

[Kyle Lucas](#)

Replied (Mon, 14 Oct 2024 at 7:12 PM)

To: "PDC Support" <pdcc@pdcc.wa.gov>

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External Email

Ms. Townsend,

It would seem that this was all prompted by a frivolous complaint wherein the complainant acknowledges having filed hundreds of such complaints. That said, I must agree with his premise that the agency (PDC) could have done so much better by us—we the citizen activists who filed this Citizen's Legislative Initiative. We are a rag tag bunch of elders in their 70s and 80s (many who don't know how to use their computers if they even own one) doing the best we can. We ensured at least one of us took the PDC Reporting class, but that too covered complex reporting terrain in a too rapid-fire Zoom session without adequate give and take by we student citizen activists. We agree with the complainant's ultimate aim "to highlight and ultimately fix the significant shortcomings associated with the agency responsible for administering our state's campaign finance laws. What are these shortcomings? Overcomplicated and outdated requirements that are difficult to understand and comply with. Failure to properly educate filers about the tasks they must perform to remain in compliance with applicable requirements and avoid complaints" among others. So, we agree that "the agency" (PDC) "enables the complaint system to become weaponized" and we elder activists live in fear and dread that we'll make a mistake. Hence, our numerous telephone calls to the agency. And we especially agree about the PDC having a "Non-intuitive, non-user friendly, and buggy reporting software" that causes well-intentioned filers to be late. For example, in our recent filing, we had to repeat the "I certify" process numerous times over and over before it finally took--two minutes late.

All that said, then the complainant fires y'all up over there at the PDC to then search our filing for problems, we are even more dismayed. WTG! In any case, I shall attempt to respond to the original complainant and follow that with yours, the PDC's, scouring of our filing for more issues--which we believe are unfounded. So, on behalf of our team as best we elder citizen activists can, given that EVEN your order demanding our response is SO convoluted it's almost impossible to decipher and determine to what we're to respond, I/we offer the following responses:

### **Filed Complaint - PDC Case Number 159760**

- Allegation: Violation of RCW 42.17A.235 and .240 for failure to timely and accurately report contributions & expenditures on reports for election year 2024:
  - *"Description of Complaint This committee failed to file this C4 on time: <https://apollo.pdc.wa.gov/public/registrations/campaign->*

[financereport/110240701](#) Additionally, it appears that the committee failed to appropriately classify an in-kind loan for "In-Kind Loan to Campaign for Printing at Capitol City Press" which he classified as an in-kind contribution. Also, I know staff will probably want him to disclose the type of item printed and the quantity printed, so I wanted to point that out as well."

**Campaign Response:**

Failed to file C4 on time: Because the PDC's requirements are so convoluted it was difficult to know how soon we should report. But if we erred and failed to timely report, we apologize and will do better.

Ken Clark's In-Kind Loan: We agree; it appears that we did err in classifying the loan as a contribution. We will amend the filing. And we agree that we ought to note it as an "In-kind Loan for Printing at Capitol City Press" as was the In-Kind Loan listed on line above, so we will include that it was for printing and to whom.

**Ms. Tabitha Townsend/PDC - PDC Case Number 159760 Questions:**

1. Is your committee supporting specific ballot measures or candidates in 2024? Or 2025? According to your website you are actively collecting signatures for a 2025 initiative to be placed on the ballot.
2. The committee registered as a continuing committee in the registration filed of September 18, 2024, but identified that the efforts are to support initiative(s) in election year 2025. Did you mean to register as a single election year committee for election year 2025 or to be a continuing committee active in both election years 2024 and 2025?

