



**State of Washington  
PUBLIC DISCLOSURE COMMISSION**

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April 9, 2021

Delivered electronically to: Myst Beal, Nancy Bocek, and Lawrence Goldman

Subject: Complaints regarding Don Benton Sponsored Mailings, PDC Case 87767

Dear Myst Beal, Nancy Bocek, and Lawrence Goldman:

The Public Disclosure Commission (PDC) has completed its review of the complaints filed on or about March 23, 2021. The complaints alleged Don Benton failed to include sponsor identification on mailings that were political advertising, an alleged violation of RCW 42.17A.320.

PDC staff reviewed your allegations; the applicable statute, and the response provided by Don Benton to determine whether the record supports a finding of one or more violations.

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

- Myst Beal complained of receiving a large postcard mailing stating State Representative Tina Orwall was a sponsor of House Bill 1465 which would force families to sell their family business and/or home to pay the death tax. Myst Beal alleged the postcard failed to identify who produced and paid for the mailer.
- Nancy Bocek complained of receiving a campaign mailer that did not have a notice of the individuals or organization that paid for and mailed it, an alleged violation of RCW 42.17A.320. Nancy Bocek complained the mailing included a call to action to State Representatives Frank Chopp and Nicole Marci, sponsors of House Bill 1465.
- Lawrence Goldman complained of receiving an anonymous mailer making strong claims opposing House Bill 1465 and asking recipients to call Javier Valdez and Gerry Pollet and tell them to "stop HB 1465" and to ask them to "stop supporting this double taxation on your family's assets!" Lawrence Goldman said it was his understanding these sorts of mailers need to include information about the sponsor.

- The requirement to include sponsor identification on political mailings applies specifically to “political advertising”<sup>1</sup> and in those instances is required by RCW 42.17A.320. There is no such sponsorship requirement for a grass roots lobbying campaign, which is defined in RCW 42.17A.640 as a program presented to the public, a substantial portion of which is intended, designed, or calculated primarily to influence legislation.
- The mailings you received did not constitute “political advertising” and therefore did not require sponsor identification. The mailings qualified as a grass roots lobbying campaign under RCW 42.17A.640, which allows 30 days to report expenditures and associated contributions. Don Benton sponsored the grass roots lobbying mailings you received, and he filed the required L-6 Grass Roots Lobbying report on April 1, 2021, in advance of its due date, and in full compliance with the law.

Based on these findings, staff has determined that no evidence supports a finding of a violation for failing to include sponsor identification on mailings that were a grass roots lobbying campaign. In the future, you may contact the PDC in advance of filing a complaint to find out if the alleged violation is covered by PDC law.

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](mailto:pdcc@pdcc.wa.gov).

Sincerely,

*Electronically Signed Philip E. Stutzman*

Phil Stutzman  
Compliance Officer

Endorsed by,

*Electronically Signed Barbara Sandahl*

Barbara Sandahl  
Deputy Director  
For Peter Lavalley  
Executive Director

cc: Don Benton

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<sup>1</sup> RCW 42.17A.005(40) defines political advertising as any advertising displays, newspaper ads, billboards, signs, brochures, articles, tabloids, flyers, letters, radio or television presentations, digital communication, or other means of mass communication, used for the purpose of appealing, directly or indirectly, for votes or for financial or other support or opposition in any election campaign.