

## **Executive Summary and Staff Analysis Yes on I-522 Committee (additional allegation) and Moms for Labeling PDC Tracking No. T14-053**

This summary highlights staff's findings, conclusions, and recommendations regarding the allegations contained in the complaint identified as PDC Tracking No. T14-053, a 45-day citizen action complaint (Citizen Action Complaint or Complaint) filed with the Attorney General on October 25, 2013, by Rob Maguire, an attorney with Davis, Wright, Tremaine, PLLC, a Seattle law firm, against Yes on I-522 Committee and Moms for Labeling. The Complaint alleged that several entities, referred to collectively as Supporters of I-522 may have violated RCW 42.17A by failing to register as political committees and/or properly and timely report contribution and expenditure activities.<sup>1</sup>

### **Background**

Initiative 522 (I-522) was filed as an initiative to the Washington State Legislature during the 2013 Legislative Session. Had it been approved, it would have required the labeling of Genetically Modified Organisms (GMOs) in certain food and beverages. No action was taken by the Legislature concerning I-522, and as a result, the bill became an Initiative to the People following adjournment of the 2013 Legislative Session. I-522 was placed on the November 5, 2013 general election ballot where it was defeated. The Commission has taken action concerning 11 of the 12 Respondents named in the Complaint, leaving only the allegations against Moms for Labeling unresolved, and an additional allegation against Yes on I-522 Committee, not included in Case No. 14-011, as noted in this summary. A detailed summary of the Commission's actions concerning the other Respondents named in the Citizen Action Complaint can be found in the Background of the Report of Investigation for this matter.

### **Allegations**

**Yes on I-522 Committee** - The Complaint alleged that Yes on I-522 Committee may have violated RCW 42.17A.240 by failing to report in-kind contributions for legal services provided by the Smith & Lowney law firm. The Complaint detailed alleged unreported in-kind contributions from Knoll Lowney, Smith & Lowney, or Moms for Labeling, when Knoll Lowney took actions on behalf of the "Yes on 522 campaign" as described in Exhibits T and Exhibit U to the complaint, which included an article in the *Spokesman-Review* about campaign activities of Knoll Lowney conducted on behalf of the Yes on 522 campaign, and a letter written by Knoll Lowney demanding that a Portland, Oregon television station remove advertising sponsored by the No on 522 campaign.

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<sup>1</sup> This Report of Investigation addresses only the findings relevant to the entities listed in the heading to this report (Yes on I-522 Committee and Moms for Labeling). Investigative findings relevant to the other Respondents (Food Democracy Now! [FDN]; Organic Consumers Association [OCA]; Organic Consumers Fund [OCF]; Organic Consumers Fund Committee to Label GMOs in Washington State [OCF-WA State PAC]; Volunteers for I-522; 522Parents.org; Dr. Bronner's Magic Soaps; Ben & Jerry's Ice Cream; Food Democracy Action!; Food Democracy Action! Yes on I-522 Committee to Label GMOs in Washington [FDA-WA State PAC], Case No. 14-007; and Yes on I-522 Committee, Case No. 14-011) are addressed in separate reports.

**Moms for Labeling** - The Complaint alleged that Moms for Labeling failed to timely register as a political committee. It also alleged that Moms for Labeling violated RCW 42.17A.205 by failing to include Dr. Bronner's Magic Soaps as a sponsor in its committee name, as required by WAC 390-16-011A, since it was the sole contributor to Moms for Labeling.

### **Investigative Findings**

**Yes on I-522 Committee** - Yes on I-522 Committee confirmed that Knoll Lowney did not provide legal services for Yes on I-522 Committee by working directly for the committee, nor did he write the letter to the Portland television station on behalf of, or at the direction of, Yes on I-522 Committee. Smith & Lowney confirmed that they provided legal services exclusively to Dr. Bronner's Magic Soaps, but that in some cases that work was considered to be a benefit to Yes on I-522 Committee, and that therefore the Yes on I-522 Committee reported receiving an in kind contribution from Dr. Bronner's Magic Soaps that included work consisting of legal services. The services provided generally constituted legal research and legal and strategic analysis and advice. Smith & Lowney's client was at all times Dr. Bronner's Magic Soaps, and Dr. Bronner's Magic Soaps paid for Mr. Lowney's work.

**Moms for Labeling** – Moms for Labeling filed a C-1pc report on September 24, 2013, listing its address as "C/O Smith Lowney, 2317 East John Street; Seattle, WA 98112." The C-1pc was accompanied by a one-page cover letter from Knoll Lowney, an attorney with Smith & Lowney, PLLC. Mr. Lowney's letter stated that Moms for Labeling was filing a C-1pc "*out of an abundance of caution...to provide information to the public about its activities, but denies that it is a political committee.*" Mr. Lowney stated that Moms for Labeling anticipated that its only activity during the 2013 election cycle would be "*... to hire my law firm to take certain legal actions to enforce the campaign finance laws.*" He stated that while some actions undertaken by a political committee during a given election cycle "*...have potential impact on the election, we do not believe that groups seeking to enforce the campaign finance laws qualify as political committees.*"

On September 24, 2013, when Moms for Labeling filed its initial C-1pc, the committee had not received any monetary contributions. Dr. Bronner's Magic Soaps did not provide a written or verbal promise to pay the Smith & Lowney law firm any specific amount before the dates the company's payments were made: \$26,095 shortly after October 2, 2013 and \$26,787.37 shortly after November 12, 2013.

**PDC Analysis** – Dr. Bronner's Magic Soaps reported making contributions in support of the I-522 campaign totaling \$2,401,234.21. Included in that amount were \$45,635 of in-kind contributions to Yes on I-522 received on July 8, 2013 including legal services performed at that time to benefit the committee. Later payments by Dr. Bronner's Magic Soaps to Knoll Lowney that Moms for Labeling reported as in-kind contributions in October and November 2013 included legal services rendered solely for the benefit of Moms for Labeling, including Mr. Lowney's work described in the *Spokesman-Review*

article, and the letter by Mr. Lowney demanding that a Portland, Oregon television station remove advertising sponsored by the No on 522 campaign.

Per RCW 42.17A.005(13)(a)(i), a contribution includes a pledge. The Commission's Interpretation 12-01 states, in part, that a pledge is a promise from a contributor to make a future contribution. The Interpretation states that a pledge may be written or verbal and for monetary and/or in-kind contributions. It says to be considered a pledge for purposes of reporting requirements and contribution limits, the promise must be for a specific amount if a monetary pledge or for specific goods or services if an in-kind pledge *and the contributor must intend to pay the pledged amount in its entirety*. No evidence was found that as of September 24, 2013, the date of Moms for Labeling's political committee registration, Dr. Bronner's Magic Soaps had pledged to contribute any specific amount to Moms for Labeling, had pledged to pay the entire cost of legal services that Smith & Lowney would perform for Moms for Labeling, or had made any reportable pledge indicating that Dr. Bronner's Magic Soaps was the source of eighty percent or more of contributions to Moms for Labeling, and hence a "sponsor" for the purposes of the committee's registration requirement.

### **Conclusion**

Staff found no evidence that Yes on I-522 Committee violated RCW 42.17A.240 by failing to report in-kind contributions for legal services provided by the Smith & Lowney law firm.

Staff found no evidence that Moms for Labeling violated RCW 42.17A.205 by failing to timely register as a political committee, or that it violated RCW 42.17A.205 by failing to include Dr. Bronner's Magic Soaps as a sponsor in its committee name, as required by WAC 390-16-011A.

For these reasons, staff concludes there is insufficient evidence to establish a violation by Yes on I-522 or Moms for Labeling as noted above.

### **Recommendation**

PDC staff recommends that the Commission recommend to the Washington Attorney General that he take no further action concerning the allegations contained in the Citizen Action Complaint that: (1) Yes on I-522 Committee violated RCW 42.17A.240 by failing to report in-kind contributions for legal services provided by the Smith & Lowney law firm; and (2) Moms for Labeling violated RCW 42.17A.205 by failing to timely register as a political committee, or that it violated RCW 42.17A.205 by failing to include Dr. Bronner's Magic Soaps as a sponsor in its committee name, as required by WAC 390-16-011A.

### **Applicable Statutes, Rules, and Interpretations**

**RCW 42.17A.005(42)(b)** defines "Sponsor," for the purposes of a political committee, to include any person, except an authorized committee, that provides eighty percent or more of the committee's contributions, either from the person, or from the person's members, officers, employees, or shareholders.

**RCW 42.17A.005(43)** states: "Sponsored committee" means a committee, other than an authorized committee, that has one or more sponsors.

**RCW 42.17A.005(13)(a)** states, in part, that "Contribution" includes: (i) A loan, gift, deposit, subscription, forgiveness of indebtedness, donation, advance, pledge, payment, transfer of funds between political committees, or anything of value, including personal and professional services for less than full consideration;

**Interpretation 12-01** states, in part, that a pledge is a promise from a contributor to make a future contribution. It says a pledge may be written or verbal and for monetary and/or in-kind contributions. It says to be considered a pledge for purposes of reporting requirements and contribution limits, the promise must be for a specific amount if a monetary pledge or for specific goods or services if an in-kind pledge and the contributor must intend to pay the pledged amount in its entirety.

**WAC 390-16-011A(6)** states, in part: A sponsored political committee must amend its C-1pc sixty days before an election in which it participates if the committee's name on its most recently filed C-1pc does not include at least one current sponsor.

**RCW 42.17A.205** requires every political committee to file a statement of organization 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.

**RCW 42.17A.235 and .240** require political committees to timely and accurately file reports of contributions and expenditures. Under the full reporting option, until five months before the general election, Campaign Summary Receipts & Expenditures reports (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 weekly on Cash Receipts Monetary Contributions reports (C-3 reports) due on the Monday following the date of deposit.



STATE OF WASHINGTON  
PUBLIC DISCLOSURE COMMISSION

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BEFORE THE PUBLIC DISCLOSURE COMMISSION  
OF THE STATE OF WASHINGTON

In RE COMPLIANCE WITH  
RCW 42.17A

Yes on I-522 Committee (additional allegation)

Moms for Labeling

Respondent.

PDC Tracking No. T14-053

Report of Investigation

**I.**

**Background**

- 1.1 Initiative 522 (I-522) was filed as an initiative to the Washington State Legislature during the 2013 Legislative Session. If it had been approved, it would have required the labeling of Genetically Modified Organisms (GMOs) in certain food and beverages.
- 1.2 No action was taken by the Legislature concerning I-522, and as a result, the bill became an Initiative to the People following adjournment of the 2013 Legislative Session. It was placed on the November 5, 2013 general election ballot where it was defeated.
- 1.3 On February 11, 2013, Yes on I-522 Committee filed PDC form C-1pc registering as a political committee in support of I-522.
- 1.4 On March 20, 2013, the Organic Consumers Fund Committee to Label GMOs in Washington State filed a C-1pc registering as a political committee in support of I-522.
- 1.5 On September 24, 2013, Moms for Labeling filed a C-1pc Political Committee registration listing its address as "c/o Smith Lowney, 2317 East John Street; Seattle, WA 98112" and selecting the Full Reporting option.
- 1.6 On October 25, 2013, the Attorney General's Office (AGO) received a 45-day Citizen Action Complaint (Complaint) filed in accordance with RCW 42.17A.765(4) by Rob Maguire, an attorney with Davis, Wright, Tremaine, PLLC, a Seattle law firm. The Complaint alleged that the several entities, referred to collectively as Supporters of I-522

may have violated RCW 42.17A by failing to register as political committees and/or properly and timely report contribution and expenditure activities.<sup>1</sup> (**Exhibit #1**)

- 1.7 On October 28, 2013, the Attorney General referred the Complaint against Supporters of I-522 to the PDC for review and appropriate action, including recommendations to the Attorney General.
- 1.8 The Commission has taken action concerning 11 of the 12 Respondents named in the Complaint, leaving only the allegations against Moms for Labeling unresolved, and an additional allegation against Yes on I-522 Committee, not included in Case No. 14-011, as noted below.
- 1.9 On April 24, 2014, the Commission considered a portion of the Complaint when staff presented Case No. 14-007, Food Democracy Action! and Food Democracy Action! Yes on I-522 to Label GMOs in Washington (FDA-WA State PAC). This enforcement action involved alleged violations of RCW 42.17A.205 by failing to timely register as a political committee; and RCW 42.17A.235 and .240 by failing to file reports of contributions and expenditures. The Commission accepted a staff recommendation that FDA and FDA-WA State PAC committed multiple apparent violations of RCW 42.17A as described in an Executive Summary and Staff Analysis. The Commission also accepted the staff recommendation that the Commission's penalty authority is inadequate to address these apparent violations, given the amount of late reported activity and the lateness of the committee's registration and reporting, and referred the matter to the Attorney General for appropriate action against the Respondents.
- 1.10 On May 22, 2014, the Commission considered an additional portion of the Complaint when it considered a staff investigation and recommendation concerning eight of the Respondents. Those Respondents were Food Democracy Now! (FDN); Organic Consumers Association (OCA); Organic Consumers Fund (OCF); Organic Consumers Fund Committee to Label GMOs in Washington State (OCF-WA State PAC); Volunteers for I-522; 522Parents.org; Dr. Bronner's Magic Soaps; and Ben & Jerry's Ice Cream. The Commission considered allegations that these entities failed to register as a political committee, failed to file reports of contribution and expenditure activities as a political committee, or failed to include proper sponsor identification on political advertisements that supported I-522. The Commission considered how in some instances there was no evidence of a violation, and in other instances, warning letters were issued when Respondents did not fully comply with the law. The Commission voted unanimously to dismiss the allegations against these eight Respondents and to recommend no further action by the Attorney General with respect to these allegations.
- 1.11 On June 26, 2014, the Commission considered a portion of the Complaint when it held an enforcement hearing for Yes on I-522 Committee, Case No. 14-011. The Commission considered allegations that Yes on I-522 Committee had violated RCW 42.17A.235 and .240

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<sup>1</sup> This Report of Investigation addresses only the findings relevant to the entities listed in the heading to this report (Yes on I-522 Committee and Moms for Labeling). Investigative findings relevant to the other Respondents (Food Democracy Now! (FDN); Organic Consumers Association (OCA); Organic Consumers Fund (OCF); Organic Consumers Fund Committee to Label GMOs in Washington State (OCF-WA State PAC); Volunteers for I-522; 522Parents.org; Dr. Bronner's Magic Soaps; Ben & Jerry's Ice Cream; Food Democracy Action!; Food Democracy Action! Yes on I-522 Committee to Label GMOs in Washington (FDA-WA State PAC), Case No. 14-007; and Yes on I-522 Committee, Case No. 14-011) are addressed in separate reports.

by failing to timely report in-kind contributions in support of Initiative 522, totaling \$117,708, received during the 21-day and 7-day pre-general election C-4 reporting periods before the 2013 general election. The Commission considered a staff Report of Investigation, a Notice of Administrative Charges, a Stipulation of Facts, Violations and Penalty presented by the parties, a memorandum from staff with a summary of comparable cases, supplemental material provided by counsel for the Respondent, and a staff recommendation that the Attorney General take no further action with respect to the allegations in the complaint against Yes on I-522 Committee. The Commission accepted the Stipulation, which included a penalty of \$4,000. The Commission also agreed to recommend that the Attorney General take no further action with respect to the allegations in the complaint against Yes on I-522 Committee.

- 1.12 While staff was completing its review of the allegations made against Moms for Labeling, the final Respondent named in the Complaint, staff noted that the Complaint included an additional allegation against Yes on I-522 Committee, not addressed in the enforcement action for Case No. 14-011. This Report of Investigation concerns that additional allegation against Yes on I-522 Committee and the allegation against Moms for Labeling.

## II.

### Allegations & Results of Investigative Findings

#### **Yes on I-522 Committee**

- 2.1 In addition to the allegations previously addressed by staff and the Commission concerning Yes on I-522, the Complaint alleged that Yes on I-522 Committee may have violated RCW 42.17A.240 by failing to report in-kind contributions for legal services provided by the Smith & Lowney law firm.
- 2.2 The Complaint alleged that Yes on I-522 Committee may have accepted unreported in-kind contributions from Knoll Lowney, Smith & Lowney, or Moms for Labeling, when Knoll Lowney took actions on behalf of the "Yes on 522 campaign" as described in Exhibits T and Exhibit U to the complaint. Exhibit T to the Complaint is an article from the *Spokane Spokesman-Review*, in which Knoll Lowney was quoted explaining the effect of proposed I-522.
- 2.3 Exhibit U to the Complaint is a letter on Smith & Lowney letterhead with the subject line "False and Illegal Advertising by No on 522 on Your Station." In the letter, Knoll Lowney wrote to Tim Perry, President & General Manager of KOIN CBS in Portland, Oregon, stating, "*I am writing on behalf of the Yes on 522 campaign as a follow up to my previous letter dated September 18, 2013, which informed you that the No on 522 Campaign's ads appearing on your station are illegal.*" The letter went on to state, "*Today the Attorney General of the State of Washington confirmed that our allegations are true and filed a lawsuit against the GMA for these actions. ... We demand that you immediately remove the illegal No on 522 Campaign ads from the air or your station will face legal liability. While we were disappointed in your station's decision to play these illegal ads after it received our first notice, you cannot justify playing these ads now that you have objective information confirming their illegality.*"
- 2.4 Phil Lloyd, Secretary/Treasurer for Yes on I-522 Committee, confirmed, to best of his knowledge, the following information concerning the allegation that Yes on I-522

Committee may have violated RCW 42.17A.240 by failing to report in-kind contributions for legal services provided by the Smith & Lowney law firm.