**Campaign Response:**

**Questions 1. & 2.:** Obviously, our committee is NOT supporting specific ballot measures or candidates in 2024. As for whether it will be a ballot measure in 2025--that is undetermined. Our committee filing states that we are an ongoing committee for a good reason--the PDC told us to! We specifically called the PDC because we didn't know if we should be listed as a single year committee. Moreover, your premise is FALSE ... our website does not say that we're collecting signatures for an Initiative to be placed on the ballot. Actually, according to our website we are actively collecting signatures for a 2025 Initiative to be placed before the Legislature. However, it is WA State Law that IF the Legislature fails to approve our Initiative or an acceptable alternative it is our prerogative to then file to place our Initiative on the November 2025 ballot. Accordingly, IF we collect the qualifying number of signatures (which is questionable) and our Initiative goes before the January 2025 Legislature, and they choose not to pass it--we have the option to then

place it on the November 2025 ballot. Our question, then, to the PDC was whether we are a single year committee because we are doing the signature gathering this year or continuing because the Initiative is slated for the 2025 Legislature and then potentially for the 2025 ballot should it not be passed by the Legislature. We called to specifically ask that question and were advised to state we are a "continuing committee." Frankly, the PDC's discussion of Initiative committees is very unclear and frankly convoluted regarding Legislative Initiatives filed in one year for the following year's Legislative Session, which that COULD then be advanced to the following November's ballot IF the Legislature fails to pass the Initiative! Hence, our calling the PDC where we were advised to file as "a continuing committee." Your questions asks what we meant to do. We meant to follow the law and the requirements of the PDC! Again, it was so confusing because our signature gathering is occurring this year for a Legislative Initiative destined for the January 2025 Legislative Session. It was the PDC who told us to file as a "continuing committee." If that is incorrect then it is the PDC's fault.

### **Ms. Townsend/PDC Question 3:**

Per the filed reports for your committee it appears that your committee registration would need to list the Sponsor Name in the title of your committee on your C1pc. Please see link [here](#) and [here](#) for more information about sponsored committees and the screen shot below showing contributions.

### **Campaign Response:**

From the ridiculous to the sublime. After committee polling and selection our formal committee's name and registration was decided for the title on our C1pc AFTER conducting endless research to ensure compliance with the PDC. In the course of our research we discovered that the Thirty Dollar Tabs Initiative had utilized the committee's website as its name. So, **again after calling and consulting the PDC** to gain affirmation that selection of it was permissible, we too chose to utilize our website address as our committee's name. What are these, different rules for us? Also, here is a link to the guidelines for committee names and cited RCW that discusses what a "person" is-- including committee name.

<https://www.pdc.wa.gov/rules-enforcement/guidelines-restrictions/political-committee-sponsor>

**And the referenced RCW:** [RCW 42.17A.005\(39\)](#) "Person" includes an individual, partnership, joint venture, public or private corporation, association, federal, state, or local governmental entity or agency however constituted, candidate, **committee**, political committee, political party, executive committee thereof, or any other organization or group of persons, however organized.

It is possible that a political committee will have one sponsor, multiple sponsors, or no sponsor. It is also possible that a contributor who is a sponsor under the 80% threshold described will not be a sponsor for the entire campaign.

Moreover, it was the PDC that said we could use our website address as our committee's name. We haven't been going about inventing. It's been done before, and we asked if we could as well and were advised that we could. ALSO, I specifically asked if I needed to also put my name as sponsor in the committee's name and was advised that listing myself as the sponsor was sufficient. So, I am beleaguered by this question, now

By no means did we intentionally try to fail to follow procedures. As the complainant, Mr. Edwards, said the PDC's rules and regulations are "overcomplicated and outdated requirements that are difficult to understand and comply with. Failure to properly educate filers about the tasks they must perform to remain in compliance with applicable requirements and avoid complaints" among others." And so, again, we agree that "the agency" (PDC) "enables the complaint system to become weaponized."

As elder citizen activists attempting to participate in our Democratic process, we are doing our best to learn as we go in efforts to comply. We welcome the opportunity to meet with you if necessary to learn how we can be better and more compliant with these extremely complicated and complex rules and regulations.

Sincerely,

Kyle Taylor Lucas for/ RentIsTooDamnHighWa.org

***Kyle Taylor Lucas, Chair***

*Resident Action at Western Plaza Mobile Home Park  
and Urban Indians Northwest*

*Sponsor: IL25-846 "Rent is Too Damn High"*

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*"I'm just a human being trying to make it in a world that is very rapidly losing its understanding of being human."*

*--John Trudell*