



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

February 12, 2020

Delivered electronically to "jay\_rodne@comcast.net"

Subject: Complaint filed by Sandra Robson, PDC Case 60235

Dear Jay Rodne:

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

As noted in the letter to Sandra Robson, 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.

However, pursuant to WAC 390-37-060(1)(d), this serves as a formal written warning concerning misuse of surplus funds to pay for goods, services, or events in support of your election campaigns. Staff expects you to disclose and pay for all campaign-related expenses through campaign committees in the future and that you will not make any prohibited personal use expenditures. The Commission will consider this formal written warning in deciding on further Commission action if there are future violations of PDC laws or rules.

If you have questions, you may contact Fox Blackhorn at 1-360-753-1980 toll-free at 1-877-601-2828, or by e-mail at [pdcc@pdcc.wa.gov](mailto:pdcc@pdcc.wa.gov).

Sincerely,

Endorsed by,

/s

\_\_\_\_\_  
Fox Blackhorn  
Compliance Coordinator 2

/s

\_\_\_\_\_  
Peter Lavalley  
Executive Director



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

February 12, 2020

Delivered electronically to "sjr2@icloud.com"

Subject: Complaint regarding Jay Rodne (2), PDC Case 60235

Dear Sandra Robson:

The Public Disclosure Commission (PDC) has completed its review of the complaint you filed on November 15, 2019. The complaint alleged that Jay Rodne, a former State Representative for Legislative District 5 and a candidate seeking re-election to that office in 2016 and 2018, made unauthorized expenditures from the Jay Rodne Surplus Funds Account as disclosed on the Summary Full Campaign Contributions and Expenditures Report (C-4 report), in violation of RCW 42.17A.430.

PDC staff reviewed the allegations; the applicable statutes, rules, and reporting requirements; the responses provided by the Respondent; the applicable PDC reports filed by the 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:

- Jay Rodne was a seven-term State Representative who was first elected to the Legislature in 2004, and he left office at the end of 2018. He has had a surplus funds account registered and reporting with the PDC dating back to 2008.
- RCW 42.17A.430 lists the permissible expenditures of surplus funds of a candidate or a candidate's authorized committee to include: (1) returning contributions to contributors; (2) reimbursing the candidate for lost earnings as a result of the campaign; (3) transferring surplus funds to a bona fide political party committee or caucus committee; (4) donating to charitable organizations registered with the Washington Secretary of State under RCW 19.09; (5) transmitting funds to designated state funds and accounts; (6) holding the surplus for use in future campaigns for the same office sought; and (7) holding the funds in a separate account for non-reimbursed public office-related expenses.
- WAC 390-05-518 defines non-reimbursed public office related expenses as "an expenditure incurred by an elected or appointed official, or a member of the official's immediate family, solely because of being an official."
- On January 13, 2017, the Jay Rodne Surplus Funds Account (Committee) made a \$3,750 expenditure to New Media North listing the description as "*Consulting Work.*" In his response, Representative Rodne acknowledged that the surplus funds expenditure was made to retire a 2016 campaign debt.

- Staff's review noted the expenditure was not disclosed by the 2016 campaign as a debt and was not a permissible disposal of surplus funds as listed above. However, surplus funds could permissibly have been transferred back into the 2016 campaign and the expenditure made using 2016 campaign funds.
- On June 12, 2017, the Committee made a \$375 expenditure to the Washington State Hospital Association (WSHA) listing the description as "*Fees to Be Part of the Organization.*" Representative Rodne stated the expenditure was made for him to attend the annual WSHA rural health conference, and that it was an office-related expenditure due to his position on the House Healthcare & Wellness Committee. He added the expenditure was a permitted use of surplus funds under the definition of a non-reimbursed public office-related expense, in accordance with RCW 42.17A.430(7).
- On September 19, 2017, the Committee made a \$689.74 expenditure to Gamble Sands listing the description as a "*Networking Event.*" Representative Rodne acknowledged the cost of lodging for the event to support his 2018 candidacy for re-election and was not a permissible disposal of surplus funds as listed above. However, surplus funds could permissibly have been transferred into the 2018 campaign account and the expenditure made using 2018 campaign funds.
- On October 5, 2017, the Committee made a \$125 expenditure to Sunnyside Community listing the description as "*Expense for Networking.*" Representative Rodne stated that the surplus funds expenditure was inadvertently misreported and should have been disclosed as a charitable donation to the Sunnyside Community Hospital Association Foundation.
- On November 27, 2017, the Committee made a \$200 expenditure to the Washington State Secretary of State's Office listing the description as "fees for c1." Representative Rodne stated "*I inadvertently used a Mastercard linked to my surplus campaign account to pay for the initial filing fee for Pac Rim Bridges LLC. I have an almost identical personal Mastercard and I mistakenly used the wrong card to pay for this initial filing fee.*"
- Pac Rim Bridges LLC is a limited liability corporation in which Representative Rodne and Senator Doug Erickson are the only members. The \$200 was an unauthorized non-office related expenditure made from the Jay Rodne Surplus Funds Account and was a personal use of surplus funds in violation of RCW 42.17A.430.

On February 3, 2020, Representative Rodne completed a signed Statement of Understanding (SOU) acknowledging a violation of RCW 42.17A.430 by making an unauthorized non-office related expenditure of surplus funds to pay the initial filing fee for Pac Rim Bridges LLC. He paid a \$150 civil penalty that was assessed against him in this matter in accordance with WAC 390-37-143 (Brief Enforcement Penalty Schedule), resolving the personal use of surplus funds violation.

Based on our findings and the facts that Representative Rodne is no longer in office, has no prior PDC violations, and that the campaign-related expenditures only required to him to transfer surplus funds back into the respective campaign accounts to have been permitted, staff has determined that, in this instance, the remaining expenditures of surplus funds listed above do not amount to violations warranting further investigation.

Pursuant to WAC 390-37-060(1)(d), Jay Rodne will receive a formal written warning concerning the permitted uses of surplus funds in the future, should he decide to again seek public office. The formal written warning includes staff's expectation that Jay Rodne will disclose and pay for all campaign-related expenses through campaign committees in the future and will not make any prohibited personal use expenditures. The Commission will consider the formal written warning in deciding on further Commission action if there are future violations of PDC laws or 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 Fox Blackhorn at 1-360-753-1980 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

---

Fox Blackhorn  
Compliance Coordinator 2

/s

---

Peter Lavalley  
Executive Director

cc: Jay Rodne