



**State of Washington
PUBLIC DISCLOSURE COMMISSION**

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March 1, 2021

Delivered electronically to "millsaustin@wavecable.com"

Subject: Complaint regarding Jim Bryant - Committee Against SKSD 2021 Levy, PDC Case 84478

Dear Gerry Austin:

The Public Disclosure Commission (PDC) has completed its review of the complaint you filed on January 24, 2021. Your complaint alleged Jim Bryant - Committee Against South Kitsap School District 2021 Levy may have violated RCW 42.17A.205 by failing to timely register as a political committee; and RCW 42.17A.235 and .240 by failing to timely and accurately disclose contributions received and expenditures made after accepting an in-kind contribution from Dave Kimball for the use of Mr. Kimball's Citizens Supporting South Kitsap Schools website.

PDC staff reviewed your allegations; the applicable statutes, rules, and reporting requirements; and a response provided by Mr. Bryant - Committee against SKSD 2021 Levy. Staff also spoke with Mr. Bryant, and with Dave Kimball. Staff made its inquiries to determine whether the record supports a finding of one or more violations.

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

- Jim Bryant called himself Committee Against South Kitsap School District 2021 Levy in order to qualify to write the opposition statement in the Kitsap County Voters Pamphlet. Mr. Bryant stated he did not raise or spend any funds concerning his opposition to the February 9, 2021 ballot measure, but acknowledged receiving access, at no charge, to Mr. Kimball's website to express his opposition to the levy.
- Mr. Kimball said when he realized Mr. Bryant did not have his own website, he offered Mr. Bryant access to the website of Citizens Supporting South Kitsap Schools, at no charge, for two months. Mr. Bryant identified Committee Against South Kitsap School District 2021 Levy as the sponsor of the newly posted material.
- Mr. Kimball said the only expenditures he has incurred have been the annual costs to maintain the website. On December 13, 2020, Mr. Kimball paid \$151.87 to One.com for hosting services and renewal of the domain name for the upcoming year.

- Mr. Bryant said he used Mr. Kimball's website for 61 days, from November 30, 2020 to January 30, 2021, and said the in-kind value of using the website for two months was less than \$25. Mr. Bryant said he produced the website content, and did not receive in-kind contributions for content development. Mr. Bryant confirmed he did not solicit or receive contributions or make expenditures, other than the in-kind contribution from Mr. Kimball for use of Mr. Kimball's website.
- Staff is not aware of previous warnings/violations by the Respondent concerning PDC requirements.

Based on these findings, staff has determined that in this instance, the failure to timely register and report as a political committee opposing Proposition 1, a ballot measure placed on the February 9, 2021 ballot by the South Kitsap School District, does not amount to a violation warranting further investigation.

PDC staff will bring to Mr. Bryant's attention the need to register as a political committee when accepting contributions, including in-kind contributions, regardless of the size of the contributions, to support or oppose a candidate or a ballot proposition. Staff will also make Mr. Bryant aware of the independent expenditure reporting requirements when services are purchased rather than accepted as in-kind contributions.

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 Phil Stutzman at 360-664-8853, toll-free at 1-877-601-2828, or by e-mail at pdcc@pdcc.wa.gov.

Sincerely,
/s Electronically Signed Philip E. Stutzman
Phil Stutzman
Compliance Officer

Endorsed by,
/s Electronically Signed Barbara Sandahl
Barbara Sandahl
Deputy Director
For Peter Lavalley
Executive Director

cc: Jim Bryant - Committee Against SKSD 2021 Levy