



October 24, 2019

Fox Blackhorn  
Washington State Public Disclosure Commission  
P.O. Box 40908  
Olympia, WA 98504-0908

RE: PDC Case No. 59064, Coalition for a Better Northwest Washington

***VIA EMAIL ONLY***

Dear Mx. Blackhorn:

I am replying on behalf of my client, the Coalition for a Better Northwest Washington (the Committee) to your email of October 23, 2019 requesting a response to a complaint filed by Alex Ramel (the Complainant) with the Public Disclosure Commission (PDC), alleging violations of RCW 42.17A.220, .235, .240 and .420.

**Washington State Campaign Finance Law Governing Contributions**

Washington State law requires political committees (or PACs) to deposit contributions within five business days of receipt. RCW 42.17A.220(1). This requirement does not change at any time over the course of a year or campaign. Itemized deposits are disclosed at varying times over the course of a year on Mondays, beginning monthly in a campaign cycle and changing to weekly from June through the general election.

Within 21 days of a general election, contributions received of \$1,000 or more must be disclosed within 48 hours and can be disclosed via PDC form C-3 or through a Last Minute Contribution (LMC) filing. 42.17A.265(1) and (6). As described above, however, a political committee still has five days to deposit the contribution.

Political committees are also required to file periodic C-4 Receipts and Expenditure Summary reports. These reports do not contain itemized contributor information but do disclose all deposits of contributions made since the previous C-4 report. Specifically, Schedule A, Sec. 1 of form C-4 requires disclosure of “cash receipts (contributions) that have been reported on C3” but no other receipts. Attachment 1. Form C-4 also requires disclosure of any unremitted pledges. Pledges are “a promise to make a future contribution”. WAC 390-16-245. Pledges that are made and remitted between C-4 report filings are not disclosed as pledges on a form C-4.

Political committees other than authorized candidate committees do not have campaign contribution limits, and they can generally accept unlimited contributions from individuals, companies, and nonprofits. However, nearly all political committees may not “accept” contributions of more than \$5,000 within 21 days of a general election. RCW 42.17A.420(1).

Political committees are not prohibited from depositing contributions of more than \$5,000 within 21 days of an election if the contribution was accepted more than 21 days before the general election.

### **Marathon Petroleum Corp. Contribution**

On October 15, 2019, Marathon Petroleum Corp. (Marathon) pledged \$5,000 to the Committee and asked for an invoice to be sent to Marathon for fulfillment. *Attachment 2*. Later that same day, the Committee reviewed its list of contributors for the purpose of determining the top-5 contributors to the Committee. As Complainant cites in his complaint, RCW 42.17A.005(15)(a) defines a “pledge” as a contribution and as such it must be considered when identifying “top-5” contributors for political advertising disclaimers.

At that time, the Committee had five contributors of \$5,000 each – including Marathon’s pledge – to choose from for the last four contributors to be disclosed as top-5 contributors on political advertising, and it chose to include Marathon among the four. Subsequently the design firm was informed of the top-5 to be disclosed, added the disclaimer to the draft mail pieces, and the final designs were ordered to be printed that day.

A contribution remitting the pledge Marathon made on October 15, 2019 was deposited by a Marathon representative into the Committee bank account on October 22, 2019. That contribution was disclosed that same day via C-3 No. 100940193 – well within the 48-hour deadline for reporting large contributions during the special reporting period per RCW 42.17A.265(1) and(6)(a). *Attachment 3*.

In sum, the Marathon pledge was properly considered for advertising disclaimer purposes and the contribution received and deposited properly and timely disclosed during the special reporting period.

### **Phillips 66 Contribution**

On October 10, 2019, the Committee received a \$70,000 contribution from Phillips 66 well before the \$5,000 upper limit on contributions began on October 15, 2019. The contribution was timely deposited within five business days on October 15, 2019. The deposit was timely disclosed on October 21, 2019 via C-3 No. 100939879 which is the C-3 that covers deposits made the week immediately prior. *Attachment 4*. The special reporting period requiring disclosure of contributions of \$1,000 or more within 48 hours did not begin until October 15, 2019. Disclosure of deposits during the special reporting period does not change and is still on Mondays for the week prior, though a political committee can file a C-3 anytime and to satisfy the special reporting period requirements.