1. Knoll Lowney did not provide legal services for Yes on I-522 Committee.
2. Knoll Lowney did not provide reportable, uncompensated services to Yes on I-522 Committee as described in Exhibits T and U.
3. Knoll Lowney did not write the letter included in Exhibit U, dated October 16, 2013, on behalf of, or at the direction of, Yes on I-522 Committee. Mr. Lowney was not representing Yes on I-522 Committee when he wrote the letter described in Exhibit U.
4. Knoll Lowney did not attend strategy meetings or participate in planning activities for Yes on I-522 Committee.
5. Knoll Lowney did not work with Yes on I-522 Committee as a volunteer.
6. Yes on I-522 Committee did not ask Dr. Bronner's Magic Soaps to make in-kind contributions to Moms for Labeling that were reported as \$26,095 on October 2, 2013 and \$26,787.37 on November 12, 2013, to sponsor Knoll Lowney's legal services in filing lawsuits against GMA and/or No on I-522. Yes on I-522 Committee did not suggest to others that Dr. Bronner's Magic Soaps should be asked to make such contributions.
7. Yes on I-522 Committee did not cooperate, consult, or work in concert or collaboration with Moms for Labeling to secure these in-kind contributions from Dr. Bronner's Magic Soaps for Moms for Labeling.
8. Mr. Lloyd stated that an in-kind contribution was reported to Yes on I-522 by Dr. Bronner's Magic Soaps of \$20,000 for legal services. This contribution was reported as received in July 2013, well before the activities described in Exhibits T and U in the Complaint.
9. Yes on I-522 Committee did not participate in the creation or formation of Moms for Labeling.
10. Yes on I-522 Committee did not plan with Knoll Lowney for the creation and funding of Moms for Labeling for the purpose of Mr. Lowney filing lawsuits against GMA and No on I-522.

### **Moms for Labeling**

- 2.5 The Complaint alleged that Moms for Labeling failed to timely register as a political committee. It also alleged that Moms for Labeling violated RCW 42.17A.205 by failing to include Dr. Bronner's Magic Soaps as a sponsor in its committee name, as required by WAC 390-16-011A, since Dr. Bronner's Magic Soaps was the sole contributor to Moms for Labeling.
- 2.6 Moms for Labeling filed a C-1pc report on September 24, 2013, listing the address "C/O Smith Lowney, 2317 East John Street; Seattle, WA 98112." The C-1pc was accompanied by a one-page cover letter from Knoll Lowney, an attorney with Smith & Lowney, PLLC.



**(Exhibit #2)** Mr. Lowney's letter stated that Moms for Labeling was filing a C-1pc "*out of an abundance of caution...to provide information to the public about its activities, but denies that it is a political committee.*"

- 2.7 Mr. Lowney stated that Moms for Labeling anticipated that its only activity during the 2013 election cycle would be, "*... to hire my law firm to take certain legal actions to enforce the campaign finance laws.*" He stated that while some actions undertaken by a political committee during a given election cycle, "*...have potential impact on the election, we do not believe that groups seeking to enforce the campaign finance laws qualify as political committees.*"
- 2.8 On October 15, 2013, Moms for Labeling timely filed its initial 21-Day Pre-General Election C-4 report on paper for the period ending October 15, 2013, disclosing the receipt of a \$26,095 in-kind contribution from Dr. Bronner's Magic Soaps for expenditures made for legal services to Smith & Lowney, PLLC through October 2, 2013. The C-4 report for Moms for Labeling did not list Smith & Lowney, PLLC on the Schedule B to C-4 report in the in-kind contribution description column, but disclosed the statement, for "*legal services (not campaign related)*").
- 2.9 On October 28, 2013, Moms for Labeling filed a C-4 report covering the period October 15 through 28, 2013, disclosing a \$26,787 Orders Placed, Debt or Obligation owed to Smith & Lowney, PLLC for legal services provided through October 28, 2013.
- 2.10 On December 9 and 10, 2013, Moms for Labeling electronically filed three C-4 reports, which included the following:
- 21-Day Pre-General Election C-4 report filed on December 9, 2013, covering the period September 1 through October 15, 2013, disclosing the receipt of a \$26,095 in-kind contribution from Dr. Bronner's Magic Soaps for "*legal services (not campaign related)*" that was received on October 2, 2013. The C-4 report did not disclose Smith & Lowney, PLLC, as providing the legal services, but the firm was identified in the cover letter that accompanied the C-1pc report.
  - 7-Day Pre-General Election C-4 report filed on December 9, 2013, and covering the period October 15 through 28, 2013, disclosing no contributions received or expenditures made. The C-4 report disclosed a \$26,787.37 outstanding debt and obligation owed to Smith & Lowney as of October 28, 2013, for "*Legal services.*"
  - Amended Post-General Election C-4 report filed on December 10, 2013, covering the period October 28 through November 30, 2013, disclosing the receipt of a \$26,787.37 in-kind contribution from Dr. Bronner's Magic Soaps for "*non-campaign*" related description.
- 2.11 On February 25, 2014, Dr. Bronner's Magic Soaps filed a Special Political Expenditures report (C-7 report) disclosing reportable monetary and in-kind contributions made during calendar year 2013, that included contributions to Label It Washington, Yes on I-522 Committee and Moms for Labeling. The C-7 report confirmed the in-kind contributions disclosed on C-4 reports filed by Moms for Labeling, as follows: (1) a \$26,095 in-kind contribution was made on October 2, 2013; and (2) a \$26,787.37 in-kind contribution was made on November 12, 2013.

- 2.12 The Complaint alleged that Moms for Labeling may have violated RCW 42.17A.205 by failing to include Dr. Bronner's Magic Soaps as an 80 percent sponsor, as required by WAC 390-16-011A in the Committee's name listed on its C-1pc Committee Registration. On September 24, 2013, when Moms for Labeling filed its initial C-1pc, the committee had not received any monetary contributions.
- 2.13 The Moms for Labeling C1-pc listed Karen Andonian and Pam Johnson as co-directors, with an address of "c/o Smith & Lowney, PLLC, 2317 E. John, Seattle, WA 98112" and listed Pam Johnson as Treasurer, with an address of "c/o Smith & Lowney, PLLC, 2317 E. John, Seattle, WA 98112." Moms for Labeling listed its telephone number as (206) 860-2883 and its Fax number as (206) 860-4187, which are the telephone and fax numbers of Smith & Lowney, PLLC. Moms for Labeling provided an email address of [momsforlabeling@gmail.com](mailto:momsforlabeling@gmail.com). The C-1pc was signed by Pam Johnson on September 24, 2013.
- 2.14 Knoll Lowney confirmed the following information concerning the allegation that Moms for Labeling may have violated RCW 42.17A.205 by failing to include Dr. Bronner's Magic Soaps as an 80 percent sponsor, in the Committee's name on its C-1pc Committee Registration, as required by WAC 390-16-011A.
1. Smith & Lowney provided legal services exclusively to Dr. Bronner's Magic Soaps, but in some cases that work was considered to be a benefit to Yes on I-522 and therefore Yes on I-522 reported an in kind contribution from Dr. Bronner. The specific service provided are subject to the attorney client privilege, but generally constituted legal research and legal and strategic analysis and advice. For example, since I-522 was written by an out-of-state attorney, Knoll Lowney helped provide legal analysis about the initiative. On the very few occasions when his work benefitted the Yes on I-522 campaign and was public, it was easier to describe himself as a lawyer for the I-522 committee. However, his client at all times was Dr. Bronner's, he conducted all work at the request of Dr. Bronner's Magic Soaps, and Dr. Bronner's Magic Soaps paid for his work.
  2. Mr. Lowney does not recall Smith & Lowney ever participating in meetings of the Yes on I-522 committee. He does not recall Smith & Lowney ever participating in any planning activities for that committee.
- 2.15 Joseph Sandler, an attorney with Sandler Reiff Lamb Rosenstein & Birkenstock PC, confirmed on behalf of Dr. Bronner's Magic Soaps the following information concerning the allegation that Moms for Labeling may have violated RCW 42.17A.205 by failing to include Dr. Bronner's Magic Soaps as an 80 percent sponsor, in the Committee's name on its C-1pc Committee Registration.
1. Dr. Bronner's Magic Soaps did not provide a written or verbal promise to pay the Smith & Lowney law firm any specific amount before the dates the payments were made. Although the payments were reported as made on October 2, 2013 for \$26,095.00 and on November 12, 2013 for \$26,787.37, payment was actually made after each of those dates, which represent the dates of the invoices from the Smith & Lowney law firm. Dr. Bronner's Magic Soaps did not agree to pay specific amounts until the payments were actually made.

2. It is Dr Bronner's understanding that the services for Moms for Labeling were all for activities related to exposure of violations of state campaign finance laws by the Grocery Manufacturers Association in connection with the I-522 campaign.
  3. Dr. Bronner's made payments to the Smith & Lowney law firm for services rendered both to I-522 and to Moms for Labeling. It is Dr. Bronner's understanding that the amounts attributable to services for each entity were identified by the law firm to each entity. Moms for Labeling reported, as an in-kind contribution from Dr. Bronner's, only the amount of legal fees paid by Dr. Bronner's attributable to work for Moms for Labeling. Dr. Bronner's based the amounts reported on its on C-7 Report on the amount reported by Moms for Labeling. Thus, it is Dr. Bronner's understanding that those amounts were for legal services rendered solely for the benefit of Moms for Labeling.
  4. Dr. Bronner's does not recall who originally referred Dr. Bronner's to Knoll Lowney.
- 2.16 No evidence was found that Dr. Bronner's Magic Soaps pledged contributions to Moms for Labeling before the date it made payments to Moms for Labeling, shortly after October 2, 2013 for \$26,095.00 and November 12, 2013 for \$26,787.37. No evidence was found that Moms for Labeling had received a pledge as of September 24, 2013, the date Moms for Labeling filed its initial C-1pc. Because September 24, 2013 was fewer than 60 days before the November 5, 2013 general election, Moms for Labeling was not required to amend its C-1pc to include Dr. Bronner's Magic Soaps in the committee's name when it received its first contribution shortly after October 2, 2013.
- 2.17 Dr. Bronner's Magic Soaps timely filed a C-7 Special Political Expenditures report confirming its contributions to Moms for Labeling and to Yes on I-522 Committee. **(Exhibit 3)**

### III. Scope

- 3.1 PDC staff reviewed the 45-day Citizen Action Complaint filed by Rob Maguire against multiple Supporters of I-522.
- 3.2 PDC Staff reviewed the following:
  - Campaign finance reports filed by Yes on I-522 Committee, and information contained in the PDC database.
  - Campaign finance reports filed by Moms for Labeling, and attached cover letter from Knoll Lowney that accompanied the C-1pc.
  - C-7 Special Political Expenditures report filed by Dr. Bronner's Magic Soaps on February 25, 2014.

IV.  
Laws

**RCW 42.17A.005(42)(b)** defines "Sponsor," for the purposes of a political committee, to include any person, except an authorized committee, that provides eighty percent or more of the committee's contributions, either from the person, or from the person's members, officers, employees, or shareholders;

**RCW 42.17A.005(43)** defines "Sponsored committee" as a committee, other than an authorized committee, that has one or more sponsors;

**RCW 42.17A.005(13)(a)** states, in part, that "Contribution" includes: (i) A loan, gift, deposit, subscription, forgiveness of indebtedness, donation, advance, pledge, payment, transfer of funds between political committees, or anything of value, including personal and professional services for less than full consideration;

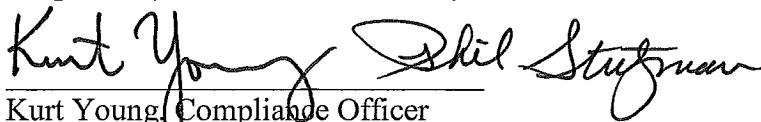
**Interpretation 12-01** states, in part, that a pledge is a promise from a contributor to make a future contribution. It says a pledge may be written or verbal and for monetary and/or in-kind contributions. It says to be considered a pledge for purposes of reporting requirements and contribution limits, the promise must be for a specific amount if a monetary pledge or for specific goods or services if an in-kind pledge and the contributor must intend to pay the pledged amount in its entirety.

**WAC 390-16-011A(6)** states, in part: A sponsored political committee must amend its C-1pc sixty days before an election in which it participates if the committee's name on its most recently filed C-1pc does not include at least one current sponsor.

**RCW 42.17A.205** requires every political committee to file a statement of organization 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.

**RCW 42.17A.235 and .240** require political committees to timely and accurately file reports of contributions and expenditures. Under the full reporting option, until five months before the general election, Campaign Summary Receipts & Expenditures reports (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 weekly on Cash Receipts Monetary Contributions reports (C-3 reports) due on the Monday following the date of deposit.

Respectfully submitted this 19<sup>th</sup> day of March, 2015.



Kurt Young, Compliance Officer

Phil Stutzman, Director of Compliance

**List of Exhibits**

- Exhibit #1**     October 25, 2013, 45-day Citizen Action Complaint filed by Rob Maguire, an attorney with Davis, Wright, Tremaine, PLLC, a Seattle law firm, against several entities supporting I-522.
- Exhibit #2**     September 24, 2013, C-1pc with one-page letter from Knoll Lowney, an attorney with Smith & Lowney, PLLC, that accompanied the C-1pc report filed by Moms for Labeling.
- Exhibit #3**     C-7 Special Political Expenditures Report, filed by Dr. Bronner's Magic Soaps on February 25, 2014.



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Suite 2200 PUBLIC DISCLOSURE COMMISSION  
1201 Third Avenue  
Seattle, WA 98101-3045

Robert J. Maguire  
(206) 757-8094 tel  
(206) 757-7094 fax

robmaguire@dwt.com

October 25, 2013

The Honorable Robert Ferguson  
Attorney General  
1125 Washington Street SE  
PO Box 40100  
Olympia, WA 98504-0100

Washington Public Disclosure Commission  
Ms. Andrea McNamara-Doyle  
P.O. Box 40908  
Olympia, WA 98504-0908

The Honorable John Tunheim  
Thurston County Prosecuting Attorney  
2000 Lakeridge Dr. S.W., Building 2  
Olympia, WA 98502

Re: Supporters of I-522

Dear Attorney General Ferguson, Thurston County Prosecuting Attorney Tunheim, and Ms. McNamara-Doyle:

On behalf of No on 522, we are writing to provide information concerning violations of Washington public disclosure laws by supporters of I-522. While No on 522 is reluctant to go down this path, No on 522 thinks it is important to bring these matters to your attention for a fair and balanced enforcement of the law. Please show this complaint the same attention and urgency as the allegations made by supporters of I-522.

**A. Supporters of I-522 Have Failed to Register and Report as Political Committees and Failed to Comply with Washington's Public Disclosure Laws**

Under the Attorney General and PDC's interpretation of the political committee test, key supporters of I-522 are carrying on activities, including accepting contributions and making expenditures in support of I-522, without registering and reporting as a political committee. If the State's view of the law is accurate, these entities' failure to register violates RCW

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October 25, 2013  
Page 2

42.17A.205 and WAC 390-16011. Because they are not registered and reporting, they are also violating numerous sections of RCW 42.17A and Title 90 of the Washington Administrative Code which require reporting of expenditures and contributions, sponsors, and top five contributors.

We understand the AG and PDC staff believe that an organization is subject to political committee registration and required to report contributions and expenditures if the organization receives any contributions that may be used to support or oppose a ballot measure in Washington.<sup>1</sup> Under that view, several organizations should be required to register and report as political committees because they have apparently received contributions and made expenditures supporting I-522.

**1. Food Democracy Now! and Food Democracy Action!**

Food Democracy Now!<sup>2</sup> is raising money for an affiliated 501(c)(4) named Food Democracy Action! for the express purpose of passing along all of the contributions to Yes on 522. See Exhibit A.<sup>3</sup> Food Democracy Now!'s solicitation expressly states:

Every dollar you donate will go to the YES on I-522 campaign.

The solicitation also states:

All money raised for this campaign will *go through Food Democracy Action!*, a 501(c)(4) allied organization of Food Democracy Now!, focused on grassroots lobbying and legislative action. Donations are not tax deductible.

Exhibit A (emphasis added).

