



STATE OF WASHINGTON  
PUBLIC DISCLOSURE COMMISSION

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June 25, 2020

Delivered electronically to Kelli Skahan, with Schwerin, Campbell, Barnard, Iglitzin & Lavitt, LLP

Subject: PDC Staff Generated Complaint regarding the Amalgamated Transit Union Legislative Council of Washington State, PDC Case 69871

Dear Ms. Skahan:

The Public Disclosure Commission (PDC) has completed its review of the staff generated complaint filed against the Amalgamated Transit Union Legislative Council of Washington State (ATULC). The complaint alleged that the ATULC may have violated RCW 42.17A.635 by failing to timely file the Monthly Lobbyist Employer Contributions report (L-3c report) disclosing monetary contributions made to candidates and political committees in 2016.

PDC staff reviewed the information listed in the complaint resolution for PDC Case 43940, the statutes, rules and reporting requirements, queried the PDC contribution and expenditure database for ATULC contribution activities, reviewed the Monthly Lobbyist Employer Contributions report (L-3c reports) filed by the ATULC, and the responses provided by Kelli Skahan, an attorney with the law firm Schwerin Campbell Barnard Iglitzin & Lavitt LLP on behalf of the client ATULC.

- ATULC has been registered with the PDC as a Lobbyist Employer dating back to at least 1996, filing L-3 and L-3c reports disclosing expenditures made to hire a contract lobbyist to lobby, and contributions made to candidates and political committees.
- During 2016, ATULC made \$101,443 in total expenditures that included \$35,451 in monetary contributions made to 2016 candidates and political committees. PDC staff's review found ATULC timely filed L-3c reports disclosing 41 monetary contributions were made in 2016 totaling \$34,500, that 40 of the contributions had been timely disclosed, with one ATULC contribution being disclosed one day late.
- A complaint return letter was issued to ATULC resolving the allegations in PDC Case 43940 and dismissing the complaint that ATULC failed to register and report as a political committee for calendar years 2014 through 2018. As a result of staff's investigation, staff discovered that ATULC failed to file the Annual Report of Lobbyist Employers (L-3 reports) disclosing lobbying activities undertaken during calendar year 2016. However, as noted above, ATULC did timely file several L-3c reports during calendar year 2016 disclosing contributions made to candidates and political committees.

- In PDC Case 43940 ATULC completed a Statement of Understanding (SOU) and paid a \$150 civil penalty in accordance with WAC 390-37-143 (Brief Enforcement Penalty Schedule), for failing to timely file the Annual Report of Lobbyist Employers (L-3 reports) for calendar year 2016. The SOU completed by ATULC acknowledged a violation of RCW 42.17A.630, and the \$150 penalty assessed in that matter resolved the issue of the late filed L-3 report for 2016 for PDC Case 43940.
- After resolving PDC Case 43940, the complainant in that matter, the Freedom Foundation sent a letter to the PDC stating amongst other things, that during calendar year 2016 ATULC failed to disclose monetary contributions without providing any specific candidates or political committees. Based on the letter, PDC staff reviewed the 2016 contribution database and found the following contributions had been made by ATULC in 2016, but were not disclosed on an L-3c report:
  1. A \$5,000 monetary contribution was made to Raise Up Washington PAC, a political committee registered with the PDC in 2016, and was disclosed as having been received on May 31, 2016. ATULC filed an L-3c report on June 6, 2020, disclosing a \$5,000 contribution was made on April 22, 2016, to Raise Up Washington PAC. An L-3c report was required to have been filed by ATULC no later than May 15, 2016, and the L-3c report was filed by ATULC 1,483 days late.
  2. A \$2,000 monetary contribution was made to Transportation for Washington PAC, a political committee registered with the PDC in 2016, and was disclosed as having been received on October 25, 2016. ATULC filed an L-3c report on May 12, 2020, disclosing a \$2,000 contribution was made on October 19, 2016, to Transportation for Washington PAC. An L-3c report was required to have been filed by ATULC no later than November 15, 2016, and the L-3c report was filed by ATULC 1,274 days late.

On June 24, 2020, the PDC received a completed a Statement of Understanding (SOU) from ATULC and paid a \$300 civil penalty in accordance with WAC 390-37-143 (Brief Enforcement Penalty Schedule), acknowledging two violations of RCW 42.17A.630 for failing to timely file two Monthly Lobbyist Employers Contributions reports (L-3c reports) disclosing the late filed contributions made in 2016. The \$300 penalty assessed in this matter resolves the issue of the two late filed L-3c reports for 2016.

PDC staff found no evidence of a material violation that would require conducting a more formal investigation into your complaint or pursuing any enforcement action in this instance. Based on this information, PDC staff is dismissing this matter against the Amalgamated Transit Union Legislative Council of Washington State in accordance with RCW 42.17A.755(1).

If you have questions, you may contact me at (360) 664-8854, toll-free at 1-877-601-2828, or by e-mail at [kurt.young@pdc.wa.gov](mailto:kurt.young@pdc.wa.gov).

Sincerely,

Endorsed by,

/s \_\_\_\_\_  
 Electronically Signed, Kurt Young  
 Compliance Officer

/s \_\_\_\_\_  
 Electronically Signed BG Sandahl, Deputy Director  
 for Peter Lavalley, Executive Director

cc: Kelli Skahan, on behalf of the ATULC