



**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 • Website: www.pdc.wa.gov

December 23, 2019

Delivered electronically to “sheilag@awcnet.org”

Subject: Complaint filed by Glen Morgan, PDC Case 60975

Dear Association of Washington Cities:

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

As noted in the letter to Glen Morgan, 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.

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 pdc@pdc.wa.gov.

Sincerely,

Endorsed by,

/s

Fox Blackhorn
Compliance Coordinator 2

/s

Barbara Sandahl
Deputy Director
For Peter Lavalley
Executive Director



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December 23, 2019

Delivered electronically to “glen@wethegoverned.com”

Subject: Complaint regarding Association of Washington Cities, PDC Case 60975

Dear Glen Morgan:

The Public Disclosure Commission (PDC) has completed its review of the complaint you filed on December 6, 2019. The complaint alleged that Association of Washington Cities (Respondent), a nonprofit organization, may have violated RCW 42.17A.255 for failure to report the value of legal services in opposition to Initiative 976.

PDC staff reviewed the allegations; and the applicable statutes, rules, and reporting requirements to determine whether the record supports a finding of one or more violations.

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

- RCW 42.17A.255 requires any expenditures in support or opposition to any ballot proposition, if that expenditure is not otherwise required to be reported pursuant to RCW 42.17A.225, .235, and .240, when the value of aggregate expenditures by the sponsoring person equals \$100 or more during the same election campaign.
- RCW 42.17A.005(4) defines a ballot proposition as including, “any initiative, recall, or referendum proposition proposed to be submitted to the voters of the state or any municipal corporation, political subdivision, or other voting constituency from and after the time when the proposition has been initially filed with the appropriate election officer of that constituency before its circulation for signatures.”
- RCW 42.17A.005(18) defines election as, “any primary, general, or special election for public office and any election in which a ballot proposition is submitted to the voters.”
- On November 5, 2019, the date of the General Election, Initiative 976 was submitted to the voters, passed with 52.99% of the vote, and became law.
- In your complaint, you acknowledge that “[a]lthough **RCW 42.17A** does not specify when something ceases to be a “ballot measure,” it seems unlikely that courts would conclude that something is a “ballot measure” *after* it takes effect and becomes law.” (emphasis in original).
- On November 13, 2019, the Respondent joined as a party to a lawsuit filed in King County Superior Court, challenging the validity of Initiative 976, as a law of the State of Washington, not a ballot proposition.

Based on our findings staff has determined that, in this instance, no evidence supports a finding of a violation that warrants further investigation.

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 pdc@pdc.wa.gov.

Sincerely,

/s

Fox Blackhorn
Compliance Coordinator 2

Endorsed by,

/s

Barbara Sandahl
Deputy Director
For Peter Lavallee
Executive Director

cc: Association of Washington Cities