Plainly, Food Democracy Action! is acting as a conduit for Yes on 522, in violation of RCW 42.17A.470. In addition, the solicitation demonstrates that Food Democracy Action! is accepting

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<sup>1</sup> No on 522 respectfully believes the State's interpretation of the political committee test is overbroad and conflicts with more recent U.S. Supreme Court authority making clear that the primary or major purpose of an organization must be to engage in electoral activities to qualify as a political committee, however, No on 522 recognizes the State has a different view so raises the issues in this letter based on the State's interpretation of the law.

<sup>2</sup> See <http://fooddemocracynow.org/about/>.

<sup>3</sup> Exhibit A was found at: [https://fdn.actionkit.com/donate/stop\\_Monsanto\\_and\\_the\\_GMA\\_lie\\_machine\\_today/?akid=1025.312465.fkDGms&rd=1&t=2](https://fdn.actionkit.com/donate/stop_Monsanto_and_the_GMA_lie_machine_today/?akid=1025.312465.fkDGms&rd=1&t=2)

October 25, 2013  
Page 3

contributions earmarked for Yes on 522. As a result, the individual contributors to Food Democracy Action! should be reported by Yes on 522 as the true source of the contributions.

Food Democracy Action! has also failed to register as a Washington political committee. Because it is accepting contributions intended to support a Washington ballot measure, it is required (under the theory the State is pursuing against GMA) to register and report its activities as a Washington political committee.

Because Food Democracy Action! has not registered and reported as a political committee, there is no way of knowing from public records whether the true source of earmarked contributions to Food Democracy Action! have been disclosed by Yes on 522. Yes on 522 has reported two separate \$50,000 contributions from Food Democracy Action!, which suggests the individual contributors were not disclosed. Failure to report earmarked contributions violates RCW 42.17A.460.

## 2. The Organic Consumers Association and Related Entities

The Organic Consumers Association is a Minnesota-based 501(c)(3) corporation with a self-described national and international policy board. *See* <http://www.organicconsumers.org/aboutus.cfm>. The Organic Consumers Association has raised money directly for Yes on 522. (*See, e.g.,* Exhibit B). It has also solicited money *for itself* with an appeal to contribute *for purposes of supporting I-522*. (*See, e.g.,* Exhibit B, p. 4). And it has raised money to oppose GMO labeling, including through appeals to support I-522, through its affiliated Minnesota based Organic Consumers Fund, which describes itself as an allied organization with the Organic Consumers Association. *See* <http://organicconsumersfund.org/donate/> and (Exhibit C).

The exhibits to this letter include just some of the examples of activities by the Organic Consumers Association and Organic Consumers Fund demonstrating an expectation of receiving contributions supporting I-522. For example, on August 8, 2013, the Organic Consumers Association's website identified I-522 and solicited contributions to both the Organic Consumers Association ("tax deductible, helps support our work on behalf of organic standards, fair trade and public education") and the Organic Consumers Fund ("non-tax-deductible, but necessary for our legislative efforts in Washington, Vermont, and other states"). (Exhibit C). To be clear, these solicitations were for the OCA and its national Fund, not for an existing affiliated Washington political committee.<sup>4</sup> Under the State's interpretation of RCW 42.17A.005(37), the Organic Consumers Association and Organic Consumers Fund should, therefore, have registered

<sup>4</sup> Notwithstanding the solicitations were for contributions to OCA and the national fund, if OCA instead directly deposited the funds in a Washington political committee, it may have violated the law by failing to obtain donor consent.



October 25, 2013  
Page 4

as political committees because they had “the expectation of receiving contributions or making expenditures in support of” I-522. This is similar to the claim the AG is currently pursuing against the Grocery Manufacturers Association. Put simply, under the State’s view of the law, if an association solicits and receives money from members who reasonably expect some of their funds will be used to support I-522, the association or its fund is a political committee. In the OCA’s case, it solicited funds for itself (not a separate strategic fund or Washington political committee) without registering and reporting as a political committee.

There is further evidence indicating the OCA’s solicitations resulted in contributions to OCA. In particular, the Organic Consumers Association itself contributed \$128,000 to a Washington political committee called the Organic Consumers Fund Committee to Label GMOs in WA State (the “Washington Fund”). Presumably these funds were a result of the Organic Consumers Association’s solicitations of its members to support I-522 and the identity of the particular member contributors should be disclosed.

The Washington Fund, in turn, has contributed all of its funds (except credit card and accounting fees) to the Yes on 522 Committee. According to reports filed with the PDC (Exhibit D, the Washington Fund has collected and passed through \$580,000 to Yes on 522. The transactions raise questions under RCW 42.17A.435.

The Organic Consumers Association is not acting independently in this conduct. It is coordinating with Yes on 522 while also sponsoring its own Washington political committee. (See, e.g., Exhibit E). In the “action center” of the Organic Consumers Association’s website entitled “Millions Against Monsanto,” the Organic Consumers Association includes a link to Yes on 522’s website.<sup>5</sup> The Organic Consumers Association also provided form letters soliciting contributions directly to Yes on 522.<sup>6</sup> Similarly, using a mailing list the Organic Consumers claims includes 850,000 members,<sup>7</sup> OCA solicited money for supporting I-522. (Exhibit I).

The structure used by the OCA and Yes on 522 has served as a basis for Yes on 522 to misleadingly claim that 80% of its contributions come from within Washington (Exhibit J) because the Washington Fund is registered as a Washington political committee. Contributors to the Washington Fund are almost all from outside of Washington, however. Indeed, the Washington Fund has collected more than 4,500 contributions from outside of Washington with fewer than 400 coming from within Washington. That is, more than 92% of the Washington

<sup>5</sup> <http://www.organicconsumers.org/monsanto/links.ofm>. (Exhibit F).

<sup>6</sup> For example, see form letter on OCA’s website containing the subject line: “Please contribute to the Yes on 522 campaign to label GMOs in Washington State.”  
[http://salsa3.salsalabs.com/o/50865/p/dia/action3/common/public/?action\\_KEY=11846](http://salsa3.salsalabs.com/o/50865/p/dia/action3/common/public/?action_KEY=11846). (Exhibit G).

<sup>7</sup> See <http://www.organicconsumers.org/aboutus.cfm>. (Exhibit H).

October 25, 2013  
Page 5

Fund's contributions are from out-of-state. Those out-of-state contributors provided more than 94% of the funds the Washington Fund has received. Many of the contributions even come from outside of the United States raising serious questions as to whether foreign nationals are contributing to the Yes side in violation of federal law.<sup>8</sup>

The Washington Fund has also failed to properly comply with the PDC's requirements to have a Washington bank account allowing the PDC to easily scrutinize banking activities. Under the PDC's Instruction Manual for Political Committees at p. 9, the Washington Fund's bank account should "be established in a bank, mutual savings bank, savings and loan association or credit union doing business in Washington State." Contrary to the PDC's direction, however, the Washington Fund's account is with Northshore Federal Credit Union in the Silver Bay, Minnesota branch. Northshore Federal Credit Union does not have a branch in Washington.<sup>9</sup> By using a financial institution outside of Washington, the Washington Fund places its banking and accounting outside the State's jurisdiction.

In addition to protecting the activities described above, there are other reasons to be concerned with the Washington Fund's banking activities. According to Northshore Federal Credit Union, its members must be "[p]ersons who reside, work, worship, or go to school in Lake or Cook Counties, Minnesota," surviving spouses of members, or immediate family members of current credit union members. See <http://www.northshorefcu.org/Mem%20Elig.htm>. Under those requirements, it is unclear how a Washington political committee could hold an account at Northshore Federal Credit Union. It is possible, therefore, there is no separate account for the Organic WA Fund and that it shares an account with its Minnesota parent entity.

The activities by and relationship between Yes on 522, the Washington Fund, the Organic Consumers Association, and the Organic Consumers Fund raises issues under Washington's disclosure law including whether major contributors to Yes on 522 have failed to register and report as political committees.

### 3. Volunteers for I-522

---

<sup>8</sup> The Washington Fund lists scores of contributors with foreign addresses. It is not possible to tell from the Washington Fund's PDC filings whether it has ensured the donors are U.S. citizens or lawful permanent residents. If the donors are not U.S. citizens or lawful permanent residents, the Washington Fund has violated the Federal Election Campaign Act. Under federal law, the Washington Fund was required to return any funds from foreign nationals or, within 10 days of receipt, take steps to confirm the contribution was lawful by obtaining copies of current and valid U.S. passport papers for U.S. citizens providing a foreign address. 11 C.F.R. §110.20.

<sup>9</sup> According to its website, Northshore Federal Credit Union's three branches are in Silver Bay, Grand Marais, and Lutsen, Minnesota. See <http://www.northshorefcu.org/contact.htm>

October 25, 2013  
Page 6

A group calling itself Volunteers for I-522 has a website supporting I-522, including descriptions of events by the organization and links to “allies” such as the Organic Consumers Association, Yes on 522, and 522parents.org. See <http://volunteersfori522.org/>. The website includes a calendar with speaking tours and fundraising events<sup>10</sup> and media releases directing individuals to Yes on 522’s website. The Volunteers for I-522 website also invites people to contact Volunteers for I-522 to “participate in actions, banner, volunteer and voter outreach, and phonebanking.” *Id.* The website does not include any sponsor or top five contributor disclosures and Volunteers for I-522 is not registered as a political committee. As a result, Volunteers for I-522’s funding and expenditures have not been publicly disclosed, in violation of Washington law.

#### 4. 522Parents.org

522Parents.org is not registered as a political committee, does not report its expenditures and contributions, and does not provide the mandatory disclaimers on its website. See <http://522parents.org/>. The website promotes I-522 and provides links to the Label It WA political committee’s now defunct website.

#### B. Supporters of I-522 are Violating Washington Law By Failing to Provide Mandatory Disclaimers and Top Five Contributor Disclosures.

Supporters of I-522 routinely failed to label their advertisements in accordance with Washington law. Specifically, supporters of I-522 routinely fail to include the sponsor and top five contributor disclaimers required under RCW 42.17A.320, WAC 390-18-010, and WAC 390-18-015.

For example, a billboard appearing in Tukwila at the W. Valley Highway and 180<sup>th</sup> Avenue with the Yes on 522 logo and Ben & Jerry’s logo and the text “Vote Yes on 522 to support mandatory GMO labeling” does not contain sponsor information or the top five contributors.<sup>11</sup> (Exhibit K)

Similarly, Yes on 522’s e-mail communications have routinely failed to comply with disclosure requirements throughout the campaign. For example, we include as (Exhibit L) a May 29, 2013, e-mail from Yes on 522’s campaign manager offering a coupon for Ben & Jerry’s ice cream to the first 52 recipients to share Yes on 522’s Facebook page. The e-mail does not contain any sponsor or top five disclosures.

<sup>10</sup> For example, a “GMO Labeling Fundraiser featuring Pamm Lary with Special Guest Jeffrey Smith” scheduled for October 1. [https://www.google.com/calendar/embed?src=jkodrsfd7affcrvsd20hrmj80@group.calendar.google.com&ctz=America/Los\\_Angeles&gsessionid=sRyes27OU1aX9fwVTbKZeQ](https://www.google.com/calendar/embed?src=jkodrsfd7affcrvsd20hrmj80@group.calendar.google.com&ctz=America/Los_Angeles&gsessionid=sRyes27OU1aX9fwVTbKZeQ). (Exhibit Q).

<sup>11</sup> A photograph of the billboard, taken on August 17, 2013, is attached as (Exhibit K).

October 25, 2013  
Page 7

In August, a Yes on 522 advertisement appeared in Mother Jones magazine. The advertisement, attached as (Exhibit M), contained an advertisement for Dr. Bronner's Magic Soap with rhetoric supporting I-522, solicitations for contributions, requests to vote for I-522, a Yes on 522 logo, and links to Yes on 522's website. The same advertisement has been placed on bottles of Dr. Bronner's Magic soap.<sup>12</sup> Despite the voluminous text in the advertisements, nothing discloses the sponsor or the top five contributors behind the advertisements.<sup>13</sup>

The pattern of failing to disclose continued. On September 9, 2013, representatives of Yes on 522 attended the 25<sup>th</sup> District Democrats meeting and passed out Yes on 522 flyers without the mandatory disclosures. (Exhibit N). The next day, on September 10, 2013, the Yes on 522 campaign manager again sent an e-mail solicitation seeking 1,000 donors to match an apparently anonymous (and likely unreported) pledge. The e-mail failed to include any sponsor or top five disclosures. (Exhibit O).

Even Yes on 522's website is deceiving. Yes on 522 recently added the sponsor and top 5 disclaimers to its website but has done so in a half-tone/screened manner making the disclaimers difficult to read. See <http://yeson522.com/> (Exhibit P). As a result, the website continues to violate RCW 42.17A.320, WAC 390-18-010, and WAC 390-18-015.

We have included only a sampling of advertisements violating Washington law. Indeed, it is more difficult to find examples of Yes on 522 advertisements complying with the law than not.

**C. Supporters of I-522 are Violating Washington Law by Failing to Properly Report Pledges and In-Kind Contributions.**

Supports of I-522 frequently refer to anonymous pledges to help generate matching contributions and enlist the support of businesses and lawyers to promote I-522 without reporting in-kind contributions. The pledges and in-kind contributions, however, have been accepted but not been reported – either as anonymous contributions, pledges, or in-kind contributions. As a result, the committees have violated RCW 42.17A.220 and .235.

For example, in late March or early April, 2013, the Organic Consumers Association posted a message to its Facebook page referring to a \$750,000 previously anonymous pledge to Label it WA contributed by Dr. Bronner's Magic Soaps. Although the Organic Consumers Association is not registered as a Washington political committee, it wrote:

<sup>12</sup> See <http://drbronner.com/drbronnens-yes-on-522-label.php>

<sup>13</sup> The main page of Dr. Bronner's website also includes an advertisement for Yes on 522, which links to Yes on 522's website. Again in violation of Washington law, the advertisement does not indicate the sponsor or top five contributors. <http://drbronner.com/>

October 25, 2013  
Page 8

Thanks to everyone's amazing response to *our campaign*, Dr. Bronner's Magic Soaps, who was our anonymous donor, has gone public with their support and will now be donating \$750k to the I-522 campaign, instead of the \$500k they originally planned to donate. So, between the \$250k we raised, and the \$750k Dr. Bronner's is donating, that's \$1 million for the Label it Wa campaign.

(Exhibit R) (emphasis added).

Likewise, on August 1, 2013, the Organic Consumers Association's website included a section entitled Support the OCA & OCF referring to a matching \$150,000 grant (pledge) from Mercola.com. (Exhibit S). The Mercola.com pledge was not reported.<sup>14</sup>

More recently, the Smith & Lowney law firm has provided legal services for Yes on 522 beyond compliance assistance, thereby violating WAC 390-17-405. *See, e.g.*, (Exhibit T) from <http://www.spokesman.com/blogs/spincontrol/2013/sep/25/i-522-fight-over-pet-food/> (identifying Knoll Lowney as attorney for the Yes campaign responding to questions on the substance of the initiative) and (Exhibit U) (Lowney letter to broadcasters on behalf of Yes on 522). The legal services, which apparently include creating Moms for Labeling (an entity that waited more than a month after formation to register as a political committee) for purposes of supporting I-522, should have been reported as expenditures (if paid) or in-kind contributions. Moms for Labeling has also failed to include the name of its sponsor in the name of the committee. WAC 390-16-011A. Moms for Labeling has received all of its funding from Dr. Bronner's Magic Soaps. As a result, Dr. Bronner's Magic Soaps is the sponsor whose name must be included in the committee's name. RCW 42.17A.005(42)(b). The relationship between Dr. Bronner's and the various committees supporting I-522 is also suspect, as a sponsor may not sponsor multiple committees or make independent expenditures while also sponsoring a committee. Dr. Bronner's is the sole contributor to Moms for Labeling, is one of the largest contributors to Yes on 522, assisted the Organic Consumers Association as an anonymous donor, and has also been promoting Yes on 522 through its own advertising on Dr. Bronner's products. *See, e.g.*, (Exhibit M). It is unclear whether Dr. Bronner's labels were unreported independent expenditures or in-kind contributions.

Other groups similarly appear to be contributing unreported services. For example, FUSE appears to be providing services to Yes on 522 by issuing press releases and FUSE's executive director serving as a media spokesperson for Yes on 522. *See, e.g.*, (Exhibit V) from

<sup>14</sup> As with previously discussed items on the Organic Consumers Association's website, the article solicited contributions to the Organic Consumers Association and to the Organic Consumers Fund.

October 25, 2013  
Page 9

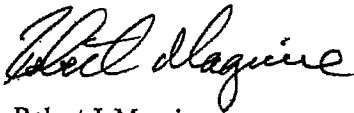
<http://www.kirotv.com/news/news/big-money-battle-over-gmo-labeling-initiative/nZzfP/>. To the extent FUSE or its officers and directors are making expenditures supporting I-522, its contributions should be reported. The failure to report all of this information conceals the relationship between the various entities and individuals manipulating public opinion in support of I-522 and violates public disclosure laws.

