



## PUBLIC DISCLOSURE COMMISSION

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To: Members, Washington State Public Disclosure Commission  
From: Lori Anderson, Communications & Training Officer  
Date: October 15, 2015  
Re: Rule Making Discussion and Possible Approval of Draft Language Adjusting Dollar Amounts Found in RCW 42.17A

A discussion of possible amendments to WAC 390-05-400 *Changes in dollar amounts* and WAC 390-16-050 *Forms for contributions and expenditures of out-of-state political committees* is scheduled for the October 22 meeting. The potential amendments would adjust certain dollar amounts found in RCW 42.17A, as directed by statute.

### **WAC 390-05-400 Changes in dollar amounts:**

At the beginning of every even-numbered year, RCW 42.17A.125(1) provides that the Commission shall increase or decrease the contribution limits and other dollar amounts enacted by Initiative 134 and subsequent legislation. The statutory formula mandates that each dollar amount be multiplied by the level of inflation as estimated by the Implicit Price Deflator. The product is the “target amount” for each adjusted value. The actual adjusted amount adopted by the Commission must be within 10% of the target amount and “convenient for public understanding.”

The current amounts enacted in 2014 are still within 10% of the 2016 target amounts and could remain in effect through 2016 and 2017. The Commission may choose to not change the dollar amounts or make inflationary adjustments that would either:

1. Increase contribution limits and the other dollar amounts as shown in attached Option A. This draft language will amend WAC 390-05-400 to increase the dollar amounts and reinstate I-134’s pattern of aligning bona fide party committees’ limits by having the caucus campaign committees’ and state party committees’ limit double that of the local party committees. The Commission maintained the pattern through its adjustments until 2014, when an anomaly caused a deviation from the pattern; or
2. Leave the current amounts in effect, but use this opportunity to restore the pattern of doubled bona fide party limits by adjusting the state bona fide party’s and caucus campaign committee’s multipliers, as shown in draft Option B.

**WAC 390-16-050 Forms for contributions and expenditures of out-of-state political committees:**

The law also requires an annual modification to the disclosure threshold for large, out-of-state contributions reported by an out-of-state political committee.<sup>1</sup> [RCW 42.17A.250\(1\)\(g\)](#). The modification is calculated using the percentage change in the implicit price deflator for personal consumption expenditures for the U.S. as published for the most recent 12-month period by the U. S. Dept. of Commerce. The modification is implemented by amending [WAC 390-16-050](#) *Forms for contributions and expenditures of out-of-state political committees* (C-5 form, section 12). The attached proposed draft amendment to WAC 390-16-050 changes the disclosure threshold from \$2,645 to \$2,680.

**Commission Action:**

The Commission must decide whether to make inflationary adjustments to the dollar amounts enacted by Initiative 134 and, if necessary, approve the draft language proposed in Option A or Option B to amend WAC 390-05-400 accordingly. Staff also requests the Commission approve the proposed draft language to amend WAC 390-16-050 as presented in the attachments.

The draft language, as approved, will be filed with the Code Reviser and a public hearing will likely be scheduled for the January 2016 meeting.

Attachment: Draft language for proposed amendment to WAC 390-05-400

- Proposal A makes inflationary increases
- Proposal B restores the pattern of doubled amounts without across-the-board increases

Draft language for proposed amendment to WAC 390-16-050

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<sup>1</sup> Instead of registering with the PDC and reporting all activity, an out-of-state political committee that spends over \$50 to support or oppose state or local candidates and/or ballot measures discloses those expenditures as well as contributions exceeding \$25 it received in the calendar year from Washington residents and contributions exceeding \$2,645 received from anyone outside of Washington, provided that the committee is registered and has been filing disclosure reports elsewhere for at least two years and its Washington state expenditures are less than 20% of the committee's campaign activity in the calendar year.

