



## PUBLIC DISCLOSURE COMMISSION

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To: Members, Washington State Public Disclosure Commission  
From: Lori Anderson, Communications & Training Officer  
Date: March 21, 2013  
Re: Request for Electronic Filing Exception

**Background:** A candidate who spends \$5,000 is required to file contribution and expenditure reports electronically (as opposed to filing paper reports). The Commission may make exceptions on a case-by-case basis for candidates who lack the technological ability to file reports electronically. RCW 42.17A.250.

**Agenda Item:** Mark Miloscia has requested that the Commission except his 2012 State Representative campaign from electronically filing a final Campaign Summary Receipts & Expenditures (C-4) report.

- Mark Miloscia was a State Representative for the 30th Legislative District from 1999 – 2012.
- August 2011: Mr. Miloscia accepted two contributions totaling \$500 and registered the 2012 Miloscia for State Representative campaign. The campaign reported a starting balance of \$5,000 carried forward from the 2010 campaign. No other receipts were reported.
- September 2011: Mr. Miloscia registered the 2012 Miloscia for State Auditor campaign. \$5,250 was transferred from the state representative to the state auditor campaign during September and October 2011, leaving a balance of \$250 in the state representative account at the end of October. Mr. Miloscia states that the state representative account had no reportable transactions after October 2011 until the account was closed in December 2012.
- The state representative campaign electronically filed all contribution and expenditure reports in 2011 using the PDC's ORCA software. Mr. Miloscia states that the ORCA data file was lost when his computer hard drive crashed in May 2012.
- Mr. Miloscia further states that he closed the state representative campaign bank account on December 18, 2012. Monthly bank fees had reduced the account balance to \$86.25, which he deposited in his surplus funds account. A final C-4 report was filed on paper on February 25, 2013, along with the request for an electronic filing exception.

Electronic filing exceptions have been granted in the past to candidates in similar situations (i.e., where computer failures resulted in lost data), most recently to Senator Don Benton and former State Representative Shay Shual-Berke for their 2008 campaigns. Staff recommends that the Commission grant Mark Miloscia's request to except the 2012 Miloscia for State Representative campaign from filing its final report electronically.

Attachments : Request for electronic filing exception

2012 Miloscia for State Representative Final C-4 report (November 2011 – December 2012)

**RECEIVED**

FEB 25 2013

Dear PDC,

Public Disclosure Commission 23 Feb 2013

Due to a crash of my computer hard drive during my State Auditor Campaign in May 2012, all my PDC Orca data was lost and I was unable to recover my back-up for my State Auditor Campaign, Mark Miloscia Surplus funds account and Mark Miloscia for State Representative Account.

My campaign team (Martin Moore/Campaign Manager, Scott Miloscia/Treasure) and myself spent considerable hours recovering the State Auditor Campaign and were able to continue the electronic filing. However, we were unable to recreate electronically the Surplus funds account and the Mark Miloscia for State Representative (2012) account. Fortunately, very minimal activity occurred before we closed both out.

Enclosed in the final C-4 and schedule A for the State Representative account. The only activities the previous 13 months (12/01/11 to 12/21/12) was a transfer of \$86.25 to the Miloscia Surplus funds Account on 18 Dec 2012 and 13 separate monthly bank and paper service fees to Key Bank totaling \$163.75.

This zeros out and closes my bank account and PDC account for Mark Miloscia For State Representative (2012).

Respectfully request that you accept this paper filing rather than electronic filing.

Any questions, please don't hesitate to call or email.

Sincerely,



Mark Miloscia  
Miloscia@comcast.net  
253-414-8714



CAMPAIGN SUMMARY RECEIPTS & EXPENDITURES

C4 (1/12)

PDC OFFICE USE

RECEIVED

FEB 25 2013

Public Disclosure Commission

Candidate or Committee Name (Do not abbreviate. Include full name)

Mark A Miloscia

Mailing Address

30720 19th Ave S

City

Federal Way, WA

Table with columns: Zip + 4 (98003), Office Sought (Candidates) (State Rep), Election Date (2012), Report Period Covered (11/01/11 to 12/31/12), Final Report? (Yes X No)

\*For PACs, Parties & Caucus Committees: During this report period, did the committee make an independent expenditure (i.e., an expense not considered a contribution) supporting or opposing a state or local candidate?