**D. Conclusion**

Supporters of I-522 are routinely violating Washington disclosure laws and misleading the public. Even without discovery and the resources available to the State through its investigatory powers, No on 522 has identified a broad and deep range of violations by supporters of I-522. No on 522 respectfully requests the State investigate the allegations, which are far more widespread than the allegations raised against opponents of I-522, and ensure supporters of I-522 comply with the law.

Sincerely

Davis Wright Tremaine LLP



Robert J. Maguire

Attachments

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# Exhibit A

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### Monsanto's going all in, Will You?

### Your Donation Today Will be Matched 3 to 1!

Breaking: A new poll in Washington state shows the race to win Yes on 522 to label GMOs is getting too close to call! Right now GMO labeling advocates maintain a narrow lead at 45 to 38% and we need your help! Just like in California during Prop 37, the opposition's deceitful ad campaign is confusing voters.

With your help we can win this important GMO labeling battle in Washington State. Join us to say Yes on 522, a citizens' initiative to label GMOs in Washington State. Every dollar you donate will go to the YES on 1-522 campaign. Thank you!

Can you make a donation to support the fight against Monsanto to win GMO labeling! Every dollar counts!

### 3-TO-1 MATCH

**YOUR DONATION TODAY WILL BE TRIPLED!**



#### 1 Enter Your Information

NAME  
EMAIL  
BILLING ADDRESS  
CITY  
STATE  
ZIP

Please select your country:  
UNITED STATES

All money raised for this campaign will go through Food Democracy Action!, a 501(c)(4) allied organization of Food Democracy Now!, focused on grassroots lobbying and legislative action. Donations are not tax-deductible.

To donate via Paypal, please click here:



If you prefer to donate with a check or money order, please send to:  
Food Democracy Action! | P.O. Box 5 | Clear Lake, Iowa | 50428

Thank you!

#### 2 Choose U.S. Dollar Amount

Donation Amount		
\$5.22	\$35	\$52.20
\$100	\$250	\$522
\$1000	Other \$	

Donation Type:  One-Time  Monthly

#### 3 Enter Credit Card Information

Credit Card #  
Verification Code  
Expiration Date



#### Why do you need my occupation and employer?

Washington State law requires us to collect and report the name, mailing address, and the contribution amount for each individual whose contributions exceed \$25 and the employer and occupation for each individual whose contributions exceed \$100 in an election cycle. Your



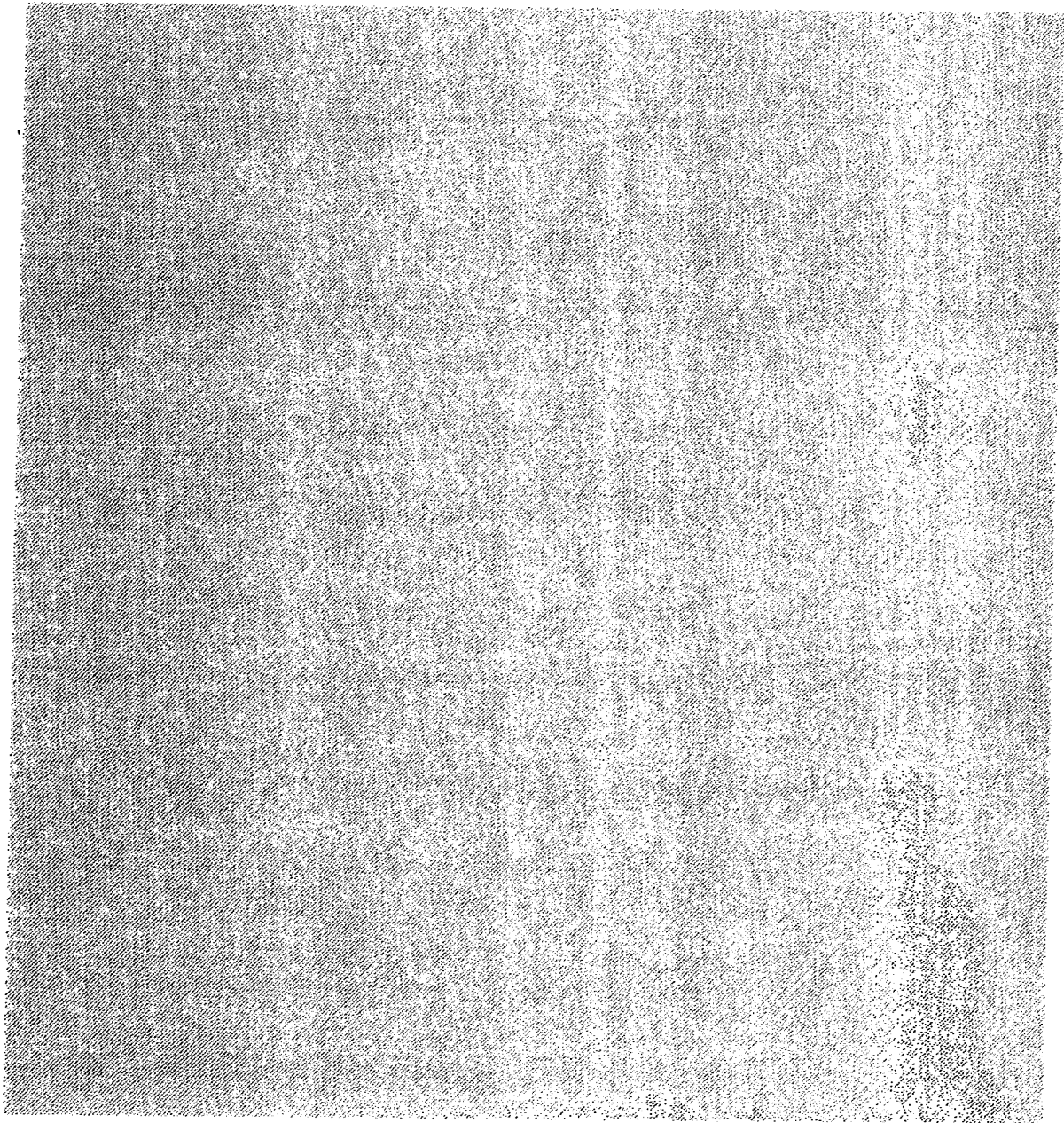
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contribution will be used in connection with Washington State elections and is subject to the limits and prohibitions of the Washington State Public Disclosure Commission.

**What if I'm retired or unemployed?** In order to comply with the WSPDC Commission, please note in the occupation section that you are retired or unemployed.

Privacy Contact

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# Exhibit B

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Clothes

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The Myth of Natural

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### Agriculture & Climate

CAFOs vs. Free Range

### Health Issues

Swine & Bird Flu

Vitamins & Supplements

Children's Health

### Genetic Engineering

rBGH

Millions Against Monsanto

Cloning & Patenting

Nanotechnology

GM Wheat

### Food Safety

USDA Watch

## NATIONAL CAMPAIGNS

### Get Involved: Millions Against Monsanto



## WASHINGTON CAMPAIGNS

### Yes on 522: The People's Right to Know Genetically Engineered Food Act

http://yeson522.com

Grassroots activists in Washington State gathered over 350,000 signatures to get I-522, the People's Right to Know Genetically Engineered Food Act on the Nov. 2013 ballot. Initial polling shows that Washington state voters will likely pass this Ballot Initiative, no matter how much money the biotech industry and large food corporations put into an anti-labeling campaign.

I-522 already has strong support from Washington farmers, ranchers, and dairies, both organic and conventional, who are up in arms about the economic and environmental threats posed by genetically engineered wheat, apples, and alfalfa. Plus, Washington is far smaller than California in terms of population and registered voters and boasts a powerful network of co-ops, independent natural food stores, and grassroots organizations who are already fully on board with the campaign.

This fall, it's up to us to decide. Let's vote for the right to know what's in our food. Yes on 522!

Use these links to get involved, donate to the campaign, and spread the word:

Get Involved

Donate

Facebook

Twitter

Learn More Here

Submit News Stories

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Chapters are organized by Congressional District and listed by number. If you don't know which district you're in, click here.

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- District 2
- District 3
- District 4
- District 5
- District 6
- District 7
- District 8
- District 9
- District 10

Additional Facebook Chapters

Millions Against Monsanto Washington

## GREEN PRODUCT SEARCH

Washington Green and Organic Businesses

All Products

within 20 miles of

Zip code:   
Search:

Add a Green Business

Click here to submit and see upcoming events!

## LATEST WASHINGTON NEWS

Show All

09/16/13 - This Week's Newsletter: Monsanto, Dupont Dump Millions to Stop GMO Labeling

09/11/13 - Poll: Big Lead for Food-labeling Initiative in WA

09/11/13 - Monsanto Puts \$4.6 Million into Fight Against GMO Labeling

09/04/13 - Putting Fear on the Table—Industry Lies and Damn Lies About GMOs and GMO Labeling

08/28/13 - Food Companies Ante up Against GMO Initiative

08/22/13 - Who's Paying for GMO-labeling Initiative Campaigns?

08/14/13 - Cross-country Drive Aims to Show There's Something 'Fishy' About GMOs

08/02/13 - Washington GMO Labeling

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	<b>ORGANIZATIONS</b>
Toxic Sludge	
Raw Milk	
Mad Cow	Audubon Washington
Irradiation	Bicycle Alliance of Washington
Perchlorate	Cascade Harvest Coalition
<hr/>	
<b>Fair Trade/ Social Justice</b>	Climate Solutions
Buy Local Movement	Cookus Interruptus
	EarthShare Washington
<hr/>	
<b>Farm Issues</b>	Environment Washington
NAIS	Foods Not Lawns Inland Northwest
Honey Bees	Fresh Abundance
<hr/>	
<b>Politics &amp; Democracy</b>	Friends of the Trees Society
<hr/>	
<b>Publications</b>	Futurewise
<i>Organic Bytes</i>	The Future is Organic
<i>Organic View</i>	Green Your Theme
<hr/>	
<b>Resources</b>	League of Women Voters of Washington
OCA Sponsors	Marra Farm (Seattle)
Buying Guide	Neighborhood Farmers Market Alliance
OCA Action Center	Olympia Seed Exchange
OCA Press Center	Organic Seed Alliance
OCA En Español	Organically Grown Company
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	Partnership for a Sustainable Methow
	PCC Farmland Trust
	PCC Natural Markets
	People for Puget Sound
	Plant a Row for the Hungry
	P-Patch Community Gardens (Seattle)
	The Real Food Challenge - Northwest
	Transition Fidalgo & Friends
	Rural Roots
	Seattle Tilth Association
	Sharing Wheels Community Bicycle Co-op
	Silver Valley Community Resource Center
	Sno-Valley Tilth
	South Whidbey Tilth
	Spokane Farmer's Market
	Spokane Tilth
	Sustainable NE Seattle
	Tilth Producers of Washington
	Transition Olympia
	Transition Snoqualmie Valley
	Transition Whatcom
	Transition Whidbey
	UW Fair Trade Coffee Coalition
	Washington Biotechnology Action Council
	Washington Citizens for Resource Conservation
	Washington State Department of Agriculture Organic

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Food Program

Washington Environmental Council

Washington Raw Milk

Washington Sustainable Food and Farming Network

Washington Tilth

Washington Toxics Coalition

WSU Center for Sustaining Agriculture and Natural Resources

WSU Extension Small Farms Team

Add an Organization

---

Organic Consumers Association · 6771 South Silver Hill Drive, Finland MN 55603 · Contact Us · Activist or Media Inquiries: 218-228-4164 · Fax: 218-353-7852

Please support our work: Send a tax-deductible donation to the OCA

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# Exhibit C





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**From:** Organic Consumers Association  
**Sent:** Thursday, August 8, 2013 6:47 AM

**Reply To:** [ronniecummins@organicconsumers.org](mailto:ronniecummins@organicconsumers.org)  
**Subject:** Torturing Animals with GMO Feed, 'Natural' GMO Chips?

Is this email not displaying correctly?  
[View it in your browser.](#)

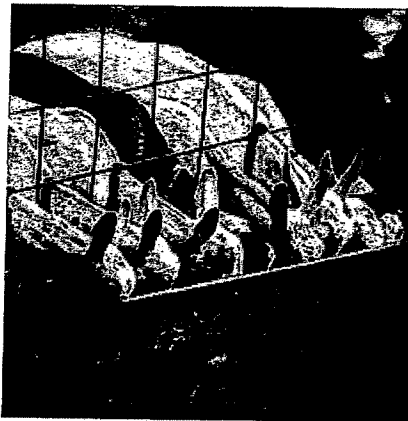


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ESSAY OF THE WEEK

## Are We Torturing Animals with Monsanto's GMO Feed?

We associate food with, at most, pleasure, at the very least, survival. It's not too different for animals. Lambs turned out on new grass move "quickly over certain grasses to get to others – to nosh on clover and mustard grass, avoiding horse nettle and fescue along the way," writes Dan Barber in *A Chef Speaks Out*. Wild pigs, capable of seeking out the nutrients they need, "enjoy eating nuts, roots, fruits, mushrooms, bugs, rabbits, and, occasionally, dead animals."



But what happens when animals are confined in cramped, filthy environments and force-fed monoculture diets of genetically modified corn and soy?

A lot can happen. Calves are born too weak to walk, with enlarged joints and limb deformities. Piglets experience rapidly deteriorating health, a "failure to thrive" so severe that they start breaking down their own tissues and organs – self-cannibalizing – to survive. Many animals suffer from weak, brittle bones that easily fracture. Dairy cows develop mastitis, a painful udder infection. Beef cattle develop liver abscesses and an excruciating condition referred to as "twisted gut."

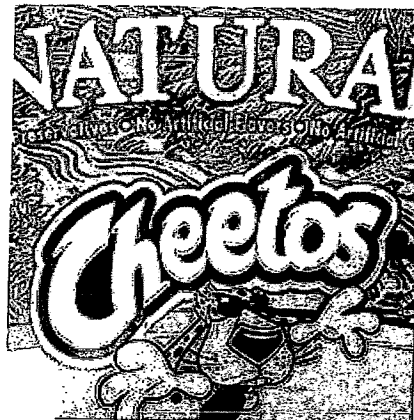
It all adds up to a lot of misery for the animals. And it doesn't bode well for humans, says the author of *America's Two-Headed Pig*.

[Read the essay](#)

#### ACTION ALERT

### Tell the FDA: GMOs Aren't 'Natural'!

Would you be shocked to learn that the corn in the "all natural" tortilla chips you just bought had been genetically engineered to produce a toxin that ruptures the intestines of insects? Causing them to die quickly after ingesting the corn? Or that the corn in the "100% natural" cereal flakes you just served your kids for breakfast had been saturated with far more glyphosate than any normal plant would be able to tolerate? Because the corn was engineered to resist Monsanto's RoundUp herbicide?



The Food & Drug Administration (FDA) says "natural" means "nothing artificial or synthetic ... has been included in, or has been added to, a food that would not normally be expected to be in the food." So who would guess that food marketed as "natural" contains the engineered genes of insecticide-producing and/or herbicide-resistant bacteria?

So far the FDA has dodged the question of whether or not food companies are lying to customers when they say their product is "natural" even though it contains genetically engineered ingredients. But with the courts facing a barrage of lawsuits from consumers furious that food companies have been allowed to hide GMOs in popular "natural" brands, the FDA is being asked to weigh in.

Given that the FDA's Deputy Commissioner for Foods is none other than Monsanto's former lawyer, Michael Taylor, whose side do you think the FDA will take?

**TAKE ACTION: Tell the FDA that GMOs Aren't "Natural"!**

ORGANIC RETAIL AND CONSUMER ALLIANCE

### Top Grocer Spotlight: Jimbo's . . . Naturally!



Fifteen years ago, Jimbo Someck, grocer and father, had one small organic store and one big mission: "A piece of organic fruit in every child's recycled lunch bag."



Today, Jimbo's . . . *Naturally!* is a thriving San Diego-based company with four locations, and a fifth in the works. The store and its owner have also become known as a champions of consumers' right to know about GMOs. Not only does the company educate consumers about the dangers of GMO ingredients, but it also works with manufacturers to find alternative ingredients. Those manufacturers who are willing to transition to GMO-free are rewarded with Jimbo's continued business. Those who aren't are shown the door.

Last year, Jimbo's contributed \$10,000 to California's Proposition 37 campaign to label GMOs. And even though the California-based company doesn't operate any stores in Washington State, Jimbo's has donated \$10,000 to help pass I-522, a GMO labeling initiative on the ballot this November in Washington.

For all these reasons and more, Jimbo's earned a spot on the list of OCA's Top 'Diligent Dozen' Right to Know Grocers.

[More about Jimbo's . . . \*Naturally!\*](#)

[More about the Right to Know Grocers Contest](#)

## SUPPORT THE OCA & OCF

### Platitudes.

If at first you don't succeed. Patience is a virtue. The wheels of change grind slowly.

Don't give up the ship.

We've heard them all. And so have you. There's been no shortage of platitudes in our conversations around consumers' quest for GMO labeling laws.