**Proposal A**

**WAC 390-05-400 Changes in dollar amounts.** Pursuant to the requirement in RCW 42.17A.125 that the commission biennially revise the dollar amounts found in Initiative 134 and RCW 42.17A.410 to reflect changes in economic conditions, the following revisions are made:

Code Section	Subject Matter	Amount Enacted or Last Revised	2014 Revision
.005	Definition of "Independent Expenditure"	<del>(\$900)</del> \$950	<del>(\$950)</del> \$1,000
.445(3)	Reimbursement of candidate for loan to own campaign	<del>(\$5,000)</del> \$5,500	<del>(\$5,500)</del> \$6,000
.630(1)	Report— Applicability of provisions to Persons who made contributions Persons who made independent expenditures	<del>(\$18,000)</del> \$19,000 <del>(\$900)</del> \$950	<del>(\$19,000)</del> \$20,000 <del>(\$950)</del> \$1,000
.405(2)	Contribution Limits— Candidates for state leg. office Candidates for county office Candidates for other state office Candidates for special purpose districts Candidates for city council office Candidates for mayoral office Candidates for school board office Candidates for hospital district	<del>(\$900)</del> \$950 <del>(\$900)</del> \$950 <del>(\$1,800)</del> \$1,900 <del>(\$1,800)</del> \$1,900 <del>(\$900)</del> \$950 <del>(\$900)</del> \$950 <del>(\$900)</del> \$950 <del>(\$800)</del> \$950	<del>(\$950)</del> \$1,000 <del>(\$950)</del> \$1,000 <del>(\$1,900)</del> \$2,000 <del>(\$1,900)</del> \$2,000 <del>(\$950)</del> \$1,000 <del>(\$950)</del> \$1,000 <del>(\$950)</del> \$1,000 <del>(\$950)</del> \$1,000
.405(3)	Contribution Limits— State official up for recall or pol comm. supporting recall— State Legislative Office Other State Office	<del>(\$900)</del> <del>(\$1,800)</del> \$1,900	<del>(\$950)</del> \$1,000 <del>(\$1,900)</del> \$2,000
.405(4)	Contribution Limits— Contributions made by political parties and caucus committees State parties and caucus committees County and leg. district parties Limit for all county and leg. district parties to a candidate	<del>(\$90)</del> .95 per voter <del>(\$45)</del> .50 per voter <del>(\$45)</del> .50 per voter	<del>(\$95)</del> \$1.00 per registered voter .50 per registered voter .50 per registered voter
.405(5)	Contribution Limits— Contributions made by pol. parties and caucus committees to state official up for recall or committee supporting recall State parties and caucuses County and leg. district parties	<del>(\$90)</del> .95 per voter <del>(\$45)</del> .50 per voter	<del>(\$95)</del> \$1.00 per registered voter .50 per registered voter

Code Section	Subject Matter	Amount Enacted or Last Revised	2014 Revision
	Limit for all county and leg. district parties to state official up for recall or pol. comm. supporting recall	<del>((.45))</del> .50 per voter	.50 per registered voter
.405(7)	Limits on contributions to political parties and caucus committees		
	To caucus committee	<del>((900))</del> \$950	<del>((950))</del> \$1,000
	To political party	<del>((4,500))</del> \$5,000	<del>((5,000))</del> \$5,500
.410(1)	Candidates for judicial office	<del>((1,800))</del> \$1,900	<del>((1,900))</del> \$2,000
.475	Contribution must be made by written instrument	<del>((90))</del> \$95	<del>((95))</del> \$100

[Statutory Authority: RCW 42.17A.110, 42.17A.125(1), and 42.17A.250 (1)(g). WSR 14-01-010, § 390-05-400, filed 12/5/13, effective 1/5/14.