### **Conclusion**

Complainant suggests that if either contribution subject to this complaint was not “processed” by October 14, 2019 that any such contribution would “appear to be a violation of the 21-day rule”. There is no definition or requirement “to process” contributions in campaign finance law or

regulation. Additionally, the Complainant continually conflates the concepts of “receipt”, “deposit”, and “process” throughout his complaint to his own political benefit.

As the facts above make clear, each of the allegations is without merit. Mr. Ramel is employed as the “Extreme Oil Field Director” for Stand.Earth and a previous filer of numerous complaints with the PDC. He no doubt seeks to use the enforcement process as a political tool, and he has contacted local media for these purposes. It seems unlikely that Mr. Ramel expects resolution in his favor – certainly not before the general election concludes.

The PDC should avoid being used for political purposes in this manner and can and should make the decision to dismiss this complaint with the utmost haste.

I hope you find this information useful. Please contact me if I can provide further information.

Sincerely,



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Dan Brady

ATTACHMENTS

1. Form C-4 Schedule A
2. October 15, 2019 Invoice to Marathon Petroleum
3. C-3 No. 100940193
4. C-3 No. 100939879

# CASH RECEIPTS AND EXPENDITURE

A
SCHEDULE to C4
(1/04)

Candidate or Committee Name (Do not abbreviate. Use full name.)

Report Date

**1. CASH RECEIPTS (Contributions)** which have been reported on C3. List each deposit made since last C4 report was submitted.

Date of deposit	Amount	Date of deposit	Amount	Date of deposit	Amount	Total deposits
						\$

**2. TOTAL CASH RECEIPTS** Enter also on line 2 of C4 \$

**CODES FOR CLASSIFYING EXPENDITURES:** If one of the following codes is used to describe an expenditure, no other description is generally needed.

The exceptions are:

- 1) **If expenditures are in-kind or earmarked contributions to a candidate or committee or independent expenditures that benefit a candidate or committee, identify the candidate or committee in the Description block;**
- 2) When reporting payments to vendors for travel expenses, identify the traveler and travel purpose in the Description block; and
- 3) If expenditures are made directly or indirectly to compensate a person or entity for soliciting signatures on a statewide initiative or referendum petition, use code "V" and provide the following information in the Description block: name and address of each person/entity compensated, amount paid each during the reporting period, and cumulative total paid all persons to date to gather signatures.

CODE  
DEFINITIONS  
ON NEXT PAGE

C - Contributions (monetary, in-kind & transfers)  
I - Independent Expenditures  
L - Literature, Brochures, Printing  
B - Broadcast Advertising (Radio, TV)  
N - Newspaper and Periodical Advertising  
O - Other Advertising (yard signs, buttons, etc.)  
V - Voter Signature Gathering

P - Postage, Mailing Permits  
S - Surveys and Polls  
F - Fundraising Event Expenses  
T - Travel, Accommodations, Meals  
M - Management/Consulting Services  
W - Wages, Salaries, Benefits  
G - General Operation and Overhead

**3. EXPENDITURES**

- a) Expenditures of \$50 or less, including those from petty cash, need not be itemized. Add up these expenditures and show the total in the amount column on the first line below..
- b) Itemize each expenditure of more than \$50 by date paid, name and address of vendor, code/description, and amount.
- c) For each payment to a candidate, campaign worker, PR firm, advertising agency, consultant or credit card company, provide a detailed breakdown in the Description block of expenses included in the payment..

