



**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 • Website: www.pdca.wa.gov

September 22, 2020

Delivered electronically to Representative Tana Senn Surplus Funds Account

Subject: Complaint regarding Tana Senn Surplus Funds Account, PDC Case 73852

Representative Senn and Ms. Pfeifer:

The Public Disclosure Commission (PDC) has completed its review of the complaint filed by Glen Morgan on July 15, 2020. As noted in the letter to Mr. Morgan, the PDC will not be conducting a more formal investigation into these allegations or taking any enforcement action in this matter.

PDC staff is reminding you of the importance to carefully review expenditures made from your surplus funds account to make sure all expenditures are permissible in accordance with RCW 42.17A.430, especially contributions made to political party organizations.

The PDC has dismissed the complaint in accordance with RCW 42.17A.755(1). If you have questions, you may contact Kurt Young at (360) 664-8854, toll-free at 1-877-601-2828 or by e-mail at pdcc@pdcc.wa.gov.

Sincerely,

Endorsed by,

/s _____
Kurt Young
Compliance Officer

/s _____
BG Sandahl, Deputy Director for
Peter Lavalley, Executive Director





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September 22, 2020

Delivered electronically to Glen Morgan

Subject: Complaint regarding Tana Senn, PDC Case 73852

Mr. Morgan:

The Public Disclosure Commission (PDC) has completed its review of the complaint you filed on July 15, 2020. The complaint alleged that Tana Senn, an incumbent Washington State Representative for the 41st Legislative District and a candidate seeking re-election to that office in 2020, may have violated Chapter 42.17A.430 by making a \$1,000 prohibited expenditure from the Tana Senn Surplus Funds Account to the Eastside Democratic Dinner Committee.

PDC staff reviewed the allegations; the applicable statutes, rules, and reporting requirements for a surplus funds account; the response provided by Melissa Pfeifer, Treasurer for the Tana Senn Surplus Funds account ; and the Summary Full Campaign Contribution and Expenditure reports (C-4 reports) filed by the Tana Senn Surplus Funds Account to determine whether the record supports a finding of one or more violations. Based on staff's review, we found the following:

- On January 10, 2019, Tana Senn filed a Candidate Registration (C-1 report) with the PDC declaring candidacy for re-election to the office of State Representative, selecting the Full Reporting Option, and listing Melissa Pfeifer as Treasurer. Representative Senn was elected State Representative in 2014 and re-elected to that position in 2016 and 2018.
- Representative Senn has been filing surplus fund C-3 and C-4 reports dating back to April 9, 2015, when the initial C-4 report was filed for the Tana Senn Surplus Funds covering March of 2015.
- RCW 42.17A.430 defines surplus campaign funds as contributions received by a candidate during an election cycle and that remain after the election has been held and all expenditures, loans, debts and obligations have been paid. The statute allows surplus funds to be deposited into a separate Surplus Funds Account and use those funds to pay for non-reimbursed public office related expenses; making contributions to political party committees or a caucus political committee; or making expenditures to charitable organizations.
- On July 9, 2020, the Tana Senn Surplus Funds account filed a C-4 report for June of 2020, disclosing \$1,524.50 in surplus funds expenditures were made during June that included a \$1,000 contribution made to the Eastside Democratic Dinner Committee on June 11, 2020.

- According to its website, the Eastside Democratic Dinner Committee (Committee) is made up of regional Democratic Party organizations that supports “Democratic party building efforts” for four legislative district organizations in East King County. The Committee works collaboratively with the 5th, 41st, 45th and 48th Legislative District Democratic organizations, and the Committee’s leadership consists of each of the four Chairs of those East King County Legislative District Democratic organizations.
- Ms. Pfeifer stated the \$1,000 contribution made to the Committee had been made using surplus funds, and that both she and Representative Senn “*mistakenly believed it was a political party and not a PAC (and therefore a permissible use of the funds). It was not until reading the complaint that we realized our mistake, and a request was immediately made for the refund of the donation.*”
- Ms. Pfeifer stated that as soon as she was made aware of the complaint on July 21, 2020, she discovered the \$1,000 contribution had been made in error and requested the contribution be refunded by the Committee. She stated the contribution was refunded by the Committee and received and deposited by the Tana Senn Surplus funds account on July 23, 2020. She stated she filed a C-3 report for the Tana Senn Surplus funds account on July 24, 2020, disclosing the receipt and deposit of the \$1,000 refund of contribution from the Committee as July 23, 2020.
- On August 10, 2020, the Tana Senn Surplus funds account timely filed a C-4 report for July of 2020, disclosing that a \$1,000 deposit was made on July 23, 2020. In addition, the Schedule C (Corrections) to C-4 report disclosed a \$1,000 refund was received from the Committee on July 23, 2020.

Staff found that while the Eastside Democratic Dinner Committee has a direct nexus to the 5th, 41st, 45th and 48th Legislative District Democratic organizations since the Chairs are its Officers, the surplus fund expenditure was not made to a bona fide political party committee. The \$1,000 contribution was timely refunded by the Eastside Democratic Dinner Committee, and staff’s review indicated the contribution had not been spent prior to being refunded.

PDC staff found no evidence of a material violation that would require conducting a more formal investigation into the complaint or pursuing enforcement action in this instance. Staff is reminding Representative Senn and Ms. Pfeifer concerning the importance of carefully reviewing expenditures made from the surplus funds account to make sure all expenditures are permissible in accordance with RCW 42.17A.430, especially contributions made to political party organizations.

The PDC has dismissed the complaint in accordance with RCW 42.17A.755(1). If you have questions, you may contact Kurt Young at (360) 664-8854, toll-free at 1-877-601-2828 or by e-mail at pdcc@pdcc.wa.gov.

Sincerely,

Endorsed by,

/s
Kurt Young
Compliance Officer

/s
BG Sandahl, Deputy Director for
Peter Lavalley, Executive Director

cc: Melissa Pfeifer with Tana Senn Surplus Funds Account