Last year this time all eyes, including yours and ours, were on California and Proposition 37, a citizens' initiative to label GMOs. A



year later, with GMO labeling laws now on the books in Connecticut and Maine, all eyes are on Washington State's I-522 Label GMOs initiative.

We need more than platitudes. We need a win on the west coast to connect the dots with Maine and Connecticut. We need a law, one initiated by consumers, that doesn't contain trigger clauses requiring three or four other states to pass GMO laws before it takes effect.

**We need to win in Washington State. And we need your help to do it. Because despite what they say – that all things come to those who wait – we know we can't just sit back and wait. We have to work. And it's your support that makes our work possible. Thank you!**

Donate to the Organic Consumers Association (tax-deductible, helps support our work on behalf of organic standards, fair trade and public education)

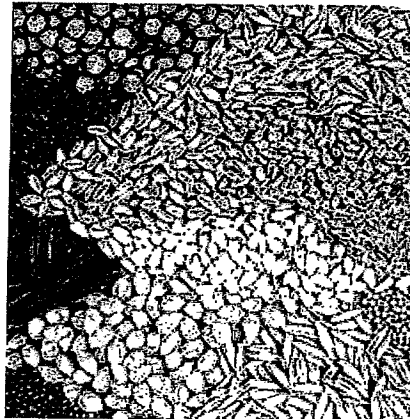
Donate to the Organic Consumers Fund (non-tax-deductible, but necessary for our legislative efforts in Washington, Vermont and other states)

#### ORGANIC INDEX 8.8.13

## GMO Seeds and the Global Market: Can You Say 'Monopoly'?

One glance at the statistics and it's clear: The U.S. and Monsanto dominate the global market for genetically engineered crops. Forty percent of the world's genetically modified (GM) crops are grown in the U.S., where Monsanto controls 80 percent of the GM corn market, and 93 percent of the GM soy market.

Worldwide, 282 million acres are planted in Monsanto's GM crops, up from only 3 million in 1996, according to Food and Water Watch. Forty percent of U.S. cropland, or 151.4 million acres, are planted in Monsanto's crops. Monsanto owns 1,676 seed, plant and other applicable patents.



**Maybe it's time we ask ourselves: How long will we tolerate the growing monopolization and genetic engineering of seeds by a monopolistic pesticide company that poses a deadly threat to our health, our environment and the future of our food?**

More Facts on GMO Seeds and Monsanto

VIDEO OF THE WEEK

**The Mother of All Trade Agreements. And Why You Should Care.**



The Trans Pacific Partnership (TPP). It's not really about trade. It's about creating a back door for corporations to get what they want. What do they want? Bigger profits. Lower food safety standards. Fewer rights and lower pay for workers. Fewer environmental regulations. Fast and loose financial regulations. Internet censorship. Did we mention bigger profits?

[Watch the video](#)

[Learn more](#)

[TAKE ACTION: Tell President Obama and U.S. Trade Rep. Michael Froman: Trade Agreements Shouldn't Be Secret!](#)

LITTLE BYTES

## Essential Reading for the Week

[Fair Trade Labels: Some Good News, a Challenge and a Call for Transparency](#)

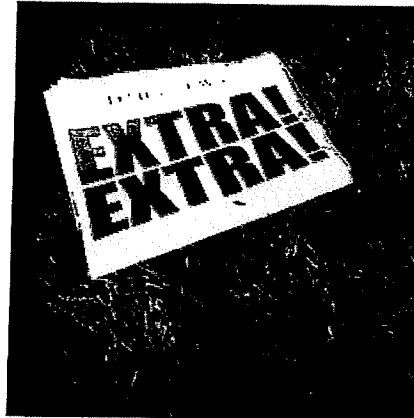
[Cancer: Forbidden Cures](#)

[You, Yes You Can Afford Wholesome and Organic Food](#)

[Fracking the Commons: Why Your Public Lands Are Under Assault by Oil and Gas Drilling](#)

[5 Surprising Genetically Modified Foods](#)

[The Killing Fields: Industrial Agriculture, Dead Zones and Genetically Engineered Corn](#)



### MESSAGE FROM OUR SPONSORS

#### Aloha Bay Certified Organic Bath Salts

Aloha Bay's USDA certified Himalayan Bath Salt is guaranteed to be one of the most relaxing baths of your life. Crystal salt from Aloha Bay's fair trade factory in Pakistan blended with organic essential oils of Cedar from the same Himalayan mountain range, fresh pressed California orange, Bulgarian Lavandin and Clary Sage with just a hint French Rosemary.



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
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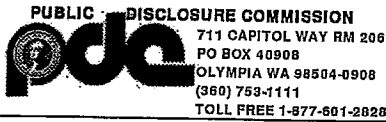
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# Exhibit D



**SUMMARY, FULL REPORT  
RECEIPTS AND  
EXPENDITURES**

**C4**  
(3/97)

**RECEIVED**  
**OCT 28 2013**  
PUBLIC DISCLOSURE COMMISSION  
100522962

Candidate or Committee Name (Do not abbreviate. Include full name)  
**Organic Consumers Fund Committee to Label GMOs in WA State (Organic Consumers**  
Mailing Address  
**603 Stewart St Ste 819** City **Seattle, WA**

05-10-2013

Zip + 4 98101	Office Sought (Candidates)	Election Date 2013
Report Period Covered	From (last C-4) 04/01/13	To (end of period) 04/30/13
		Final Report? Yes No X

**\*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 next page Yes No

**RECEIPTS**

1. Previous total cash and in kind contributions (From line 8, last C-4) (if beginning a new campaign or calendar year, see instruction booklet) .....	\$	176,862.62
2. Cash received (From line 2, Schedule A) .....	\$	126,941.00
3. In kind contributions received (From line 1, Schedule B).....		0.00
4. Total cash and in kind contributions received this period (Line 2 plus 3).....		126,941.00
5. Loan principal repayments made (From line 2, Schedule L).....		0.00
6. Corrections (From line 1 or 3, Schedule C)..... Show + or (-)		-70.00
7. Net adjustments this period (Combine line 5 & 6)..... Show + or (-)		-70.00
8. Total cash and in kind contributions during campaign (Combine lines 1, 4 & 7) .....		303,733.62
9. Total pledge payments due (From line 2, Schedule B).....		0.00

**EXPENDITURES**

10. Previous total cash and in kind expenditures (From line 17, last C-4) (if beginning a new campaign or calendar year, see instruction booklet) .....		1,092.66
11. Total cash expenditures (From line 4, Schedule A) .....		186,022.64
12. In kind expenditures (goods & services) (From line 1, Schedule B) .....		0.00
13. Total cash and in kind expenditures made this period (Line 11 plus line 12).....		186,022.64
14. Loan principal repayments made (From line 2, Schedule L).....		0.00
15. Corrections (From line 2 or 3, Schedule C)..... Show + or (-)		-70.00
16. Net adjustments this period (Combine lines 14 & 15)..... Show + or (-)		-70.00
17. Total cash and in kind expenditures during campaign (Combine lines 10, 13 and 16).....		187,045.30

**CANDIDATES ONLY**

	Won	Lost	Unopposed	Name not on ballot
Primary election	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
General election	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Treasurer's Daytime Telephone No.:  
(206) 382-5552

**CASH SUMMARY**

18. Cash on hand (Line 8 minus line 17) .....	116,688.32
19. Liabilities: (Sum of loans and debts owed) .....	11,274.37
20. Balance (Surplus or deficit) (Line 18 minus line 19) .....	105,413.95

**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 <b>Organic Consumers Fund Committee to Label GMOs in WA</b>	Date <b>05/10/13</b>	Treasurer's Signature <b>Philip Lloyd</b>	Date <b>04/30/13</b>
--	-------------------------	--	-------------------------

**CASH RECEIPTS AND EXPENDITURE**

SCHEDULE **A**  
 to C4  
(11/93)

Candidate or Committee Name (Do not abbreviate. Use full name.) Organic Consumers Fund Committee to Label GMOs in WA State (Organic Report Date 04/01/13 04/30/13

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
04/01/2013	24,692.88	04/19/2013	1,000.50			
04/05/2013	97,729.12	04/26/2013	742.50			
04/11/2013	957.00	04/30/2013	1,819.00			

2. TOTAL CASH RECEIPTS Enter also on line 2 of C4 \$ 126,941.00

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 on an attached sheet: 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 or credit card company, attach a list of detailed expenses or copies of receipts/invoices supporting 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	80.00
04/05/13	Greater Giving 1920 NW Amberglen Parkway Ste Beaverton, OR 97006		Credit Card Processing	3,694.64
04/01/13	Paypal 2211 N 1st St San Jose, CA 95131		Credit Card Processing	2,248.00
04/01/13	Yes on I-522 Committee 603 Stewart St Ste 819 Seattle, WA 98101		Contribution	180,000.00

4. TOTAL CASH EXPENDITURES Total from attached pages \$ 0.00  
 Enter also on line 11 of C4 \$ 186,022.64



**IN KIND CONTRIBUTIONS, PLEDGES,  
ORDERS, DEBTS, OBLIGATIONS**

SCHEDULE TO C4 **B**  
(11/93)

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3

Candidate or Committee Name (Do not abbreviate. Use full name.)  
Organic Consumers Fund Committee to Label GMOs in WA State (Organic Consumers Fund) 04/01/13 04/30/13

**3. ORDERS PLACED, DEBTS, OBLIGATIONS.** (Give estimate if actual amount not known. Exclude loans. Report loans on Schedule L.)

Expenditure Date	Vendor's/Recipient's Name and Address	Amount Owed	Code OR	Description of Obligation
04/30/2013	Project Accounting Services 603 Stewart St Ste 819 Seattle, WA 98101	1537.50		Accounting/Compliance
04/30/2013	Organic Consumers Association 6771 S Silver Hill Dr Finland, MN 55603	2960.00		Staff Services
03/30/2013	Organic Consumers Association 6771 S Silver Hill Dr Finland, MN 55603	1055.00		Staff Services
03/01/2013	Organic Consumers Association 6771 S Silver Hill Dr Finland, MN 55603	1847.00		Staff Services
03/15/2013	Organic Consumers Association 6771 S Silver Hill Dr Finland, MN 55603	1847.00		Staff Services
03/15/2013	Organic Consumers Association 6771 S Silver Hill Dr Finland, MN 55603	2027.87		Staff Travel Reimbursement
TOTAL THIS PAGE		11274.37		

# CORRECTIONS

**SCHEDULE  
TO C4** **C**

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PUBLIC DISCLOSURE COMMISSION**

4

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

Date

Organic Consumers Fund Committee to Label GMOs in WA State (Organic Consumers Fund) 04/01/13 04/30/13

**1. CONTRIBUTIONS AND RECEIPTS** (Include mathematical corrections.)

Date of Report	Contributor's Name or Description of Correction	Amount Reported	Corrected Amount	Difference (+ or -)
04/01/13	Barbara Boyden 40 Lowden Ave 1 Somerville, MA 02144	20.00	0.00	-20.00
03/18/13	Sarah Renner 401 S 1st St Minneapolis, MN 55401	50.00	0.00	-50.00
Total corrections to contributions Enter on line 6 of C4. Show + or (-).				-70.00

# CORRECTIONS

**SCHEDULE  
TO C4** **C**

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PUBLIC DISCLOSURE COMMISSION  
5

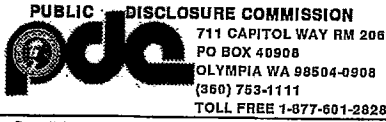
Candidate or Committee Name (Do not abbreviate. Use full name.)

Date

Organic Consumers Fund Committee to Label GMOs in WA State (Organic Consumers) 04/04/13 04/30/13

**2. EXPENDITURES** (include mathematical corrections.)

Date of Report	Vendor's Name or Description of Correction	Amount Reported	Corrected Amount	Difference (+ or -)
04/01/13	Barbara Boyden 40 Lowden Ave 1 Somerville, MA 02144	20.00	0.00	-20.00
03/18/13	Sarah Renner 401 S 1st St Minneapolis, MN 55401	50.00	0.00	-50.00
Total corrections to expenditures Enter on line 15 of C4. Show + or (-).				-70.00



**SUMMARY, FULL REPORT  
RECEIPTS AND  
EXPENDITURES**

**C4**  
(3/97)

**RECEIVED**  
**OCT 28 2013**  
PUBLIC DISCLOSURE COMMISSION  
100529494

Candidate or Committee Name (Do not abbreviate. Include full name)  
**Organic Consumers Fund Committee to Label GMOs in WA State (Organic Consumers**  
Mailing Address  
**603 Stewart St Ste 819** City  
**Seattle, WA**

06-09-2013

Zip + 4 98101	Office Sought (Candidates)	Election Date 2013
Report Period Covered	From (last C-4) 05/01/13	To (end of period) 05/31/13
	Yes	No X

**\*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?

**RECEIPTS**

1. Previous total cash and in kind contributions (From line 8, last C-4) (if beginning a new campaign or calendar year, see instruction booklet) .....	\$	303,733.62
2. Cash received (From line 2, Schedule A) .....	\$	118,000.00
3. In kind contributions received (From line 1, Schedule B) .....		0.00
4. Total cash and in kind contributions received this period (Line 2 plus 3) .....		118,000.00
5. Loan principal repayments made (From line 2, Schedule L) .....		0.00
6. Corrections (From line 1 or 3, Schedule C) .....	Show + or (-)	0.00
7. Net adjustments this period (Combine line 5 & 6) .....	Show + or (-)	0.00
8. Total cash and in kind contributions during campaign (Combine lines 1, 4 & 7) .....		421,733.62
9. Total pledge payments due (From line 2, Schedule B) .....		0.00

**EXPENDITURES**

10. Previous total cash and in kind expenditures (From line 17, last C-4) (if beginning a new campaign or calendar year, see instruction booklet) .....		187,045.30
11. Total cash expenditures (From line 4, Schedule A) .....		201,329.32
12. In kind expenditures (goods & services) (From line 1, Schedule B) .....		0.00
13. Total cash and in kind expenditures made this period (Line 11 plus line 12) .....		201,329.32
14. Loan principal repayments made (From line 2, Schedule L) .....		0.00
15. Corrections (From line 2 or 3, Schedule C) .....	Show + or (-)	0.00
16. Net adjustments this period (Combine lines 14 & 15) .....	Show + or (-)	0.00
17. Total cash and in kind expenditures during campaign (Combine lines 10, 13 and 16) .....		388,374.62

**CANDIDATES ONLY**

	Won	Lost	Unopposed	Name not on ballot
Primary election	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
General election	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Treasurer's Daytime Telephone No.: (206) 382-5552				

**CASH SUMMARY**

18. Cash on hand (Line 8 minus line 17) .....	33,359.00
[Line 18 should equal your bank account balance(s) plus your petty cash balance.]	
19. Liabilities: (Sum of loans and debts owed) .....	15,128.62
20. Balance (Surplus or deficit) (Line 18 minus line 19) .....	18,230.38

**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 <b>Organic Consumers Fund Committee to Label GMOs in WA</b>	Date <b>06/09/13</b>	Treasurer's Signature <b>Philip Lloyd</b>	Date <b>05/01/13</b>
--	-------------------------	--	-------------------------

**CASH RECEIPTS AND EXPENDITURE**

**SCHEDULE A**  
 to C4  
(11/93)

Candidate or Committee Name (Do not abbreviate. Use full name.) Organic Consumers Fund Committee to Label GMOs in WA State (Organic 05/01/13 05/31/13)  
 Report Date 05/31/13

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
05/01/2013	118,000.00					

2. TOTAL CASH RECEIPTS Enter also on line 2 of C4 \$ 118,000.00

**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 on an attached sheet: 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 or credit card company, attach a list of detailed expenses or copies of receipts/invoices supporting 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	0.00
05/05/13	Greater Giving 1920 NW Amberglen Parkway Ste Beaverton, OR 97006		Credit Card Processing	1,329.32
05/30/13	Yes on I-522 Committee 603 Stewart St Ste 819 Seattle, WA 98101		Contribution	200,000.00

4. TOTAL CASH EXPENDITURES Total from attached pages \$ 0.00  
 Enter also on line 11 of C4 \$ 201,329.32

# IN KIND CONTRIBUTIONS, PLEDGES, ORDERS, DEBTS, OBLIGATIONS

SCHEDULE  
TO C4

**B**

(11/93)

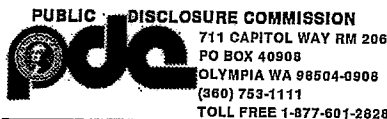
RECEIVED  
OCT 28 2013  
PUBLIC DISCLOSURE COMMISSION

3

Candidate or Committee Name (Do not abbreviate. Use full name.)  
Organic Consumers Fund Committee to Label GMOs in WA State (Organic Consumers Fund) 05/01/13 05/31/13

**3. ORDERS PLACED, DEBTS, OBLIGATIONS.** (Give estimate if actual amount not known. Exclude loans. Report loans on Schedule L.)