Date Paid	Vendor or Recipient (Name and Address)	Code	Purpose of Expense and/or Description	Amount
N/A	Expenses of \$50 or less	N/A	N/A	
				\$

Total from attached pages \$

**4. TOTAL CASH EXPENDITURES**

Enter also on line 11 of C4 \$

CODE DEFINITIONS ON NEXT PAGE

## EXPENDITURE CODE DEFINITIONS AND USES (for use on Schedule A and Schedule B)

**NOTE: Expenditures (including debts) for payments to a candidate, campaign worker, PR firm, advertising agency, consultant or credit card company require further detail in the Description block. See expenditure description on Schedule A, WAC 390-16-037 and WAC 390-16-205.**

- C MONETARY, IN-KIND AND EARMARKED CONTRIBUTIONS** your campaign legally makes to other campaigns. Put a "C" in the Code column, in the Description column specify who was benefited and, if in-kind, what was purchased.
- I INDEPENDENT EXPENDITURES** (those expenditures that benefit other candidates or committees but are made independently of them). Put an "I" in the Code column and fully describe purpose.
- L LITERATURE.** Use "L" for expenditures made for the preparation and production of campaign literature and printed solicitations, including expenditures for mailing lists, design, photography, copy, layout, printing and reproduction. Use "P" for literature mailing costs.
- B BROADCAST ADVERTISING.** Use "B" for expenditures associated with the production and purchase of radio and television advertising.
- N NEWSPAPER & PERIODICAL ADVERTISING.** Use "N" for expenditures associated with the production and purchase of advertising in newspapers, periodicals and other publications.
- O OTHER ADVERTISING.** Use "O" for expenditures associated with the production and purchase of advertising on billboards, yard signs and campaign paraphernalia such as buttons, bumper stickers, T-shirts, etc.
- V VOTER SIGNATURE GATHERING.** Use "V" for expenditures made directly or indirectly to compensate a person or entity for soliciting or procuring signatures on a statewide initiative or referendum petition. Attach itemization of each such payment.
- P POSTAGE.** Use "P" for expenditures for stamps, postage, United Parcel Service, Federal Express and direct mail services (postage only). Use "L" for design and other production costs associated with producing campaign literature.
- F FUNDRAISING EVENTS.** Use "F" for expenditures associated with holding a fundraiser, including payments to restaurants, hotels, caterers, other food and refreshment vendors, entertainers and speakers. Use "L" for expenditures for printed matter produced in connection with fundraising events.
- S SURVEYS AND POLLS.** Use "S" for expenditures associated with designing or producing polls, reports on election trends, voter surveys, telemarketing, telephone banks, GOTV drives, etc.
- T TRAVEL, ACCOMMODATIONS, MEALS.** Use "T" for expenditures associated with travel. If vendor has been paid directly, identify the traveler in Description column. If travel payment was made to credit card company or traveler (for out-of-pocket expenses), itemize expenses on separate sheet and attach to Schedule A.
- M MANAGEMENT AND CONSULTING SERVICES.** Use "M" for salaries, fees and commissions paid to campaign management companies and contract consultants, including law firms, whether the person is retained or formally employed by the campaign (for tax withholding purposes).
- W WAGES, SALARIES, BENEFITS.** Use "W" for expenditures associated with hiring campaign employees and other freelance workers who provide miscellaneous services other than campaign management or consulting.
- G GENERAL OPERATION AND OVERHEAD.** Use "G" for general campaign operating expenses and overhead, including filing fees, miscellaneous campaign expenses, headquarters rental, utilities, and purchase or rental of office equipment and furniture for the campaign.

**Coalition for a Better Northwest Washington**

4430 Pacific Highway S.  
Bellingham, WA 98226  
360-547-7410  
cbnwainfo@gmail.com

**INVOICE**

**Tax ID #: 84-2768767**

DATE: 10/15/2019

**TO:**  
Matt Gill  
Marathon Petroleum  
10200 W. March Point Rd.  
Anacortes, WA 98221

**FOR:**  
Political Contribution

**VIA EMAIL ONLY**

DESCRIPTION	HOURS	RATE	AMOUNT
Political Contribution	NA	NA	\$5,000.00
<b>TOTAL</b>			<b>\$5,000.00</b>

**CASH RECEIPTS  
 MONETARY  
 CONTRIBUTIONS**

**C3**  
 (1/02)

THIS SPACE FOR OFFICE USE

100940193

10-22-2019

Candidate or Committee Name (Do not abbreviate. Use full name.)  
**Coalition for a Better Northwest Washington**

Mailing Address  
**4430 Pacific Highway**

City: **Bellingham, WA** Zip + 4: **98226** Office Sought (candidates): \_\_\_\_\_ Election Date: **2019**

