expenditure & Electioneering Communications report (C-6 report) disclosing a \$5,745.05 expenditure made on October 14, 2019 to Sermo for costs related to a mailer presented to the public on October 16, 2019. The mailer was political advertising opposing 2019 Whatcom County Executive

candidate, Satpal Sidhu, and required the sponsor identification described in RCW 42.17A.320.

- The complaint included a copy of the advertisement mailed on October 16, 2019 which included in its “Top Five Contributors”, donors Phillips 66 and Marathon Petroleum Corp., followed by three other top five donors and the top three non-PAC donors.
- The complaint alleged that if Marathon Petroleum Corp. (Marathon) was one of the donors to CBNWA as of the date the expenditure for the mailer was made, then the actual contribution from Marathon should have already been disclosed either as a contribution received or a pledge.
- In his response, Mr. Brady stated that Marathon had pledged \$5,000 to CBNWA on October 15, 2019, the same day CBNWA reviewed its list of contributions for the purpose of determining the top-5 donors. He further stated that Marathon was tied for one of the top donors because of the \$5,000 pledge and that his client chose to list them. Mr. Brady stated that the pledge from Marathon was redeemed on October 22, 2019 and that the funds were deposited and disclosed on a Monetary Contribution report (C-3 report) the same day.
- RCW 42.17A.220 requires that all monetary contributions received by a political committee be deposited within five business days of receipt of the contribution.
- RCW 42.17A.235(5) requires that, beginning the first day of the fifth month before the date of the general election, a C-3 report is due each Monday for any bank deposit made during the previous seven calendar days.
- RCW 42.17A.420 prohibits a political committee from accepting contributions exceeding five thousand dollars in the aggregate from one source within twenty-one days of a general election.
- On October 21, 2019, CBNWA submitted a C-3 report disclosing a \$70,000 contribution from Phillips 66 received on October 10, 2019 and deposited on October 15, 2019. CBNWA was required to deposit this contribution within five business days or by no later than October 17, 2019. The C-3 report was due the next Monday following the date of deposit or by October 21, 2019. Based on the receipt and deposit dates disclosed on the C-3 report filed by CBNWA, the contribution was deposited and reported timely.
- Finally, the complaint alleged that the \$70,000 donation from Phillips 66 was accepted within the twenty-one days of the general election in violation of PDC law. The C-3 report filed by CBNWA identifies a received date occurring prior to this restricted period.

During its review, staff found no evidence showing that the contributions from Phillips 66 and Marathon Petroleum Corp. were deposited late, reported on a C-3 or C-4 report late, or were received during a restricted time period for contributions exceeding \$5,000 on the aggregate. It appears that CBNWA is aware that pledges are included in the statutory definition of a contribution and that it has a general understanding of filing deadlines, including “last minute contributions” (LMCs) disclosing contributions of \$1,000 or more in the aggregate received before a general election.

Although the pledge from Marathon was timely reported October 22, 2019 on a C-3 report within 48 hours of being redeemed, staff found that the \$5,000 pledge received by CBNWA on October 15, 2019, as described in Mr. Brady’s response, should have been disclosed within 48 hours of the pledge being made, or by no later than October 17, 2019.

Based on our findings staff has determined that, in this instance, failure to timely file a report disclosing the receipt of a pledge of \$1,000 or more within 48 hours does not amount to a violation that warrants further investigation.

PDC staff is reminding CBNWA about the importance of the timely disclosure of all contributions, including pledges, received during the time period and dollar amount described in RCW 42.17A.265 and the timely filings of all future PDC reports in accordance with the statutes and rules.

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).

If you have questions, you may contact Jennifer Hansen at 1-360-586-4560, toll-free at 1-877-601-2828, or by e-mail at [pdcc@pdc.wa.gov](mailto:pdcc@pdc.wa.gov).

Sincerely,

Endorsed by,

/s

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Jennifer Hansen  
Compliance Officer

/s

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Barbara Sandahl  
Deputy Director  
For Peter Lavalley  
Executive Director

cc: Dan Brady, Attorney for Coalition for a Better Northwest Washington