Expenditure Date	Vendor's/Recipient's Name and Address	Amount Owed	Code OR	Description of Obligation
04/30/2013	Project Accounting Services 603 Stewart St Ste 819 Seattle, WA 98101	1537.50		Accounting/Compliance
04/30/2013	Organic Consumers Association 6771 S Silver Hill Dr Finland, MN 55603	2960.00		Staff Services
03/30/2013	Organic Consumers Association 6771 S Silver Hill Dr Finland, MN 55603	1055.00		Staff Services
03/01/2013	Organic Consumers Association 6771 S Silver Hill Dr Finland, MN 55603	1847.00		Staff Services
03/15/2013	Organic Consumers Association 6771 S Silver Hill Dr Finland, MN 55603	1847.00		Staff Services
03/15/2013	Organic Consumers Association 6771 S Silver Hill Dr Finland, MN 55603	2027.87		Staff Travel Reimbursement
05/30/2013	Organic Consumers Association 6771 S Silver Hill Dr Finland, MN 55603	1991.00		Staff Services
05/30/2013	Organic Consumers Association 6771 S Silver Hill Dr Finland, MN 55603	1015.00		Staff Travel
05/31/2013	Project Accounting Services 603 Stewart St Ste 819 Seattle, WA 98101	848.25		Accounting/Compliance
TOTAL THIS PAGE		15128.62		



# SUMMARY, FULL REPORT RECEIPTS AND EXPENDITURES

**C4**  
(3/97)

**RECEIVED**  
**OCT 28 2013**  
PUBLIC DISCLOSURE COMMISSION  
100542703

Candidate or Committee Name (Do not abbreviate. Include full name)  
**Organic Consumers Fund Committee to Label GMOs in WA State (Organic Consumers**  
 Mailing Address  
**603 Stewart St Ste 819** City **Seattle, WA**  
 Zip + 4  
**98101** Office Sought (Candidates) Election Date  
**2013** \*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?  
 Report Period From (last C-4) To (end of period) Final Report? Yes No X  
**08/01/13 08/31/13**

**RECEIPTS**

	Yes	No
1. Previous total cash and in kind contributions (From line 8, last C-4) (if beginning a new campaign or calendar year, see instruction booklet) .....	\$	542,226.41
2. Cash received (From line 2, Schedule A) .....	\$ 10,000.00	
3. In kind contributions received (From line 1, Schedule B).....	3,165.00	
4. Total cash and in kind contributions received this period (Line 2 plus 3).....		13,165.00
5. Loan principal repayments made (From line 2, Schedule L).....	0.00	
6. Corrections (From line 1 or 3, Schedule C)..... Show + or (-)	0.00	
7. Net adjustments this period (Combine line 5 & 6)..... Show + or (-)		0.00
8. Total cash and in kind contributions during campaign (Combine lines 1, 4 & 7) .....		555,391.41
9. Total pledge payments due (From line 2, Schedule B).....	0.00	

**EXPENDITURES**

10. Previous total cash and in kind expenditures (From line 17, last C-4) (if beginning a new campaign or calendar year, see instruction booklet) .....	411,223.24
11. Total cash expenditures (From line 4, Schedule A) .....	100,000.00
12. In kind expenditures (goods & services) (From line 1, Schedule B) .....	3,165.00
13. Total cash and in kind expenditures made this period (Line 11 plus line 12).....	103,165.00
14. Loan principal repayments made (From line 2, Schedule L).....	0.00
15. Corrections (From line 2 or 3, Schedule C)..... Show + or (-)	0.00
16. Net adjustments this period (Combine lines 14 & 15)..... Show + or (-)	0.00
17. Total cash and in kind expenditures during campaign (Combine lines 10, 13 and 16).....	514,388.24

**CANDIDATES ONLY**

	Won	Lost	Unopposed	Name not on ballot
Primary election	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
General election	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Treasurer's Daytime Telephone No.:  
(218) 220-0950

**CASH SUMMARY**

18. Cash on hand (Line 8 minus line 17) .....	41,003.17
(Line 18 should equal your bank account balance(s) plus your petty cash balance.)	
19. Liabilities: (Sum of loans and debts owed) .....	551.25
20. Balance (Surplus or deficit) (Line 18 minus line 19) .....	40,451.92

**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	Treasurer's Signature	Date
Organic Consumers Fund Committee to Label GMOs in WA	09/10/13	Rose Welch	08/31/13

# CASH RECEIPTS AND EXPENDITURE

**SCHEDULE A**  
to C4  
(11/83)

Candidate or Committee Name (Do not abbreviate. Use full name.) Report Date  
**Organic Consumers Fund Committee to Label GMOs in WA State (Organic** 08/01/13 08/31/13

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
08/22/2013	10,000.00					

2. TOTAL CASH RECEIPTS Enter also on line 2 of C4 \$ 10,000.00

**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 on an attached sheet: 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 or credit card company, attach a list of detailed expenses or copies of receipts/invoices supporting 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	0.00
08/06/13	Yes on I-522 Committee 603 Stewart St Ste 819 Seattle, WA 98101		Contribution	100,000.00

4. TOTAL CASH EXPENDITURES Total from attached pages \$ 0.00  
Enter also on line 11 of C4 \$ 100,000.00



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PUBLIC DISCLOSURE COMMISSION

3

**IN KIND CONTRIBUTIONS, PLEDGES,  
ORDERS, DEBTS, OBLIGATIONS**

**SCHEDULE  
TO C4**

**B**

(11/93)

Candidate or Committee Name (Do not abbreviate. Use full name.)  
Organic Consumers Fund Committee to Label GMOs in WA State (Organic Consumers Fund)

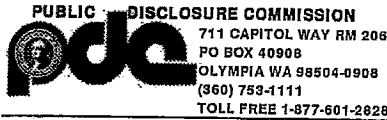
Report Date

08/01/13 08/31/13

**1. IN KIND CONTRIBUTIONS RECEIVED** (goods, services, discounts, etc.)

Date Received	Contributor's Name and Address	Description of Contribution	Fair Market Value	Aggregate Total	P	R	I	G	E	N	If total over \$100, Employer Name, City, State & Occup
08/29/13	Organic Consumers Association 6771 S Silver Hill Dr Finland, MN 55603	Staff Services	3,165.00	151,632.87							
TOTAL THIS PAGE			3,165.00								





**SUMMARY, FULL REPORT  
RECEIPTS AND  
EXPENDITURES**

**C4**  
(3/97)

**RECEIVED**  
**OCT 28 2013**  
PUBLIC DISCLOSURE COMMISSION  
100348419

Candidate or Committee Name (Do not abbreviate. Include full name)  
**Organic Consumers Fund Committee to Label GMOs in WA State (Organic Consumers**  
Mailing Address  
**603 Stewart St Ste 819** City **Seattle, WA**

10-15-2013

Zip + 4 98101	Office Sought (Candidates)	Election Date 2013
Report Period Covered From (last C-4) 09/01/13	To (end of period) 10/14/13	Final Report? Yes No X

**\*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 next page Yes No

**RECEIPTS**

1. Previous total cash and in kind contributions (From line 8, last C-4) (if beginning a new campaign or calendar year, see instruction booklet) .....	\$	555,391.41
2. Cash received (From line 2, Schedule A) .....	\$	100,921.52
3. In kind contributions received (From line 1, Schedule B) .....		5,000.00
4. Total cash and in kind contributions received this period (Line 2 plus 3) .....		105,921.52
5. Loan principal repayments made (From line 2, Schedule L) .....		0.00
6. Corrections (From line 1 or 3, Schedule C) .....	Show + or (-)	0.00
7. Net adjustments this period (Combine line 5 & 6) .....	Show + or (-)	0.00
8. Total cash and in kind contributions during campaign (Combine lines 1, 4 & 7) .....		661,312.93
9. Total pledge payments due (From line 2, Schedule B) .....		0.00

**EXPENDITURES**

10. Previous total cash and in kind expenditures (From line 17, last C-4) (if beginning a new campaign or calendar year, see instruction booklet) .....		514,388.24
11. Total cash expenditures (From line 4, Schedule A) .....		100,551.25
12. In Kind expenditures (goods & services) (From line 1, Schedule B) .....		5,000.00
13. Total cash and in kind expenditures made this period (Line 11 plus line 12) .....		105,551.25
14. Loan principal repayments made (From line 2, Schedule L) .....		0.00
15. Corrections (From line 2 or 3, Schedule C) .....	Show + or (-)	0.00
16. Net adjustments this period (Combine lines 14 & 15) .....	Show + or (-)	0.00
17. Total cash and in kind expenditures during campaign (Combine lines 10, 13 and 16) .....		619,939.49

**CANDIDATES ONLY**

	Won	Lost	Unopposed	Name not on ballot
Primary election	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
General election	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Treasurer's Daytime Telephone No.:  
(218) 220-0950

**CASH SUMMARY**

18. Cash on hand (Line 8 minus line 17) .....	41,373.44
[Line 18 should equal your bank account balance(s) plus your petty cash balance.]	
19. Liabilities: (Sum of loans and debts owed) .....	0.00
20. Balance (Surplus or deficit) (Line 18 minus line 19) .....	41,373.44

**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 <b>Organic Consumers Fund Committee to Label GMOs in WA</b>	Date <b>10/15/13</b>	Treasurer's Signature <b>Rose Welch</b>	Date <b>10/14/13</b>
--	-------------------------	--	-------------------------

**CASH RECEIPTS AND EXPENDITURE**

**SCHEDULE A**  
 to C4  
(11/93)

Candidate or Committee Name (Do not abbreviate. Use full name.) Report Date  
 Organic Consumers Fund Committee to Label GMOs in WA State (Organic 09/01/13 10/14/13

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
09/13/2013	410.00	09/29/2013	5,431.00			
09/16/2013	25,384.92	10/06/2013	45,980.47			
09/22/2013	8,742.00	10/13/2013	14,973.13			

2. TOTAL CASH RECEIPTS Enter also on line 2 of C4 \$ 100,921.52

**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 on an attached sheet: 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 or credit card company, attach a list of detailed expenses or copies of receipts/invoices supporting 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	0.00
09/01/13	Project Accounting Services 603 Stewart St Ste 819 Seattle, WA 98101		Compliance	551.25
09/19/13	Yes on I-522 Committee 603 Stewart St Ste 819 Seattle, WA 98101		Contribution	100,000.00

4. TOTAL CASH EXPENDITURES Total from attached pages \$ 0.00  
 Enter also on line 11 of C4 \$ 100,551.25

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OCT 28 2013

PUBLIC DISCLOSURE COMMISSION

3

# IN KIND CONTRIBUTIONS, PLEDGES, ORDERS, DEBTS, OBLIGATIONS

SCHEDULE  
TO C4

# B

(11/83)

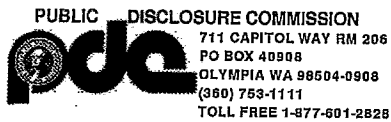
Candidate or Committee Name (Do not abbreviate. Use full name.)

Organic Consumers Fund Committee to Label GMOs in WA State (Organic Consumers Fund) 09/01/13 10/14/13

Report Date

## 1. IN KIND CONTRIBUTIONS RECEIVED (goods, services, discounts, etc.)

Date Received	Contributor's Name and Address	Description of Contribution	Fair Market Value	Aggregate Total	P	R	I	G	E	N	If total over \$100, Employer Name, City, State & Occup
10/14/13	Organic Consumers Association 6771 S Silver Hill Dr Finland, MN 55603	Staff Services	5,000.00	156,632.87							
TOTAL THIS PAGE			5,000.00								



**CASH RECEIPTS  
MONETARY  
CONTRIBUTIONS**

**C3**  
(1/02)

**RECEIVED**  
THIS OFFICE FILED  
**OCT 28 2013**  
PUBLIC DISCLOSURE COMMISSION  
100521960

05-08-2013

Candidate or Committee Name (Do not abbreviate. Use full name.)  
 Yes on I-522 Committee (Yes on I-522 Committee)  
 Mailing Address  
 603 Stewart St Ste 819  
 City Seattle, WA Zip + 4 98101 Office Sought (candidates) Election Date 2013

**1. MONETARY CONTRIBUTIONS DEPOSITED IN ACCOUNT**

Date Received	Amount	Total
a. Anonymous .....		
b. Candidate's personal funds deposited in the bank (include candidate loans in 1c).....		
c. Loans, notes, security agreements. Attach Schedule L .....		
d. Miscellaneous receipts (interest, refunds, auctions, other). Attach explanation .....		
e. Small contributions \$25.00 or less not itemized and number of persons giving _____ (persons)		

**2. CONTRIBUTIONS OVER \$25.00**

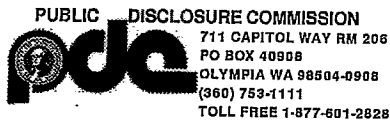
Date Received	Contributor's Name, Address, City, State, Zip	Contributions of more than \$100:* Employer's Name, City and State	P R I N T	G E N E R A L	Amount	Aggregate* Total
04/01/13	Amy's Kitchen Inc PO Box 449 Petaluma, CA 94953				12,500.00	12,500.00
	Occupation					
04/01/13	Organic Consumer Fund 603 Stewart St Ste 819 Seattle, WA 98101				180,000.00	180,000.00
	Occupation					
	Occupation					
	Occupation					
	Occupation					
	<input type="checkbox"/> Check here if additional pages are attached				Sub-total 192,500.00 Amount from attached pages 0.00	

**3. TOTAL FUNDS RECEIVED AND DEPOSITED OR CREDITED TO ACCOUNT**  
Sum of parts 1 and 2 above. Enter this amount in line 1, Schedule A to C4.

192,500.00

**\*See reverse for details.**

4. Date of Deposit 04/01/13  
 Treasurer's Daytime Telephone No.: (206) 382-5552  
 I certify that this report is true and complete to the best of my knowledge  
 Treasurer's Signature Philip Lloyd Date 05-08-2013



# CASH RECEIPTS MONETARY CONTRIBUTIONS

**C3**  
(1/02)

**RECEIVED**  
THIS STATE OFFICE FILED  
**OCT 28 2013**  
PUBLIC DISCLOSURE COMMISSION  
100529820

06-10-2013

Candidate or Committee Name (Do not abbreviate. Use full name.)  
 Yes on I-522 Committee (Yes on I-522 Committee)  
 Mailing Address  
 603 Stewart St Ste 819  
 City Seattle, WA Zip + 4 98101 Office Sought (candidates) Election Date 2013

1. MONETARY CONTRIBUTIONS DEPOSITED IN ACCOUNT

Date Received		Amount	Total
	a. Anonymous .....		
	b. Candidate's personal funds deposited in the bank (include candidate loans in 1c).....		
	c. Loans, notes, security agreements. Attach Schedule L.....		
05/29/13	d. Miscellaneous receipts (interest, refunds, auctions, other). Attach explanation .....	71.00	
05/29/13	e. Small contributions \$25.00 or less not itemized and number of persons giving (persons)	50.00	

2. CONTRIBUTIONS OVER \$25.00

Date Received	Contributor's Name, Address, City, State, Zip	Contributions of more than \$100: Employer's Name, City and State	P R I N	G E N	Amount	Aggregate* Total
05/24/13	Clif Bar & Company 1451 66th St Emeryville, CA 94608				25,000.00	25,000.00
	Occupation					
05/30/13	Organic Consumer Fund 603 Stewart St Ste 819 Seattle, WA 98101				200,000.00	380,000.00
	Occupation					
05/21/13	Organic Foods Express, Inc 5566 Randolph Rd Rockville, MD 20852				5,000.00	5,000.00
	Occupation					
05/30/13	Presence Marketing, Inc 12 Executive Ct Barrington, IL 60010				100,000.00	200,000.00
	Occupation					
05/30/13	William T. Weiland 921 N Plum Grove Rd Schaumburg, IL 60173-4761	Presence Marketing Inc South Barrington, IL			25,000.00	50,000.00
	Occupation Owner					
	<input type="checkbox"/> Check here if additional pages are attached	Sub-total			355,121.00	*See reverse for details.
		Amount from attached pages			0.00	
					355,121.00	

3. TOTAL FUNDS RECEIVED AND DEPOSITED OR CREDITED TO ACCOUNT  
Sum of parts 1 and 2 above. Enter this amount in line 1, Schedule A to C4.