Statutory Authority: RCW 42.17A.110 and 42.17A.125. WSR 13-05-012, § 390-05-400, filed 2/7/13, effective 3/10/13. Statutory Authority: RCW 42.17.110 and 42.17.125. WSR 12-10-041, § 390-05-400, filed 4/27/12, effective 5/28/12. Statutory Authority: RCW 42.17.370(1) and 42.17.690. WSR 12-01-032, § 390-05-400, filed 12/13/11, effective 1/13/12. Statutory Authority: RCW 42.17.370(1), 42.17.690, and 42.17.645. WSR 08-04-022, § 390-05-400, filed 1/28/08, effective 2/28/08. Statutory Authority: RCW 42.17.370. WSR 07-07-005, § 390-05-400, filed 3/8/07, effective 4/8/07. Statutory Authority: RCW 42.17.370 and 42.17.690. WSR 06-07-001, § 390-05-400, filed 3/1/06, effective 4/1/06. Statutory Authority: RCW 42.17.690. WSR 03-22-064, § 390-05-400, filed 11/4/03, effective 1/1/04. Statutory Authority: RCW 42.17.370 and 42.17.690. WSR 01-22-050, § 390-05-400, filed 10/31/01, effective 1/1/02. Statutory Authority: RCW 42.17.370(1). WSR 00-04-

**Proposal B**

**WAC 390-05-400 Changes in dollar amounts.** Pursuant to the requirement in RCW 42.17A.125 that the commission biennially revise the dollar amounts found in Initiative 134 and RCW 42.17A.410 to reflect changes in economic conditions, the following revisions are made:

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.445(3)	Reimbursement of candidate for loan to own campaign	\$5,000	\$5,500
.630(1)	Report— Applicability of provisions to Persons who made contributions	\$18,000	\$19,000
	Persons who made independent expenditures	\$900	\$950
.405(2)	Contribution Limits— Candidates for state leg. office	\$900	\$950
	Candidates for county office	\$900	\$950
	Candidates for other state office	\$1,800	\$1,900
	Candidates for special purpose districts	\$1,800	\$1,900
	Candidates for city council office	\$900	\$950
	Candidates for mayoral office	\$900	\$950
	Candidates for school board office	\$900	\$950
	Candidates for hospital district	\$800	\$950
.405(3)	Contribution Limits— State official up for recall or pol comm. supporting recall— State Legislative Office	\$900	\$950
	Other State Office	\$1,800	\$1,900
.405(4)	Contribution Limits— Contributions made by political parties and caucus committees State parties and caucus committees	<del>((.90))</del> .95 per voter	<del>((.95))</del> \$1.00 per registered voter
	County and leg. district parties	.45 per voter	.50 per registered voter
	Limit for all county and leg. district parties to a candidate	.45 per voter	.50 per registered voter
.405(5)	Contribution Limits— Contributions made by pol. parties and caucus committees to state official up for recall or committee supporting recall State parties and caucuses	<del>((.90))</del> per voter	<del>((.95))</del> \$1.00 per registered voter
	County and leg. district parties	.45 per voter	.50 per registered voter

Code Section	Subject Matter	Amount Enacted or Last Revised	2014 Revision
	Limit for all county and leg. district parties to state official up for recall or pol. comm. supporting recall	.45 per voter	.50 per registered voter
.405(7)	Limits on contributions to political parties and caucus committees		
	To caucus committee	\$900	\$950
	To political party	\$4,500	\$5,000
.410(1)	Candidates for judicial office	\$1,800	\$1,900
.475	Contribution must be made by written instrument	\$90	\$95

[Statutory Authority: RCW 42.17A.110, 42.17A.125(1), and 42.17A.250 (1)(g). WSR 14-01-010, § 390-05-400, filed 12/5/13, effective 1/5/14.

Statutory Authority: RCW 42.17A.110 and 42.17A.125. WSR 13-05-012, § 390-05-400, filed 2/7/13, effective 3/10/13. Statutory Authority: RCW 42.17.110 and 42.17.125. WSR 12-10-041, § 390-05-400, filed 4/27/12, effective 5/28/12. Statutory Authority: RCW 42.17.370(1) and 42.17.690. WSR 12-01-032, § 390-05-400, filed 12/13/11, effective 1/13/12. Statutory Authority: RCW 42.17.370(1), 42.17.690, and 42.17.645. WSR 08-04-022, § 390-05-400, filed 1/28/08, effective 2/28/08. Statutory Authority: RCW 42.17.370. WSR 07-07-005, § 390-05-400, filed 3/8/07, effective 4/8/07. Statutory Authority: RCW 42.17.370 and 42.17.690. WSR 06-07-001, § 390-05-400, filed 3/1/06, effective 4/1/06. Statutory Authority: RCW 42.17.690. WSR 03-22-064, § 390-05-400, filed 11/4/03, effective 1/1/04. Statutory Authority: RCW 42.17.370 and 42.17.690. WSR 01-22-050, § 390-05-400, filed 10/31/01, effective 1/1/02. Statutory Authority: RCW 42.17.370(1). WSR 00-04-

