



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

Clear Ballot Choices (Pacific
International Terminals LLC)

Respondent.

PDC Case No. 1217

Notice of Administrative Charges
(Brief Enforcement Hearing)

I. Jurisdiction

1. The Public Disclosure Commission (PDC) has jurisdiction over this proceeding pursuant to Chapter 42.17A RCW, the state's campaign disclosure and contribution law; 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. Staff alleges that Clear Ballot Choices (Pacific International Terminals LLC) (hereafter, Clear Ballot Choices) violated:
 - RCW 42.17A.205 by failing to disclose, on the committee's statement of organization, the name, address, and title of Tony Larson as an officer or responsible leader of the committee.
 - RCW 42.17A.220 by allowing monetary contributions to be deposited in the committee's campaign depository by a person other than a registered treasurer or deputy treasurer.

II. Facts

3. Clear Ballot Choices is a political committee that was active in the 2015 elections in Whatcom County. The committee supported Proposition 1, which pertained to district-only voting in county council elections, supported Propositions 2 and 3, which limited the power of the county council to amend the county charter, and opposed Proposition 9, a charter amendment providing for Whatcom County Council redistricting.
4. Clear Ballot Choices filed a C-1pc Political Committee registration on October 7, 2015. The committee filed an amended C-1pc Political Committee registration on October 19, 2015. The original and amended registrations listed Ron Reimer, Steve Groen, and Tom Perry as committee officers, with Mr. Perry as the registered treasurer. The registrations listed no other officers or responsible leaders.
5. Tony Larson is the Director of the Whatcom Business Alliance and Publisher of its magazine, *Business Pulse*, and a local activist who volunteered to assist Clear Ballot Choices in its 2015 election campaign activity.
6. Tony Larson conducted the following activities on behalf of Clear Ballot Choices:
 1. Recruited the committee's treasurer;
 2. Conducted meetings with a vendor to Clear Ballot Choices, without the involvement of the committee's registered officers;
 3. Obtained possession of monetary contributions to Clear Ballot Choices, and deposited all contributions in the committee's campaign depository;
 4. Received invoices from vendors for payment;
 5. Maintained Clear Ballot Choices' checkbook and executed payments to vendors;
and
 6. Communicated contribution and expenditure information to Clear Ballot Choices' treasurer for reporting purposes, without sharing similar information with the committee's other registered officers.

7. At no point was Tony Larson registered as a treasurer or deputy treasurer for Clear Ballot Choices, or as any other officer or responsible leader for the committee.

IV. Law

RCW 42.17A.205 requires every political committee to file a statement of organization with the commission. The statement must be filed within two weeks after organization or within two weeks after the date the committee first has the expectation of receiving contributions or making expenditures in any election campaign, whichever is earlier. The registration must disclose the names, addresses, and titles of the committee's officers; or if it has no officers, the names, addresses, and titles of its responsible leaders.

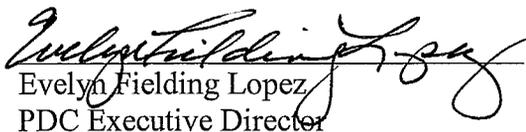
WAC 390-05-245 defines "officer of a political committee" to include any person who alone or in conjunction with other persons makes, directs, or authorizes contribution, expenditure, strategic or policy decisions on behalf of the committee.

RCW 42.17A.220 requires that all monetary contributions received by a candidate or political committee shall be deposited by the treasurer or deputy treasurer in a depository in an account established and designated for that purpose.

RCW 42.17A.005(47) defines "treasurer" and "deputy treasurer" as the individuals appointed by a candidate or political committee, pursuant to RCW 42.17A.210, to perform the duties specified in that section.

RCW 42.17A.210 states that no treasurer or deputy treasurer may be deemed to be in compliance with the provisions of this chapter until his or her name and address is filed with the commission.

RESPECTFULLY SUBMITTED this 29th day of September, 2016.


Evelyn Fielding Lopez
PDC Executive Director