



STATE OF WASHINGTON
PUBLIC DISCLOSURE COMMISSION

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BEFORE THE PUBLIC DISCLOSURE COMMISSION
OF THE STATE OF WASHINGTON

Citizens for Better Government

In Re Compliance with RCW 42.17A

Citizens for Better Government

Respondent.

PDC Case No. 13-030

Findings of Fact,
Conclusions of Law, and
Order Imposing Fine

A brief enforcement hearing (brief adjudicative proceeding) was held December 12, 2013, in Room 206, Evergreen Plaza Building, 711 Capitol Way, Olympia, Washington to consider whether the Respondent violated RCW 42.17A.205 by failing to timely file a C-1pc Political Committee Registration (C-1pc report), and RCW 42.17A.235 and RCW 42.17A.240 by failing to timely file Campaign Summary Receipts & Expenditures reports (C-4 reports) disclosing contributions and expenditure undertaken during the 2012 and 2013 elections.

The hearing was held in accordance with Chapters 34.05 and 42.17A RCW and Chapter 390-37 WAC. A brief enforcement hearing notice was sent to Citizens for Better Government on December 5, 2013. The Respondent waived the required 10-day hearing notice requirement. Commission Chair Amit Ranade was the Presiding Officer. The Commission staff was represented by Tony Perkins, Lead Compliance Specialist. Scott Broyles participated by telephone and provided testimony on behalf of the Respondent.

Having considered the evidence, the Presiding Officer finds as follows:

FINDINGS OF FACT

1. Respondent Citizens for Better Government (CBG) was a first-time political committee with the goal of consolidating the City of Clarkston and Asotin County governments. CBG was active in charter review ballot proposition elections in both the 2012 and 2013 general elections.
2. Based on the date of its earliest activity, which involved a meeting room expense incurred on September 18, 2012, Respondent CBG was required to register as a continuing political committee by no later than October 2, 2012. CBG filed a C-1pc report 331 days late, on August 29, 2013.

3. Scott Broyles, Connie Morrow, and Illa Smith disclosed \$2,542 in in-kind contributions to Respondent CBG on the C-6 form, as Independent Expenditure political advertising. CBG did not timely report receipt of these in-kind contributions on its C-4 report. Although the incorrect report was used to disclose this activity, the information was presented to the public in a timely manner.
4. Respondent CBG received \$1,971 in other in-kind contributions that were required to be disclosed on the 21-day pre-general election C-4 report due on October 16, 2012, the 7-day pre-general election C-4 report due on October 30, 2012, and the post-general election C-4 report due on December 10, 2012. The in-kind contributions were disclosed between 213 and 317 days late, and after the November 6, 2012 general election, on a C-4 report filed by CBG on August 29, 2013.
5. Mr. Broyles stated that his committee attempted to disclose its activity on the C-6 form as they believed was required. He stated that when he learned that all of CBG's activity had not been disclosed, or properly disclosed, he immediately took corrective action. He stated that his staff attempted to file a C-1pc committee registration by email attachment before filing the hard copy through the mail on August 29, 2013.

CONCLUSIONS OF LAW

Based on the above facts, as a matter of law, the Presiding Officer concludes as follows:

1. This matter was duly and properly convened and all jurisdictional, substantive and procedural requirements have been satisfied.
2. Respondent Citizens for Better Government violated RCW 42.17A.205 by failing to timely file a C-1pc Political Committee Registration (C-1pc report) within fourteen calendar days of expecting to receive contributions or making expenditures in the 2012 and 2013 general elections.
3. Respondent Citizens for Better Government violated RCW 42.17A.235 and 42.17A.240 by failing to timely file Campaign Summary Receipts & Expenditures reports (C-4 reports) disclosing contributions and expenditures undertaken during the 2012 and 2013 general elections.

ORDER

On the basis of the foregoing Findings of Fact and Conclusions of Law, and in consideration of the penalty factors set forth in WAC 390-37-182,

IT IS HEREBY ORDERED that the Respondent is assessed a civil penalty of \$300, of which \$200 is suspended on the following conditions:

1. **The Respondent is not found to have committed any additional violations of RCW 42.17A through December 31, 2015; and**

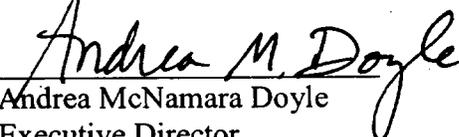
2. **The Respondent pays the \$100 non-suspended portion of the penalty within 30 days of the date of the order.**

If the Respondent fails to comply with any of these conditions, the suspended portion of the penalty will become immediately due and payable without further action by the Commission.

This is an **Initial Order** of the Public Disclosure Commission.

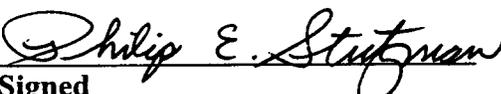
Entered this 17th day of December, 2013.

Public Disclosure Commission


Andrea McNamara Doyle
Executive Director

Enclosure: Information about Appeal Rights

I, Philip E. Stutzman certify that I mailed a copy of this order to the Respondent(s) at his/her/its respective address, postage pre-paid, on the date stated herein.


Signed

12/17/2013
Date

**INFORMATION ABOUT APPEALS OF INITIAL ORDERS,
FURTHER APPEAL RIGHTS,
AND ENFORCEMENT OF FINAL ORDERS**

APPEALS

REVIEW OF INITIAL ORDER - BY THE COMMISSION

The presiding officer will issue an initial order following a brief enforcement hearing. Any party may request the Commission **review** an initial order. Parties seeking the review must:

- Make the request orally or in writing, stating the reason for review. *WAC 390-37-144.*
- Deliver the request so it is received at the Commission office within **TWENTY-ONE (21) BUSINESS DAYS** after the postmark date of the initial order.

A Respondent does not need to pay a penalty until after the Commission rules on the request. If the Commission is unable to schedule a meeting to consider the request within twenty (20) business days, the initial order becomes a **final order** and the request will automatically be treated as a **request for reconsideration** of a final order (unless the party advises the Commission otherwise, such as by withdrawing the request). See more information on reconsideration below.

If the request for review was an oral request, it must now be confirmed in writing. The matter will be scheduled before the full Commission as soon as practicable. If the Commission does not receive a request for review within twenty-one (21) business days, the initial order will automatically become a **final order**. At that point, the Respondent is legally obligated to pay the penalty unless reconsideration has been sought or the matter has been timely appealed to Superior Court. *RCW 42.17A.755; RCW 34.05.470; RCW 34.05.570.*

RECONSIDERATION OF FINAL ORDER – BY THE COMMISSION

Any party may ask the Commission to **reconsider** a final order. Parties seeking reconsideration must:

- Make the request in writing;
- Include the specific grounds or reasons for the request; and
- Deliver the request to the PDC office so it is received within **TWENTY-ONE (21) BUSINESS DAYS** of the date that the Commission serves this order upon the party. *WAC 390-37-150.*