1. MONETARY CONTRIBUTIONS DEPOSITED IN ACCOUNT

Date Received		Amount	Total
	a. Anonymous .....		
	b. Candidate's personal funds deposited in the bank (include candidate loans in 1c).....		
	c. Loans, notes, security agreements. Attach Schedule L .....		
	d. Miscellaneous receipts (interest, refunds, auctions, other). Attach explanation .....		
	e. Small contributions \$25.00 or less not itemized and number of persons giving _____ (persons)		

2. CONTRIBUTIONS OVER \$25.00

Date Received	Contributor's Name, Address, City, State, Zip	Contributions of more than \$100: Employer's Name, City and State	P R I	G E N	Amount	Aggregate* Total
10/22/19	<b>MARATHON PETROLEUM COMPANY 539 S. Main St. Findlay, OH 45840</b>				\$5,000.00	\$5,000.00
		Occupation				
		Occupation				
		Occupation				
		Occupation				
		Occupation				
	<input type="checkbox"/> Check here if additional pages are attached	Sub-total			\$5,000.00	*See reverse for details.
		Amount from attached pages			\$0.00	

3. TOTAL FUNDS RECEIVED AND DEPOSITED OR CREDITED TO ACCOUNT  
 Sum of parts 1 and 2 above. Enter this amount in line 1, Schedule A to C4.

\$5,000.00

4. Date of Deposit: **10/22/19**

Treasurer's Daytime Telephone No.: **(360)547-7410**

I certify that this report is true and complete to the best of my knowledge

Treasurer's Signature: **Ryan Likkel** Date: **10-22-2019**

**CASH RECEIPTS  
 MONETARY  
 CONTRIBUTIONS**

**C3**  
 (1/02)

THIS SPACE FOR OFFICE USE  
 100939879  
 10-21-2019

Candidate or Committee Name (Do not abbreviate. Use full name.)  
**Coalition for a Better Northwest Washington**

Mailing Address  
**4430 Pacific Highway**

City: **Bellingham, WA** Zip + 4: **98226** Office Sought (candidates): \_\_\_\_\_ Election Date: **2019**

1. MONETARY CONTRIBUTIONS DEPOSITED IN ACCOUNT

Date Received		Amount	Total
	a. Anonymous .....		
	b. Candidate's personal funds deposited in the bank (include candidate loans in 1c).....		
	c. Loans, notes, security agreements. Attach Schedule L .....		
	d. Miscellaneous receipts (interest, refunds, auctions, other). Attach explanation .....		
	e. Small contributions \$25.00 or less not itemized and number of persons giving _____ (persons)		

2. CONTRIBUTIONS OVER \$25.00

Date Received	Contributor's Name, Address, City, State, Zip	Contributions of more than \$100: Employer's Name, City and State	P R I	G E N	Amount	Aggregate* Total
10/10/19	PHILLIPS 66 COMPANY 601 Pennsylvania Ave., Ste Washington, DC 20004				\$70,000.00	\$70,000.00
	Occupation					
10/10/19	LLV EQUIPMENTV LEASING 2380 Grandview Rd. Ferndale, WA 98248				\$2,000.00	\$2,000.00
	Occupation					
10/10/19	HASKELL CORPORATION PO Box 917 Bellingham, WA 98227				\$2,000.00	\$2,000.00
	Occupation					
10/14/19	MILLS ELECTRIC CO. 4430 Pacific Highway Bellingham, WA 98226				\$3,000.00	\$5,113.00
	Occupation					
	<input type="checkbox"/> Check here if additional pages are attached					
		<b>Sub-total</b>			\$77,000.00	<b>*See reverse for details.</b>
		<b>Amount from attached pages</b>			\$0.00	

3. TOTAL FUNDS RECEIVED AND DEPOSITED OR CREDITED TO ACCOUNT  
 Sum of parts 1 and 2 above. Enter this amount in line 1, Schedule A to C4.

\$77,000.00

4. Date of Deposit: **10/15/19**

Treasurer's Daytime Telephone No.: **(360)547-7410**

I certify that this report is true and complete to the best of my knowledge

Treasurer's Signature: **Ryan Likkel** Date: **10-21-2019**