\*See reverse Yes [ ] No X

RECEIPTS

- 1. Previous total cash and in kind contributions (From line 8, last C-4) \$ 5,500
2. Cash received (From line 2, Schedule A) \$
3. In kind contributions received (From line 1, Schedule B)
4. Total cash and in kind contributions received this period (Line 2 plus 3)
5. Loan principal repayments made (From line 2, Schedule L) ( )
6. Corrections (From line 1 or 3, Schedule C) Show + or (-)
7. Net adjustments this period (Combine line 5 & 6) Show + or (-)
8. Total cash and in kind contributions during campaign (Combine lines 1, 4 & 7) 5,500
9. Total pledge payments due (From line 2, Schedule B) [ ]

EXPENDITURES

- 10. Previous total cash and in kind expenditures (From line 17, last C-4) 5,250
11. Total cash expenditures (From line 4, Schedule A) 250
12. In kind expenditures (goods & services) (From line 1, Schedule B)
13. Total cash and in kind expenditures made this period (Line 11 plus line 12) 250
14. Loan principal repayments made (From line 2, Schedule L) ( )
15. Corrections (From line 2 or 3, Schedule C) Show + or (-)
16. Net adjustments this period (Combine lines 14 & 15) Show + or (-)
17. Total cash and in kind expenditures during campaign (Combine lines 10, 13 and 16) 5,500

CANDIDATES ONLY

Table with columns: Won, Lost, Unopposed, Name not on ballot. Primary election: Won [ ], Lost [ ], Unopposed [ ], Name not on ballot [X]. General election: Won [ ], Lost [ ], Unopposed [ ], Name not on ballot [ ]

Treasurer's Daytime Telephone No.:

( )

CASH SUMMARY

- 18. Cash on hand (Line 8 minus line 17) 0
19. Liabilities: (Sum of loans and debts owed) (0)
20. Balance (Surplus or deficit) (Line 18 minus line 19) 0

CERTIFICATION: I certify that the information herein and on accompanying schedules and attachments is true and correct to the best of my knowledge.

Candidate's Signature

Date

Mark Miloscia

23 Feb 13

Treasurer's Signature

Date

SEE INSTRUCTIONS ON REVERSE

# CASH RECEIPTS AND EXPENDITURE

SCHEDULE **A**  
to C4 (1/04)

FEB 25 2013

Public Disclosure Commission  
2/23/14

Candidate or Committee Name (Do not abbreviate. Use full name.)

Miloscia For State Rep

1. CASH RECEIPTS (Contributions) which have been reported on C3. List each deposit made since last C4 report was submitted.

Date of deposit	Amount	Date of deposit	Amount	Date of deposit	Amount	Total deposits
						\$

2. TOTAL CASH RECEIPTS Enter also on line 2 of C4 \$

**CODES FOR CLASSIFYING EXPENDITURES:** If one of the following codes is used to describe an expenditure, no other description is generally needed.

The exceptions are:

- 1) If expenditures are **in-kind or earmarked contributions** to a candidate or committee or **independent expenditures** that benefit a candidate or committee, identify the candidate or committee in the Description block;
- 2) When reporting payments to vendors for travel expenses, identify the traveler and travel purpose in the Description block; and
- 3) If expenditures are made directly or indirectly to compensate a person or entity for soliciting signatures on a statewide initiative or referendum petition, use code "V" and provide the following information in the Description block: name and address of each person/entity compensated, amount paid each during the reporting period, and cumulative total paid all persons to date to gather signatures.

CODE  
DEFINITIONS  
ON NEXT PAGE

C - Contributions (monetary, in-kind & transfers)  
 I - Independent Expenditures  
 L - Literature, Brochures, Printing  
 B - Broadcast Advertising (Radio, TV)  
 N - Newspaper and Periodical Advertising  
 O - Other Advertising (yard signs, buttons, etc.)  
 V - Voter Signature Gathering

P - Postage, Mailing Permits  
 S - Surveys and Polls  
 F - Fundraising Event Expenses  
 T - Travel, Accommodations, Meals  
 M - Management/Consulting Services  
 W - Wages, Salaries, Benefits  
 G - General Operation and Overhead

### 3. EXPENDITURES

- a) Expenditures of **\$50 or less**, including those from petty cash, need not be itemized. Add up these expenditures and show the total in the amount column on the first line below.
- b) Itemize each expenditure of **more than \$50** by date paid, name and address of vendor, code/description, and amount.
- c) For each payment to a candidate, campaign worker, PR firm, advertising agency, consultant or credit card company, provide a detailed breakdown in the Description block of expenses included in the payment.

Date Paid	Vendor or Recipient (Name and Address)	Code	Purpose of Expense and/or Description	Amount
N/A	Expenses of \$50 or less	N/A	N/A	163.75
12/18/2012	Miloscia Suplus Funds Account	C	Transfer to surplus funds account in order to close account	\$ 86.25

Total from attached pages \$

4. TOTAL CASH EXPENDITURES

Enter also on line 11 of C4 \$ 250

CODE DEFINITIONS ON NEXT PAGE