4. Date of Deposit: 05/31/13

I certify that this report is true and complete to the best of my knowledge

Treasurer's Signature: Philip Lloyd Date: 06-10-2013

Treasurer's Daytime Telephone No.: (206) 382-5552

**Statement of Miscellaneous Receipts  
Attachment to Form C3**

**RECEIVED**  
**OCT 28 2013**  
PUBLIC DISCLOSURE COMMISSION  
Page 2

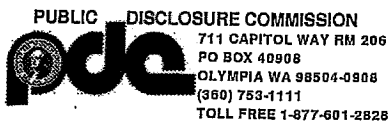
Candidate or Committee Name  
Yes on I-522 Committee (Yes on I-522 Committee)

Deposit Date

Date Received	Payee's Name, Address, City, State, Zip	Description	Amount
05/29/13	Low Cost Fundraiser 603 Stewart St Ste 819 Seattle, WA 98101	Merchandise Sales	71.00

Subtotal this page 71.00





# CASH RECEIPTS MONETARY CONTRIBUTIONS

C3

  
(1/02)

**RECEIVED**  
THIS RECEIPT FOR OFFICIAL USE  
**OCT 25 2013**  
 PUBLIC DISCLOSURE COMMISSION  
 100540066

08-19-2013

Candidate or Committee Name (Do not abbreviate. Use full name.)  
 Yes on I-522 Committee (Yes on I-522 Committee)

Mailing Address  
 603 Stewart St Ste 819

City: Seattle, WA      Zip + 4: 98101      Office Sought (candidates):      Election Date: 2013

**1. MONETARY CONTRIBUTIONS DEPOSITED IN ACCOUNT**

Date Received	Description	Amount	Total
08/07/13	a. Anonymous .....	10.00	726.00
	b. Candidate's personal funds deposited in the bank (include candidate loans in 1c).....		
	c. Loans, notes, security agreements. Attach Schedule L .....		
08/08/13	d. Miscellaneous receipts (interest, refunds, auctions, other). Attach explanation .....	12.00	
08/06/13	e. Small contributions \$25.00 or less not itemized and number of persons giving 125 (persons)	2,195.00	

**2. CONTRIBUTIONS OVER \$25.00**

Date Received	Contributor's Name, Address, City, State, Zip	Contributions of more than \$100.* Employer's Name, City and State	P R I	G E N	Amount	Aggregate* Total
08/07/13	Michaelene Adams 3933 149th Pl SW Lynnwood, WA 98087				50.00	50.00
	Occupation					
08/09/13	Kathleen Archer 9106 Olympic View Dr Edmonds, WA 98026				100.00	100.00
	Occupation					
08/06/13	Alisa Armstron 3043 NW 59th St Seattle, WA 98107				50.00	50.00
	Occupation					
08/06/13	William Austin 1578 NE Iris St Issaquah, WA 98029				50.00	50.00
	Occupation					
08/07/13	Mary Bellflower 4005 SW Henderson St Seattle, WA 98136				50.00	50.00
	Occupation					
	<input checked="" type="checkbox"/> Check here if additional pages are attached				Sub-total 2,517.00	<b>*See reverse for details.</b>
					Amount from attached pages 106,362.20	
<b>3. TOTAL FUNDS RECEIVED AND DEPOSITED OR CREDITED TO ACCOUNT</b> Sum of parts 1 and 2 above. Enter this amount in line 1, Schedule A to C4.					108,879.20	

**4. Date of Deposit**

08/12/13

Treasurer's Daytime Telephone No.: (206) 382-5552

I certify that this report is true and complete to the best of my knowledge

Treasurer's Signature: Philip Lloyd      Date: 08-19-2013

# RECEIPTS CONTINUATION SHEET (Attachment to C-3 Form)

**RECEIVED**  
**OCT 28 2013**  
PUBLIC DISCLOSURE COMMISSION

Candidate or Committee Name (Do not abbreviate. Use full name.) Yes on I-522 Committee (Yes on I-522 Committee)	Deposit Date 08/12/13
--	--------------------------

**2. CONTRIBUTIONS OVER \$25.00**

Date Received	Contributor's Name, Address, City, State, Zip	Contributions of more than \$100:* Employer's Name, City and State	P R I	G E N	Amount	Aggregate Total*
08/06/13	Janet M. Bevan 7708 149th Ave NE Redmond, WA 98052				50.00	50.00
		Occupation				
08/07/13	Cathy Bond 20160 N Bernhill Rd Colbert, WA 99005				50.00	50.00
		Occupation				
08/09/13	Anita Boser 57404 SE 154th Pl Issaquah, WA 98027				50.00	50.00
		Occupation				
08/06/13	Margot F. Boyer PO Box 746 Vashon, WA 98070	Self Vashon, WA			100.00	200.00
		Occupation Writer				
08/06/13	Shane A. Brusewitz PO Box 296 Canration, WA 98014				50.00	50.00
		Occupation				
08/06/13	Frederick D. Campbell 3822 Ashworth Ave N #B Seattle, WA 98103				50.00	50.00
		Occupation				
08/08/13	Cathy Casteel 105 W Highland Dr Seattle, WA 98119				100.00	100.00
		Occupation				
08/06/13	Diane L. Davison 8214 41st Ave NE Seattle, WA 98115				50.00	50.00
		Occupation				
08/07/13	Marianne Delisle PO Box 664 Edmonds, WA 98020				100.00	100.00
		Occupation				
08/06/13	Kevin R. Dix 8633 138th Ave SE Newcastle, WA 98059				50.00	50.00
		Occupation				
08/07/13	Sandra Emerson 820 NE 8th St North Bend, WA 98045				50.00	50.00
		Occupation				

Page Total 700.00

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 Yes on I-522 Committee (Yes on I-522 Committee)

Deposit Date  
 08/12/13

**2. CONTRIBUTIONS OVER \$25.00**

Date Received	Contributor's Name, Address, City, State, Zip	Contributions of more than \$100: Employer's Name, City and State	P R I	G E N	Amount	Aggregate Total*
08/08/13	Anne Engstrom 143 N 82nd St Seattle, WA 98103	Occupation			50.00	50.00
08/06/13	Melinda K. Ferguson 8711 228th St SW Edmonds, WA 98026	Occupation			50.00	50.00
08/06/13	Erin C. Fields 11635 101st Pl NE Kirkland, WA 98034	Occupation			50.00	50.00
08/06/13	Pamela E. Frenz 2114 Arch Pl SW #A Seattle, WA 98116	Occupation			50.00	50.00
08/07/13	Karen Giovi PO Box 1804 Issaquah, WA 98027	Occupation			50.00	50.00
08/09/13	James Hanford 5527 17th Ave NE Seattle, WA 98105	Occupation			50.00	50.00
08/06/13	Blanca E. Harnandez 2315A 10th Ave E Seattle, WA 98102	Occupation			50.00	50.00
08/07/13	Janis Hauser 13220 68th Pl NE Kirkland, WA 98034	Occupation			50.00	50.00
08/07/13	Carol Sue Ivory-Carline 7523 31st Ave NE Seattle, WA 98115	Occupation			100.00	100.00
08/07/13	Merri Lee Jacobs 543 Main St #105 Edmonds, WA 98020	Occupation			50.00	50.00
08/09/13	Tea Kautto 22931 SE 13th Pl Sammamish, WA 98075	Occupation			100.00	100.00

Page Total 650.00

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 Yes on I-522 Committee (Yes on I-522 Committee) Deposit Date  
08/12/13

**2. CONTRIBUTIONS OVER \$25.00**

Date Received	Contributor's Name, Address, City, State, Zip	Contributions of more than \$100: Employer's Name, City and State	P R I	G E N	Amount	Aggregate Total*
08/07/13	Roxanne Kenison 7545 Earl Ave NW Seattle, WA 98117	Occupation			50.00	50.00
08/08/13	Jee S. Kim 6743 16th Ave NW Seattle, WA 98117	Occupation			52.20	52.20
08/08/13	Robyn Klarman 19815 88th Ave W Edmonds, WA 98026	Occupation			50.00	50.00
08/07/13	Ann Lanning 2416 169th Pl SE Bellevue, WA 98008	Occupation			50.00	50.00
08/06/13	Lois M. Lashell 805 Dayton St Edmonds, WA 98020	Occupation			50.00	50.00
08/06/13	Nanette Leaman 1462 Arnold Rd Oak Harbor, WA 98277	Occupation			50.00	50.00
08/06/13	Jeanne M. Macauley 1578 NE Iris St Issaquah, WA 98029	Occupation			50.00	50.00
08/07/13	Jeff Matsushita 6578 102nd Ave NE Kirkland, WA 98033	Occupation			50.00	50.00
08/06/13	Linda I. Maurer PO Box 331 Hobart, WA 98025	None Hobart, WA Occupation Retired			200.00	200.00
08/07/13	Carol McKean 11017 Alton Ave NE Seattle, WA 98125	Occupation			50.00	50.00
08/07/13	Albert Menzl 4742 42nd Ave SW #130 Seattle, WA 98116	Occupation			50.00	50.00

Page Total 702.20

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**2. CONTRIBUTIONS OVER \$25.00**

Date Received	Contributor's Name, Address, City, State, Zip	Contributions of more than \$100:* Employer's Name, City and State	P R I	G E N	Amount	Aggregate Total*
08/08/13	Jane Meston 3415 207th Ave SE Sammamish, WA 98075	Occupation			50.00	50.00
08/06/13	Claire M. Murphy 23510 93rd Ave W Edmonds, WA 98020	Occupation			50.00	50.00
08/06/13	John A. Murphy 23510 93rd Ave W Edmonds, WA 98020	Occupation			50.00	50.00
08/06/13	Scott Nonnenberg 1310 N Lucas Pl Unit 302 Seattle, WA 98103	Occupation			50.00	50.00
08/09/13	Diane Nordfors 28706 97th Ave SW Vashon, WA 98070	Occupation			50.00	50.00
08/06/13	James J. O'Neill 141 E Lk Sam Shr Ln NE Sammamish, WA 98074	Occupation			50.00	50.00
08/06/13	Mary M. O'Neill 141 E Lk Sam Shr Ln NE Sammamish, WA 98074	Occupation			50.00	50.00
08/12/13	Organic Consumer Fund Committee 603 Stewart St Ste 819 Seattle, WA 98101	Occupation			100,000.00	480,750.00
08/06/13	Bonnie Peltola 1106 206th Pl NE Sammamish, WA 98074	Occupation			50.00	50.00
08/08/13	Julie Pohl 2412 NW 62nd St #1 Seattle, WA 98107	Occupation			100.00	100.00
08/07/13	William Porter PO Box 1407 Milton, WA 98354	Occupation			50.00	50.00

Page Total 100,550.00

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**2. CONTRIBUTIONS OVER \$25.00**

Date Received	Contributor's Name, Address, City, State, Zip	Contributions of more than \$100:* Employer's Name, City and State	P R I	G E N	Amount	Aggregate Total*
08/06/13	Rachel I. Price 7323 25th Ave NE Seattle, WA 98117	Occupation			50.00	50.00
08/07/13	Christina Raye 2119 SE 21st Ct Renton, WA 98055	Occupation			100.00	100.00
08/07/13	Ana Rivero 5809 149th Ave SE Bellevue, WA 98006	Occupation			50.00	50.00
08/07/13	David Roche 1685 14th Ave NE Issaquah, WA 98029	Occupation			50.00	50.00
08/08/13	Karlla Sander 2035 NW Blue Ridge Dr Seattle, WA 98177	Self Seattle, WA Occupation Accountant			250.00	250.00
08/06/13	Tamiko Santon 6300 Sand Point Way NE Apt 211 Seattle, WA 98115	Occupation			50.00	50.00
08/06/13	Melodie H. Schneider 6327 Wilson Ave S Seattle, WA 98118	Occupation			100.00	100.00
08/07/13	Amanda Strombom 19215 SE 46th St Issaquah, WA 98027	Occupation			50.00	50.00
08/06/13	Lee Sturdivant 745A Larson St Friday Harbor, WA 98250	Occupation			35.00	35.00
08/08/13	The Natural Grocery Co. 10367 San Pablo Ave El Cerrito, CA 94530	Occupation			2,500.00	2,500.00
08/07/13	Mary Tudor 4810 S Angeline St Seattle, WA 98118	Occupation			50.00	50.00

Page Total 3,285.00

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**2. CONTRIBUTIONS OVER \$25.00**

Date Received	Contributor's Name, Address, City, State, Zip	Contributions of more than \$100: Employer's Name, City and State	P R I	G E N	Amount	Aggregate Total*
08/08/13	K.S. Visonhaler 22420 77th Ave W Edmonds, WA 98026	Occupation			50.00	50.00
08/06/13	Edith M. Walden 6203 S Shore Rd Anacortes, WA 98221	Occupation			50.00	50.00
08/08/13	Wayne Seminoff Company PO Box 956 Kirkland, WA 98083	Occupation			50.00	50.00
08/07/13	Tammi J. Weigel 3014 S 320th Federal Way, WA 98003	Occupation			50.00	50.00
08/07/13	Jennifer Williams 13129 SW 248th St Vashon, WA 98070	Occupation			50.00	50.00
08/09/13	Jeffrey Wilson 16480 NE 46th St Redmond, WA 98052	Occupation			62.50	62.50
08/06/13	Martha E. Wilson 20431 Little Bear Creek Rd Woodinville, WA 98072	Occupation			50.00	50.00
08/09/13	Tracy Wilson 16480 NE 46th St Redmond, WA 98052	Occupation			62.50	62.50
08/07/13	Len Wyatt 5809 149th Ave SE Bellevue, WA 98006	Occupation			50.00	50.00
		Occupation				
		Occupation				

Page Total 475.00

**Statement of Miscellaneous Receipts  
Attachment to Form C3**

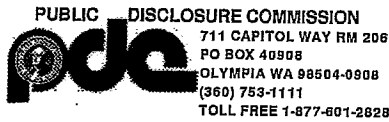
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Page 8

Candidate or Committee Name  
Yes on I-522 Committee (Yes on I-522 Committee) Deposit Date

Date Received	Payee's Name, Address, City, State, Zip	Description	Amount
08/08/13	Low Cost Fundraiser 603 Stewart St Ste 819 Seattle, WA 98101	Merchandise Sales	12.00

Subtotal this page 12.00





**CASH RECEIPTS  
MONETARY  
CONTRIBUTIONS**

**C3**  
(1/02)

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100544360

09-23-2013

Candidate or Committee Name (Do not abbreviate. Use full name.)  
 Yes on I-522 Committee (Yes on I-522 Committee)  
 Mailing Address  
 603 Stewart St Ste 819  
 City Seattle, WA Zip + 4 98101 Office Sought (candidates) Election Date 2013

1. MONETARY CONTRIBUTIONS DEPOSITED IN ACCOUNT

Date Received	Amount	Total
a. Anonymous .....		
b. Candidate's personal funds deposited in the bank (include candidate loans in 1c).....		
c. Loans, notes, security agreements. Attach Schedule L .....		
d. Miscellaneous receipts (interest, refunds, auctions, other). Attach explanation .....		
e. Small contributions \$25.00 or less not itemized and number of persons giving _____ (persons)		

2. CONTRIBUTIONS OVER \$25.00

Date Received	Contributor's Name, Address, City, State, Zip	Contributions of more than \$100: Employer's Name, City and State	P R I	G E N	Amount	Aggregate* Total
09/19/13	Organic Consumer Fund 603 Stewart St Ste 819 Seattle, WA 98101				100,000.00	580,750.00
	Occupation					
	Occupation					
	Occupation					
	Occupation					
	Occupation					
	Occupation					
	<input type="checkbox"/> Check here if additional pages are attached				Sub-total 100,000.00 Amount from attached pages 0.00	

3. TOTAL FUNDS RECEIVED AND DEPOSITED OR CREDITED TO ACCOUNT  
 Sum of parts 1 and 2 above. Enter this amount in line 1, Schedule A to C4.

100,000.00

\*See reverse for details.

4. Date of Deposit

09/19/13

I certify that this report is true and complete to the best of my knowledge

Treasurer's Signature

Date


Philip Lloyd

09-23-2013

Treasurer's Daytime Telephone No.: (206) 382-5552

**From:** ronniecummins=organicconsumers.org@mail.salsalabs.net  
[mailto:ronniecummins=organicconsumers.org@mail.salsalabs.net] **On Behalf Of** Organic Consumers Association  
**Sent:** Tuesday, October 15, 2013 6:19 AM  
**To:** info@nwdailymarker.com  
**Subject:** Don't let Monsanto take this one away.


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## Don't let Monsanto take this one away.



Dear Organic Consumer,

Last year this time, you were pouring your heart and soul into winning the GMO labeling battle in California. So was I. With three weeks to go before the election, victory was so

close we could almost taste it.  
Then Monsanto snatched it away.

**Please make a generous donation today to help us win this year's key GMO labeling battle in Washington State. Every donation you make here will go directly to the YES on I-522 campaign.**

Twelve months later, here we are again. The battleground has shifted to Washington State. The campaign is called I-522, not Proposition 37. But we're facing the same enemy. With the same deep pockets. The same arrogant, fear-mongering campaign of lies and half-truths. The same desperate determination to protect their obscene profits by keeping honest labels off of the GMO ingredients they put in your food.

**We are ahead in the polls in Washington State. But not as far ahead as we were before Monsanto and the Junk Food Giants started blanketing the airwaves with their lies.**

We need to run more ads. To reach more voters. And we need your help.

