



**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)**

May 13, 2020

Delivered electronically to Peg Leland at [peg2326@yahoo.com](mailto:peg2326@yahoo.com)

Subject: Complaint against David Lugliani, PDC Case 62221

Dear Ms. Leland:

The Public Disclosure Commission (PDC) staff has completed its investigation of your complaint received on December 27, 2019. Your complaint alleged that David Lugliani, an individual acting on behalf of his company, McIntosh Ridge PRD LLC, committed violations of RCW 42.17A in the 2019 election year.

Specifically, your complaint alleged that the Committee may have:

1. Failed to timely file the independent expenditure (C-6) report (RCW 42.17A.255)
2. Failed to identify sponsor on political advertising (RCW 42.17A.320) and (WAC-18-030(4)(a)).

**RCW 42.17A.255** requires that a person who makes an independent expenditure in support of or in opposition to any candidate or ballot proposition files a report with the commission within five days after the date of making an independent expenditure.

**RCW 42.17A.320** requires that all written political advertising, whether related to candidates or ballot propositions, include the sponsor's name and address. Additionally, all political advertising undertaken as an independent expenditure or an electioneering communication by a person or entity other than a bona fide political party must include the statement: "No candidate authorized this ad. It is paid for by (name, address, city, state)."

**WAC 390-18-030 (4)(a)** requires that political advertising created and distributed by an individual using their own resources is not required to provide sponsor identification if the individual spends in the aggregate less than one hundred dollars to produce and distribute the advertising.

PDC staff reviewed your complaint, the applicable statutes, rules, and reporting requirements; and the response provided by Mr. David Lugliani.

As a result of the investigation, staff found the following:

*Alleged failure to file Independent expenditure on political advertising (C-6) report (RCW 42.17A.255). The complainant included copies of the sign and flyers that were bought and distributed by Mr. Lugliani as evidence of possible violation.*

- On April 21, 2020, the Respondent filed a C-6 report disclosing a September 14, 2019 expenditure for signs and flyers. This report was due no later than September 19, 2019, and was filed 215 days late, and 168 days after the November 5, 2019 general election.

*Alleged failure to identify sponsor on political advertisement (RCW 42.17A.320) and (WAC 390-18-030(4)(a)). The complainant included copies of the sign and flyers that were bought and distributed by Mr. Lugliani as evidence of possible violation.*

- The signs and flyers bought and distributed by Mr. Lugliani lacked the necessary sponsor identification information required by law/rule. Mr. Lugliani spent over one hundred dollars in the aggregate to produce and distribute the political advertising materials, and he was therefore required to include sponsor identification.

While our investigation found that Mr. Lugliani failed to timely file a C-6 report and include sponsor identification information on political advertising, he was inexperienced and unfamiliar with the PDC requirements pertaining to independent expenditures and sponsor identification requirements on political advertisement. Additionally, our investigation also found no prior PDC violations against Mr. Lugliani.

To resolve these violations, pursuant to WAC 390-37-060(1)(d), David Lugliani will receive a formal written warning concerning his failure to timely report independent expenditures on political advertising, including his failure to include sponsor identification requirements on political advertising in the 2019 election year. Mr. Lugliani will be informed the Commission will consider the 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 Erick Agina, Compliance Officer, at 360-753-1111, toll-free 1-877-601-2828, or by email at [pdcc@pdcc.wa.gov](mailto:pdcc@pdcc.wa.gov)

Sincerely,

*/s/ Peter Lavallee*

Peter Lavallee  
Executive Director

cc: David Lugliani

