



State of Washington
PUBLIC DISCLOSURE COMMISSION

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September 28, 2021

Sent electronically to Deborah McDaniel at Deborah.macdaniel@gmail.com

Subject: Complaints regarding William Broughton, PDC Case 97486 and PDC Case 97941

Dear Ms. McDaniel:

The Public Disclosure Commission (PDC) has completed its review of the two complaints you filed against William Broughton PDC Case 97486 and PDC Case 97941. The two complaints alleged that William Broughton, a 2021 first-time candidate for Mayor in the City of Bremerton, may have violated: (1) RCW 42.17A.405 for receiving over-limit contributions for a candidate whose name will only be appearing on the general election ballot; and (2) RCW 42.17A.240 by failing to timely disclose an expenditure for the candidate filing fee.

PDC staff reviewed your allegation(s); the applicable statute(s), rule(s), and reporting requirements; and the Monetary Contribution (C-3) and Summary Campaign Contribution and Expenditure (C-4) reports filed by the Committee to William Broughton (Campaign); and the responses to the two complaints submitted by Abby Somers, Treasurer, on behalf of the Campaign. In order to more efficiently use PDC resources, your two complaints have been combined into one complaint resolution letter.

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

- On March 2, 2021, William Broughton filed a Candidate Registration (C-1) report and selected the Full Reporting Option and listed Abby Somers as Ministerial Treasurer.

Alleged violation #1: RCW 42.17A.405 for accepting/receiving over-limit contributions for a candidate only participating in the general election. (PDC Case 97486)

- Staff reviewed the exhibit you submitted with the complaint as evidence of possible violations of RCW 42.17A.405. Staff also reviewed the C-3 reports filed by the Campaign.
- RCW 42.17A.405 limits candidates to receiving \$1,000 in contributions from any one individual or per person for each election in which the candidate's name appears on the ballot.
- Only two candidates filed to run for Mayor in the City of Bremerton in 2021, so there was no primary election for this race and William Broughton's name did not appear on the 2021 primary ballot.

- Therefore, each candidate was limited to one \$1,000 contribution limit from any one source during the 2021 election cycle, which was attributed to the 2021 general election only.
- However, in reviewing the C-3 reports filed by the Campaign, the Campaign disclosed receiving \$2,000 in total contributions each from Bob Mathwig and Morgan Henley, on July 21, 2021, and August 2, 2021, respectively. The Campaign incorrectly attributed \$1,000 to the 2021 primary election and 2021 general election for both individuals.
- On August 31, 2021, the Campaign filed two amended C-3 reports re-attributing the two over-limit contributions to the general election instead of the primary election, based on communication with, and permission from, the two contributors, Bob Mathwig and Morgan Henley.
- The amended C-3 reports disclosed: (1) a \$1,000 contribution was received from Hanley Construction and a \$1,000 contribution was received from Morgan Hanley on August 2, 2021; and (2) a \$1,000 contribution was received from Bob Mathwig and a \$1,000 contribution was received from Kristi Mathwig on July 21, 2021.
- In its response to this complaint, received on September 1, 2021, the Campaign, by way of Abby Somers, stated: “I have corrected the two mistakes and amended all reports to reflect the general rather than primary. The two contributions in question were amended to contributors between a couple (Mathwig) and a business (Hanley) and an individual.”

Alleged violation #2: RCW 42.17A.240 for failing to timely disclose the candidate filing fee. (PDC Case 97941)

- Staff reviewed the C-4 reports filed by the Campaign and could not find that the filing fee for City of Bremerton Mayor had been disclosed as either an expenditure or in-kind contribution.
- On September 22, 2021, Ms. Somers stated in the response that the candidate decided to “contribute the filing fee to his campaign and I have updated the C-4 to reflect the expense.”
- On September 22, 2021, the Campaign filed an amended May 2021 C-4 report, disclosing that \$1,700 in monetary contributions had been received, and \$2,929.98 in expenditures were made that included a \$1,140 expenditure made to the Kitsap County Auditor’s Office on May 19, 2021 for the candidate filing fee.

Based on these findings, staff has determined that, in this instance: (1) the Campaign did not exceed the contribution limits found in RCW 42.17A.405, since the over-limit contributions from the two individuals were promptly re-attributed based on communications with the contributors; and (2) the failure to timely disclose the candidate filing fee did not impact the public, and does not amount to a material violation warranting further investigation.

William Broughton was a first-time candidate who was not familiar with the PDC requirements, and the Campaign was responsive and promptly amended the requested C-3 reports and the C-4 report as soon as these minor deficiencies were brought to their attention.

However, William Broughton will receive a reminder letter concerning his 2021 Campaign’s adherence to the statutory contribution limits found in RCW 42.17A.405, and to timely disclose all contribution and expenditure activities, including the candidate filing fee.

Based on this information, the PDC finds that no further action is warranted and has dismissed the allegations listed in these two matters, PDC Case 97486 and PDC Case 97941, in accordance with RCW 42.17A.755(1).

If you have questions, you may contact Erick Agina, Compliance Officer at (360) 586-2869, toll-free at 1-877-601-2828, or by e-mail at pdcc@pdc.wa.gov.

Sincerely,

Endorsed by:

s/_____
Erick Agina, Compliance Officer

s/_____
Kim Bradford, Deputy Director for
Peter Lavallee, Executive Director

cc: William Broughton