Form <h1 style="margin: 0;">C5</h1> (2/16)	This space for office use P M O A S R T K  R E C E I V E D
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## Out-of-State Political Committee Campaign Finance Report

<b>1. Name and full address of committee making the contribution</b> Name _____ Street address _____ City / State / Zip _____	<b>2. Check appropriate box</b> <input type="checkbox"/> This is the first report submitted during 20__ <input type="checkbox"/> This shows new expenditures, contributions or information changed from reports submitted previously this calendar year.
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**3. Provide the purpose of the committee and the identity of any business, union, association or person with which the committee is affiliated (e.g., a State Committee of the Oregon Republican Party, Idaho committee of United Workers Union or federal PAC of XYZ Trade Assn.)**

**4. Officers or responsible leaders of committee:**

Name and full address	Title
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**5. States where this political committee is registered and has been actively reporting campaign finance information for the preceding two years:**

Name of state(s) & administrative agency(s)	Agency(s) website address
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**6. Candidate contributions: List each Washington candidate for state, local or judicial office to whom you have made a contribution of more than \$50.00.**

Candidate name	Office sought	Political party	Date	Amount

**7. Ballot measure committee contributions: List each Washington committee supporting or opposing a ballot measure to whom you have made a contribution of more than \$50.00.**

Committee name & full address	Ballot number	For or Against?	Date	Amount

**8. Other contributions and expenditures: List each other contribution or expenditure of more than \$50.00 made to or on behalf of any Washington state, local or judicial candidate, ballot measure or political committee.**

Recipient name & full address	Purpose	Date	Amount

Check here  if continued on an attached sheet

**9. Total contributions and expenditures (Add parts 6, 7, 8) .....**

**10. Aggregate contributions and expenditures made during this calendar year in Washington State.**

Include amounts shown on this report and C5 reports previously submitted this calendar year. . . . . \_\_\_\_\_

Does this aggregate total represent 20% or more of the committee's nationwide campaign activity to date for this calendar year? Y  N

**11. Contributions received from Washington residents.** List all contributions of more than \$25.00 in the aggregate to this out-of-state committee during the current calendar year from Washington residents or corporations with their headquarters or a primary place of business in Washington.

Name and full address	Date	Amount	Aggregate Total

Check here  if continued on an attached sheet

**12. Contributions received from persons residing outside of Washington.** List the name, address, and employer of each person or corporation residing outside the state of Washington who has made contributions of more than \$2,680.00 in the aggregate to this out-of-state committee during the current calendar year.

Name and full address	Employer name, city and state	Date	Amount	Aggregate Total

Check here  if continued on an attached sheet

**13. Eligibility to Give to Political Committees and State Office Candidates:** A committee must receive \$10 or more each from ten Washington State registered voters before contributing to a Washington State political committee. Additionally, during the six months prior to making a contribution to a state office candidate your committee must have received contributions of \$10 or more each from at least ten Washington State registered voters.

A check here indicates your awareness of and pledge to comply with these provisions. Absence of a check mark means your committee does not qualify to give to Washington State political committees and/or state office candidates.

**14. Certification:** I certify the information contained in this report is true, complete and correct to the best of my knowledge.

Signature of Committee Official  
\_\_\_\_\_

Name – Typed or Printed  
\_\_\_\_\_

Title  
\_\_\_\_\_

Daytime Telephone No. (     ) \_\_\_\_\_

E-Mail Address \_\_\_\_\_