



STATE OF WASHINGTON
PUBLIC DISCLOSURE COMMISSION

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BEFORE THE PUBLIC DISCLOSURE COMMISSION
OF THE STATE OF WASHINGTON

In the Matter of Enforcement
Action Against

Evergreen Citizens for Schools

Respondent.

PDC Case No. 12-158

Notice of Administrative Charges
Brief Adjudicative Proceeding
(Brief Enforcement Hearing)

I. JURISDICTION

1. The Public Disclosure Commission (PDC) has jurisdiction over this proceeding pursuant to Chapter 42.17A RCW, the Public Disclosure Act; Chapter 34.05 RCW, the Administrative Procedure Act; and Title 390 WAC. These charges incorporate the Report of Investigation and all related exhibits by reference.

II. ALLEGATIONS

2. PDC staff alleges that Evergreen Citizens for Schools (ECS), a local political committee registered to support levy and bond measures for the Evergreen School District, violated RCW 42.17.080 and 42.17.090 by failing to timely disclose on Campaign Summary Receipts and Expenditures reports (Form C-4) committee expenditures for:
 - A. An expenditure to *The Columbian* totaling \$9,681.99 for newspaper political advertising in support of Proposition 1, a ballot measure for a bond on the May 20, 2008 special election ballot; and
 - B. An expenditure to Conkling, Fiskum & McCormick in October of 2008, totaling \$5,500, to conduct a survey related to the failed May 20, 2008 ballot measure.

III. FACTS

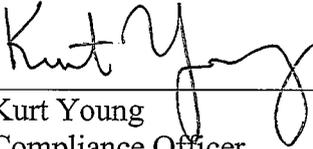
3. The Evergreen School District adopted a resolution placing Proposition 1, a ballot measure for a bond, on the May 20, 2008, special election ballot.
4. Proposition 1, if approved, would have authorize Evergreen School District to construct or replace certain schools and support facilities, purchase property, portable classrooms, equipment, and technology, and expand and modernize district facilities. The ballot measure was defeated.
5. On December 14, 2007, ECS filed a Committee Registration (Form C-1pc) registering as an election year political committee supporting Proposition 1. The C-1pc disclosed that ECS selected the Full Reporting option and listed Pat Norby as its Treasurer.
6. ECS was required to file weekly Cash Receipts and Monetary Contributions reports (Form C-3) beginning January 1, 2008. In addition, ECS was required to file Campaign Summary Receipts and Expenditures reports (Form C-4) as follows:
 - A 21-day pre-special election C-4 report: The C-4 report was required to be filed on April 29, 2008, covering the period March 1 through April 22, 2008;
 - A 7-day pre-special election C-4 report: The C-4 report was required to be filed on May 13, 2008, covering the period April 23 through May 12, 2008;
 - A post-special election C-4 report: The C-4 report was required to be filed on June 10, 2008, covering the period May 13 through May 31, 2008.
7. On February 15, 2012, ECS filed a C-4 report for July 2008, disclosing the following expenditures:
 - An expenditure to *The Columbian* on July 15, 2008, totaling \$9,681.99 for political advertising in the form of newspaper advertisements that was ordered and ran prior to the May 20, 2008 special election; and

- An expenditure made to Conkling, Fiskum & McCormick on October 22, 2008, totaling \$5,500 to conduct a survey related to the failed bond measure. The survey included 200 Evergreen School District registered voters and attempted to determine why voters supported or opposed the May 20, 2008 ballot measure, and messages that would be effective in encouraging voters to support a future ballot measure.
8. The expenditures for the newspaper advertisements and survey were disclosed to the public 1,141 and 1,192 days late, respectively, and more than three and one half years after the May 20, 2008 special election.

IV. LAW

RCW 42.17.080 and .090¹ require political committees to timely and accurately file detailed reports of contribution and expenditure activities. Under the full reporting option, until five months before the general election, C-4 reports are required monthly when contributions or expenditures exceed \$200 since the last report. C-4 reports are also required 21 and 7 days before each election, and in the month following the election, regardless of the level of activity. Contribution deposits made during this same time period must be disclosed on the Monday following the date of deposit.

RESPECTFULLY SUBMITTED this 11th day of January, 2013.



Kurt Young
Compliance Officer

¹ Effective January 1, 2012, RCW 42.17.080 and 42.17.090 were recodified as RCW 42.17A.235 and 42.17A.240.