

December 17, 2020

Erick O. Agina
Compliance Officer
Public Disclosure Commission

Subject: Clark County is Not for Sale: Alleged Violation of 42.17A RCW for failure to timely register with their sponsorship in the name; failure to timely and accurately report contributions & expenditures; and exceeding contribution limits (EY20, Nov20)

My apologies for responding late to this issue. I did not see this until today and am responding immediately. It is entirely my fault, although I will blame it on Christmas in the time of Covid and hope for your understanding

Thank you for the opportunity to respond to another Glen Morgan complaint.

1. Failure to identify PAC Sponsor in the name of the PAC as required by law (Violation of RCW 42.17A.205(5), WAC 390-16-011a(2))

Clark County Is Not For Sale was created in 2012 to pursue political issues concerning voters in Clark County. We have had the same name for all of that period of time. We have created independent expenditures three times over the course of our existence. We file a C1 every year at the beginning of the year to identify our committee and our board and to report all donations and expenditures that occur during the year. The public is able to follow our committee with nothing being withheld or hidden. I am not aware of nor could find the law that says we must include the letters PAC in our actual name. We do file with Public Disclosure as a political action committee.

Mr. Morgan states in his complaint that our committee should have changed it's name to "Clark County is not for Sale PAC, sponsored by Don Welch". If Public Disclosure confirms that this is the correct procedure, we would be happy to comply, although that would not be a truthful statement. In 2020, we had two donors although only one at the time of the IE. Some years there are more donors than others depending on county politics.

Mr. Morgan's accusation and assumptions that we were attempting to conceal any information from the public is completely wrong. All donations are and have been reported in the legal time frame.

The disclosure on the mailer sent out by CCNFS did state that it was paid for by Clark County Is Not For Sale and did show the single donor for the previous 12 months as stated in the law.

2. Failure to provide adequate detail of the number of mailers sent by this PAC as required by law (Violation of RCW 42.17A.235, RCW 42.17A.240, and WAC 390-16-037)

Mr. Morgan claims that we did not report the number of pieces printed and distributed by the independent expenditure. He included PDC report #101011552 with his complaint, but failed to mention the amended report (number 101014470) that includes the number of pieces. The number of pieces was also reported in the debt payment to Winpower Strategies. (Screen print below)

The screenshot shows a software interface for recording debt activity. On the left, there are input fields for 'Vendor/Agent Name' (WINPOWER STRATEGIES), 'Expenditure Account' (5210 - Professional Services), 'Total Obligated' (\$8,000.00), 'Balance' (\$0.00), 'Date' (10/05/2020), 'Description' (mailer design, print, and mail 15,983 pieces), and 'Memo (optional)'. On the right, a table titled 'Debt Activity' shows a list of transactions. The table has columns for 'Name / Type', 'Amount', and 'Balance'. The transactions are: WINPOWER S... (\$8,000.00), Payment (\$6,393.20), and Adjustment (\$1,606.80). The balance is \$0.00. At the bottom, there are navigation controls and a status bar showing '1 of 1'.

| Name / Type | Amount | Balance |
|---------------|--------------|---------|
| WINPOWER S... | \$8,000.00 | \$0.00 |
| Payment | \$6,393.20 | |
| Adjustment | (\$1,606.80) | |

We resent the accusation against our “experienced vendor” claiming that they appear to be a “serial PDC violator” which is a very unprofessional statement to make.

3. Failure to report Earmarked Contributions (Violation of RCW 42.17A.270, WAC 390-16-033)

CCNFS did receive and make public a donation from Don Welch. Don Welch is not a relative of Matt Little as claimed by Mr. Morgan and confirmed by Mr. Welch. Whether Mr. Welch maxed out his contribution to the Matt Little campaign is not pertinent to Clark County Is Not For Sale’s business. Clark County is Not For Sale has supported other candidates in other years against Gary Medvigy with contributions as we did in 2020 with electioneering. We will continue to campaign against Mr. Medvigy in the future with or without Mr. Welch’s support. Matt Little is not part of our committee, funds were not earmarked for Mr. Little, and Mr. Little was not mentioned in the mailer.

4. Failure to report legally required details on the Independent expenditure report (Violation of RCW 42.17A.260(3)(c), WAC 390-16-060)

It is true that the number of mail pieces is not shown on the C6 report. When filing out the C6 form, we were asked for a description of the goods supplied by the vendor which was reported. The number of pieces had been reported twice before when reporting the printer and the designer (Capitol City Press and Winpower Strategies). It was not our intention to conceal any information from the public. We will amend the C6 if so directed and will show piece quantities on all future expenditures.

Mr. Morgan prefers slander over facts in his summary – “it is clear that the Clark County is not for Sale PAC certainly has been bought” and “he may not have realized this crew wouldn’t follow the law”. CCNFS works to follow the laws for public disclosure and welcomes suggestions for better reporting of the details. We deny any wrongdoing for items 1-3 and request that these be dismissed. We submit that the single error of not reporting the number of pieces for a third time is a minor clerical error. Information could be found that covered all of the details in the many reports filed with PDC so that the public was not denied pertinent information about the PAC itself or the transactions made in 2020.

Thank you again for the opportunity to address the false attacks Mr. Morgan continues to make on his friends’ opponents. We respect the law and strive to report fully and truthfully at all times.

Marsha Manning – CCNFS Treasurer