



State of Washington PUBLIC DISCLOSURE COMMISSION

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January 16, 2014

TO: Commission Members
FROM: Lori Anderson, Outreach & Training Officer
RE: Request for temporary exception from electronic filing requirements

Agenda item

At its January 23, 2014 meeting, the Commission is scheduled to consider Senator Pam Roach's request for a temporary exception from the electronic filing requirement in RCW 42.17A.245.

Background

Current law requires each candidate who spent \$5,000 or more in the preceding year or who expects to spend \$5,000 or more in the current year to file all contribution and expenditure reports using the Commission's electronic filing alternative. This same law also authorizes the Commission to make exceptions on a case-by-case basis for candidates whose committees lack the technological ability to electronically file reports. RCW 42.17A.245(1).

The Commission has adopted rules specifying the circumstances under which a candidate is presumed to "expect to spend" \$5,000 for purposes of triggering this electronic filing requirement. WAC 390-19-030. Until 2013, this rule provided that returning candidates who had been required to electronically file during their previous campaign for the same office were allowed to file on paper until the election year or until the candidate spent \$5,000 on the re-election campaign, whichever came first. Last spring, the Commission amended this rule to eliminate the paper filing option for returning candidates who had reached the electronic filing threshold in a previous campaign. Effective June 2, 2013, returning e-filing candidates are required to electronically file as soon as they register for re-election to the same office, even if it is before the calendar year of the election and before they have spent \$5,000 on the new campaign.

Commission staff practice before this rule change had been to manually data enter campaign contribution and expenditure totals from paper-filed Campaign Summary Receipts & Expenditure Reports (C-4 reports) received from legislative and statewide candidates prior to their re-election year, in order to have the information readily searchable in the PDC's online database. The rule change was intended, in part, to

eliminate the need for that manual data entry by ensuring that the statewide and legislative candidate reports would be electronically filed from the beginning of those re-election campaigns and therefore automatically available in the searchable database on the PDC's website.

In the fall of 2013, Commission staff received word from Senator Roach that her campaign treasurer was out of the country for an extended period of time and that her committee was therefore temporarily unable to electronically file contribution reports for her 2014 re-election campaign and would be filing reports on paper until her treasurer's return. In December, 2013, staff instructed Senator Roach to submit a written request for an exception to the electronic filing requirement¹ and, in the meantime, to file all required contribution and expenditure reports (C-3s and C-4s) on paper. Copies of Senator Roach's paper filed reports are available on the PDC website through the "view actual reports" feature, and the reports have been data entered so that the information is available on the website through the "search the database" feature.

A copy of Senator Roach's request for an exception from the electronic filing requirement is attached to this memorandum for your review. Senator Roach is not expected to participate at the January 23, 2013 Commission meeting.

Staff recommendation

Staff recommends that a temporary exception be granted for the period of October 2013 through February 2014 on the following conditions:

1. That Senator Roach's 2014 committee timely file, on paper, all required C-3 and C-4 reports covering the period from January and February, 2014, if any; and
2. That the committee electronically file, no later than March 10, 2014, all required C-3 and C-4 reports covering the committee's contribution and expenditure activity from October 2013 through February 2014.

Attachment: Senator Roach's emailed request

¹ WAC 390-19-050(2) requires that a candidate seeking an exception under RCW 42.17A.245 must file with the PDC a written statement of reasons why the authorized committee lacks the ability to file reports electronically.

Lori Anderson

From: Pam Roach [pamroach@aol.com]
Sent: Wednesday, January 15, 2014 10:05 AM
To: Lori Anderson
Subject: Re: Public Disclosure Commission request

To PDC,

I am writing to request a temporary electronic filing waiver for my campaign committee, Citizens for Pam Roach. My treasurer, Eileen Erickson, is in Chile serving a mission for her church and has been out of country for over a year. I believe she will return in February, in time to pick up the task for the remainder of the 2014 campaign. I had called in the request so staff knew of my dilemma. My reports were paper filed in a timely manner.

Thank you.

Pam Roach
State Senator
253-735-4210 Home office
360-786-7660 Olympia office

Sent from my iPad