



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.pdcc.wa.gov

December 6, 2021

Sent electronically to Joe Marine

Subject: Complaint filed by Charles Wichert, PDC Case 99672

Dear Mr. Marine:

Below is a copy of an electronic letter sent to Charles Wichert concerning the complaint he filed with the Public Disclosure Commission (PDC) against your 2021 Campaign. As noted below in the electronic letter to Mr. Wichert, the PDC will not be conducting a more formal investigation into the allegation or taking any enforcement action in this instance.

However, PDC staff is reminding you about the importance of staying within the contribution limits of the office being sought, in this case the Mayor of Mukilteo and the \$1,000 per election contribution limits from an individual or any person, for any election in the future in which your name appears on the ballot.

The PDC has dismissed this matter in accordance with RCW 42.17A.755(1). If you have questions, please contact Kurt Young, Compliance Officer by e-mail at pdcc@pdcc.wa.gov.

Sincerely,

Endorsed by:

s/ _____
Electronically Signed Kurt Young,
PDC Compliance Officer

s/ _____
Electronically Signed Kim Bradford, Deputy Director for
Peter Lavalley, Executive Director





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December 6, 2021

Sent electronically to Charles Wichert

Subject: Complaint regarding Joe Marine, PDC Case 99672

Charles Wichert

The Public Disclosure Commission (PDC) has completed its review of the complaint you filed against Joe Marine on October 13, 2021. The complaint alleged that Joe Marine, incumbent Mayor for the City of Mukilteo and a candidate seeking re-election to that office in 2021, may have violated RCW 42.17A.405 for receiving over-limit contributions for a candidate whose name only appeared on the 2021 general election ballot.

PDC staff reviewed your allegation listed in the complaint; the applicable statute(s), rule(s), and the 2021 contribution limits for a candidate seeking local office; the Monetary Contribution (C-3) and Summary Campaign Contribution and Expenditure (C-4) reports filed by the Friends of Joe Marine (Campaign); and the response to the complaint submitted by Joe Marine. Based on staff's review, we found the following:

- On February 4, 2021, Joe Marine filed a Candidate Registration declaring his candidacy for re-election to the office of Mayor of Mukilteo in 2021, selecting the Full Reporting Option and listing Candy Marine as Treasurer.
- RCW 42.17A.405 limits candidates for Mayor and City Council in calendar year 2021 to receiving \$1,000 in contributions from any one individual or 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 Mukilteo in 2021, so there was no primary election for this race and Joe Marine'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 for the entire 2021 election cycle.
- In reviewing the C-3 reports filed by the Joe Marine Campaign (Campaign), the Campaign disclosed receiving: (1) a \$1,000 monetary contribution was received from Paul Marshall on February 22, 2021, which was designated for the 2021 Primary election; and (2) a \$1,000 monetary contribution was received from Paul Marshall on August 1, 2021, which was designated for the 2021 General election.
- On September 9, 2021, the Campaign timely filed the Post-Primary Election C-4 report disclosing a total of \$20,405 in total contributions had been received by the Campaign as of August 31, 2021, that included the \$1,000 general election contribution received from Mr. Marshall on August 1, 2021.

- The C-4 report disclosed that as of August 31, 2021, the Campaign's expenditures totaled \$3,176.81, with a cash on hand balance of \$17,228.19, indicating the \$1,000 contribution from Mr. Marshall on August 1, 2021 had not been spent.
- On October 26, 2021, the Campaign timely filed the 7-Day Pre-General Election C-4 report disclosing that a \$1,000 expenditure had been made on October 24, 2021 to Paul Marshall, refunding the \$1,000 that had previously been contributed by Mr. Marshall in excess of the contribution limits. The 7-Day Pre-General Election C-4 report disclosed the Campaign had a \$13,153 cash on hand balance, after the \$1,000 contribution had been refunded to Mr. Marshall.
- In his response to this complaint, Mr. Marine stated that he "did not have a primary election and it was my mistake in accepting this contribution." He stated that the Campaign refunded a \$1,000 contribution to Mr. Marshall and filed a C-4 report disclosing the \$1,000 refunded contribution. He reiterated that the over limit contribution "was a misunderstanding on my part in the contribution limits. We have double checked all contributions and his is the only contribution we made this mistake on."

Based on these findings, staff has determined in this instance while the Campaign did exceed the contribution limits found in RCW 42.17A.405 by receiving a \$1,000 over-limit contribution received from Mr. Marshall, the Campaign: (1) refunded the \$1,000 over limit contribution prior to the November 2, 2021 general election, once they became aware of exceeding the contribution limits; and (2) had a significant cash on hand balance that confirmed the \$1,000 over limit contribution received from Paul Marshall was not spent by the Campaign prior to being refunded.

Thus, PDC staff does not believe these facts amount to a material violation warranting further investigation or any enforcement action. PDC staff will be sending Joe Marine a letter reminding him about the importance of staying within the contribution limits of the office being sought for the remainder of the 2021 election cycle, and any election in the future in which his name appears on the ballot.

Based on this information, the PDC dismissed this matter in accordance with RCW 42.17A.755(1). If you have questions, you may contact Kurt Young, Compliance Officer by e-mail at pdc@pdc.wa.gov.

Sincerely,

Endorsed by:

s/ _____
Electronically Signed Kurt Young,
Compliance Officer

s/ _____
Electronically Signed Kim Bradford, Deputy Director for
Peter Lavalley, Executive Director

cc: 2021 Joe Marine Campaign