**Please make a generous donation today to help us win this year's key GMO labeling battle in Washington State. Every donation you make here will go directly to the YES on I-522 campaign.**

Tomorrow, the ballots will be mailed. Friday, the voting will begin. On midnight, Nov. 5 it will be over.

Once again, victory is so close we can taste it.

But our experts in Washington State are clear: I-522 is not in the bag. Yet.

**This has always been a David versus Goliath battle. It has been us – you, me, millions of moms and dads of every political persuasion – against shameless, soulless corporations.**

We need to win this one. And we need your help to do it.

*Thank you! And thank you for being the heart and soul of this movement,*

Ronnie Cummins

National Director, Organic Consumers Association and Organic Consumers Fund

*P.S. Contributions to the Organic Consumers Fund, our 501c4 allied lobbying arm, are not tax-deductible. If you want to support our work on GMO labeling, but need your donation to be tax-deductible, please donate here to the Organic Consumers Association. Thank you!*

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# Exhibit F

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ORGANIC CONSUMERS ASSOCIATION

# MILLIONS AGAINST MONSANTO

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- [Please Donate to Support this Campaign!](#)
- [Avoid GMOs with the Non-GMO Shopping Guide](#)
- [Educate Yourself: Movies to Inspire You to Boycott GMOs](#)
- [Learn More by Visiting OCA's Resource Page on Genetic Engineering](#)
- [Source Watch on Monsanto](#)
- [Diagram of Monsanto's Consolidation in the Seed Industry](#)
- [How pressure from Monsanto led Fox TV to fire two of its award-winning reporters](#)
- [Spanish version of The Ecologist's special issue on Monsanto](#)
- [Activist music opposing Monsanto](#)
- [Health and environmental effects of Monsanto's Roundup pesticide](#)
- [Monsanto Fails to Identify GE Risks to Its Investors \(pdf\)](#)

### Organizations

- [Naturalnews.com](#)
- [Institute for Responsible Technology](#)
- [Center for food safety](#)
- [Cornucopia Institute](#)
- [Food and water watch](#)
- [Source watch](#)
- [Global Justice Ecology Project](#)
- [Food democracy Now](#)
- [GRAIN](#)
- [Michael Pollan's Website](#)
- [Tom Philpott's Archive on Grist](#)
- [Friends of the Earth](#)
- [GM Watch \(EU\)](#)
- [Institute of Science in Society](#)
- [Etcgroup.org](#)
- [Greenpeace International](#)
- [Sierra club](#)



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### Donate Online

Write *Monsanto Sticker* in the comments field to receive a Millions Against Monsanto bumper sticker.



Get a Millions Against Monsanto tee shirt



## Millions Against Monsanto

### A Project of Organic Consumers Association

6771 SOUTH SILVER HILL DRIVE, FINLAND MN 55603

CONTACT US • FAX: 218-353-7652

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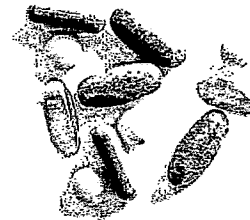
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## Tell Dr. Weil: Get the GMOs out of Supplements and Support GMO Labeling in Washington State!

It's a medical mystery.

Healthy lifestyle guru Dr. Andrew Weil says genetically modified organisms (GMOs) cause "ranges of health problems" in animals. He favors GMO labeling laws, he says, because consumers should have the right to know if products contain GMOs.



Yet the good doctor's company, Weil Lifestyle LLC, is a member of the Grocery Manufacturers Association (GMA) – the top donor so far to the campaign to defeat a GMO labeling initiative in Washington State, and a major contributor (\$2 million) to the campaign that last year defeated Proposition 37, a similar GMO labeling initiative in California.

Not only that, but Weil Lifestyle knowingly sells supplements that contain GMOs. Unlabeled.

**Please send a letter with the form below. Tell Dr. Weil and Weil Lifestyle LLC: Get the GMOs out of Supplements and Support GMO Labeling in Washington State!**

In this 2011 video Dr. Weil says it's "hard to foresee all of the downstream consequences" of genetically engineering our food. Genetic engineering "might cause allergies, we don't know."

And in this blog post, the doctor says that the arguments for and against labeling are "pretty obvious."

"Those in favor of labeling (myself included) believe that consumers have a right to know when foods are modified with genes from another species."

Yet when we called the Weil Lifestyle consumer product line to ask if the company sold supplements containing genetically modified soy (soy lecithin), the customer service representative said that their supplements containing soy lecithin are "not certified GMO-free." (There are two exceptions: CO Q10 and Vitamin E, which contain non-GMO soy lecithin, the company said).

So why not label supplements containing GMOs? According to an email from a member of the company's Vitamin Advisor Team: "Unfortunately non-organic foods and even foods labeled GMO-free cannot be guaranteed 100% free of genetically engineered ingredients. This is primarily due to cross-pollination or cross contamination."

So. To summarize. Dr. Weil believes GMOs may be bad for our health, and that products containing GMOs should be labeled. But not products sold by Weil Lifestyle? Because why bother labeling as long as there's a possibility that non-GMO crops might be contaminated?

Barely two weeks after California's Proposition 37 was defeated by a razor-thin margin, thanks to a \$46-million campaign of lies and misinformation, Dr. Weil chastised fans gathered one of his book-signings in San Francisco for failing to pass the initiative. According to blogger Eric Rless, Weil said, "How could you let that fail?"

Fans should have asked him: "How can you belong to a trade group that spent \$2 million to defeat Prop 37?"

It's time for Dr. Weil to stop preaching one thing, while he practices another.

**Please send your letter today. Tell Dr. Weil and Weil Lifestyle LLC: Get the GMOs out of Supplements and Support GMO Labeling in Washington State!**

Subject:

Please contribute to the Yes on 522 campaign to label GMOs in Washington Sta

Your Letter:



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Dear Dr. Weil,

Last year you asked a group of your fans in San Francisco how they could have let Proposition 37, California's GMO labeling initiative, fail. And yet, as a dues-paying member of the Grocery Manufacturers Association (GMA), your company, Weil Lifestyle, helped contribute \$2 million to defeat Prop 37. And now, with the GMA as the top donor to the campaign to defeat I-522, a GMO labeling initiative in Washington State, Weil Lifestyle is once again working to defeat consumers' right to know.

As a responsible consumer, I am calling on your company to either eliminate GMOs from your supplements, or label them. After all, you have spoken out publicly about the health hazards of GMOs and you've said that you favor GMO labeling laws. If that's true, now is the time to show your support for consumers. I am calling on you today to protest the GMA's financial support of anti-labeling campaigns by withdrawing from the trade group, and to show

First Name\*

Last Name\*

Email\*

Phone

Street

City

State/Province

Zip/Postal Code\*

**Additional background**

Here are a few more interesting facts about Dr. Weil, taken from this article in the Health Wyze Report.

Dr. Weil was an early proponent of using canola oil for cooking. Canola was developed from the rapeseed plant, using traditional plant breeding techniques to rid the rapeseed of erucic acid and glucosinates. According to the International Service for the Acquisition of Biotech Applications, 97.5 percent of the canola grown today in Canada (where most of North America's canola is grown) is genetically engineered. Weil has referred to canola oil as the "healthiest" cooking oil. It was Dr. Joseph Mercola, according to Health Wyze, who pointed out that once canola oil is heated, it releases 1,3Butadiene, benzene, acrolein, formaldehyde, and other related poisonous compounds which become infused into the foods being cooked. Mercola reported that:

*"During processing, the omega-3 fatty acids of canola oil are transformed into dangerous trans fatty acids; similar to those found in margarine, and possibly even more dangerous. A recent study indicates that 'heart healthy' canola oil actually produces a deficiency of vitamin E, a vitamin required for a healthy cardiovascular system. Other studies indicate that even lower uclc acid canola oil causes heart lesions, particularly when the diet is low in saturated fats."*

Given Dr. Weil's early endorsement of genetically modified canola oil, and his company's continued practice of selling supplements containing GMOs, without labeling them, we have to ask: Has Dr. Weil only recently spoken out against GMOs and for GMO labeling, because he knows that more than 90 percent of consumers want GMOs labeled?

More to the point: When will Dr. Weil resign from the GMA, stop selling supplements containing GMOs, and start supporting – financially – I-522, the Washington State ballot initiative to label GMOs?

Dr. Weil publicly practices alternative medicine in a manner that ultimately discredits it. He has been placed in an excellent position to do this by the long-standing enemies of alternative medicine - mainstream media and publishing houses - whose funding from the pharmaceutical industry exceeds that from all other sponsors combined.

Dr. Weil and his foundation have partnered with drugstore.com. Drugstore.com paid in excess of \$3.9 million in monthly sales commissions, donations and quarterly royalties, before the relationship soured and drugstore.com sued Weil. In addition, Drugstore.com also pays a monthly honorarium directly to Weil.

Source: Health Wyze Report

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OCA Canada Page

OCA en español

OCA News Sections

Organics

- Organic Transitions
- Save Organic Standards
- Bodycare
- Clothes
- Biodynamics
- The Myth of Natural

Planting Peace

Agriculture and Climate

Health Issues

- Swine & Bird Flu
- Vitamins & Supplements
- Children's Health

Genetic Engineering

- rBGH
- Millions Against Monsanto
- Cloning & Patenting
- Nanotechnology
- GM Wheat
- Fish

Food Safety

- USDA Watch
- Toxic Sludge
- Raw Milk
- Mad Cow
- Irradiation
- Perchlorate

Fair Trade/ Social Justice

- Buy Local Movement

Farm Issues

- NAIS
- Honey Bees

Politics & Democracy

## About the OCA: Who We Are and What We're Doing

### Organic Consumers Association (OCA)

The Organic Consumers Association (OCA) is an online and grassroots non-profit 501(c)3 public interest organization campaigning for health, justice, and sustainability. The OCA deals with crucial issues of food safety, industrial agriculture, genetic engineering, children's health, corporate accountability, Fair Trade, environmental sustainability and other key topics. We are the only organization in the US focused exclusively on promoting the views and interests of the nation's estimated 50 million organic and socially responsible consumers.



The OCA represents over 850,000 members, subscribers and volunteers, including several thousand businesses in the natural foods and organic marketplace. Our US and international policy board is broadly representative of the organic, family farm, environmental, and public interest community.

The Organic Consumers Association was formed in 1998 in the wake of the mass backlash by organic consumers against the U.S. Department of Agriculture's controversial proposed national regulations for organic food. Through the OCA's SOS (Safeguard Organic Standards) Campaign, as well as the work of our allies in other organizations, the organic community over the last eight years has been able to mobilize hundreds of thousands of consumers to pressure the USDA and organic companies to preserve strict organic standards. In its public education, network building, and mobilization activities such as its Breaking the Chains campaign, OCA works with a broad range of public interest organizations to challenge industrial agriculture, corporate globalization, and the Wal-Martization of the economy, and inspire consumers to "Buy Local, Organic, and Fair Made."

OCA's overall political program is the Organic Agenda 2005-15, a six-point platform calling for:

- The conversion of American agriculture to at least 30% organic by the year 2015, including major reforms in agricultural subsidies and appropriations to help family farmers make the transition to organic, develop local and regional markets, and adopt renewable energy practices.
- Fair Trade and economic justice, not so-called corporate-driven "Free Trade" as the global norm.
- A global moratorium on genetically engineered foods and crops.
- A phase-out of the most dangerous industrial agriculture and factory farming practices.

Menu

- Send an Email to OCA
- Privacy Policy
- National Grassroots Network

### OCA Policy and Advisory Board:

Ronnie Cummins

OCA National Director

Will Allen

Vermont Organic Farmer

Maude Barlow

Council of Canadians (Canada)

Jay Feldman

National Coalition Against the Misuse of Pesticides (DC)

Jim and Rebecca Goodman

Wisconsin Organic Farmers

Jean Halloran

Consumers Union (NY)

Tim Hermach

Native Forest Council (OR)

Julia Butterfly Hill

Author & Forest Activist (CA)

Annie Hoy

Ashland Community Food Store (Oregon)

Mika Iba

Network for Safe & Secure Food & Environment (Japan)

Pat Kerrigan

Emergency Food Shelf Network (MN)

John Kinsman

Family Farm Defenders (WI)

Frances Moore Lappe

Author - Small Planet Institute

Howard Lyman

EarthSave (VA)

Judith McGeary

Farm and Ranch Freedom Alliance (TX)

Jill Richardson

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<b>Publications</b>
• <i>Organic Bytes</i>
• <i>Organic View</i>
<b>Resources</b>
• OCA Sponsors
• Buying Guide
• OCA Action Center
• OCA Press Center
• OCA En Español
<b>Intern with OCA!</b>

- o Universal health care with an emphasis on prevention, nutrition, and wellness promotion.
- o Energy independence and the conversion of US and global agriculture, transportation, and utilities to conservation practices and renewable energy.

La Vida Locavore PUBLIC DISCLOSURE COMMISSION

Robyn Seydel  
La Montanita Co-op (NM)

Vandana Shiva  
Research Foundation for Science,  
Technology, & Natural Resource Policy (India)

**Financial Documents**

- OCA Financial Report 2011
- OCA 2011 Form 990

Our website, publications, research, and campaign staff provide an important service for hundreds of thousands of consumers and community activists every month. Our media team provides background information, interviews, and story ideas to television and radio producers and journalists on a daily basis - from national television networks to the alternative press.

**Privacy Policy:**

**In Summary:**

The Organic Consumers Association does not sell, lease, give-away, disclose or otherwise release your email or other information to other organizations or individuals. Our practice is to send very minimal email, normally 2-3 per month.

**In Detail:**

The Organic Consumers Association is a non-profit, grassroots organization and receives contact information through various means, such as, online volunteer signup, donations, newsletter subscriptions, and other outreach. This contact information is used by our "individual coordinators" and "coalition partners" (NGO's/ organizations) around the United States and world to achieve our mission:

The Organic Consumers Association is a public interest organization dedicated to promoting health justice and sustainability. A central focus of the OCA is building a healthy, equitable, and sustainable system of food production and consumption. We are a global clearinghouse for information and grassroots technical assistance.

OCA may contact you concerning our work or the work of our coalition partners. We will not give your name to other organizations. You may be notified about participating with outreach educational activities such as: lectures, media interviews, demonstrations, teach-ins, phone trees, newsletters (Organic Bytes), website updates, leaflet distribution, book sales, etc.

Our volunteer management system is designed to allow you to participate with us in areas of your choosing. If you have not submitted/updated your choices, please do so in order for us to best work together.

**National Grassroots Network:**

We currently have over 850,000 people in our data base, including subscribers to our electronic newsletter, members, volunteers, and supporters, and 3000 cooperating retail coops, natural food stores, CSAs, and farmers markets.

**Support the OCA with a tax-deductible contribution**

**Contact the Organic Consumers Association**

Your email:

Your name:

To:

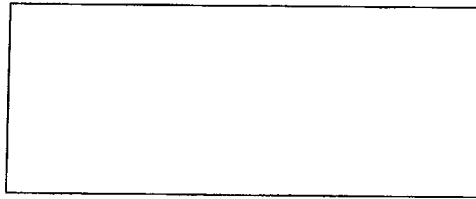
select a recipient

Subject:

Message: (2800 char max)

Please include the url / web page pertaining to your message.

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Please answer  $1 + 4 =$   (required to stop form spam)

[Return to Top of Page](#)

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Organic Consumers Association · 6771 South Silver Hill Drive, Finland MN 55603 · **Contact Us** · Activist or Media Inquiries: 218-226-4164 · Fax: 218-353-7652

Please support our work: **Send a tax-deductible donation to the OCA**

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# Exhibit I

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Begin forwarded message:

From: Organic Consumers Association <[ronniecummins@organicconsumers.org](mailto:ronniecummins@organicconsumers.org)>

Date: August 15, 2013, 6:34:16 AM PDT

Subject: Organic Elite Sit on Wallets & No Fracking on Public Lands

Reply-To: <[ronniecummins@organicconsumers.org](mailto:ronniecummins@organicconsumers.org)>

Is this email not  
displaying correctly?  
[View it in your browser.](#)



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#### ESSAY OF THE WEEK

## MIA from the Latest GMO Labeling Battle: The Organic and 'Natural' Elite

The Organic and Natural Elite are "missing in action" again.

With just 10 weeks to go before Washington State voters start casting their ballots to decide yes or no on Washington's critical [I-522 GMO labeling initiative](#), the wealthy corporate giants of the organic food, "natural" products and vitamin supplements industries are still sitting on their wallets.



Will we see a repeat of last year? When these companies talked the talk, but never walked the walk? When they let California's Proposition 37 initiative to label GMOs fail by a sliver while they made excuses for not helping the campaign?

Or will these wealthy companies – Whole Foods, Trader Joe's, Ben & Jerry's, Horizon, Silk, Hain and others – companies that spend millions promoting their images so you'll spend your hard-earned dollars on their products - stand up and be counted this time?



Read the essay

**ACTION ALERT**

**Conscientious Supporter: Thank You Dr. Bronner's!**

We hear it from so many companies. How they really care about their customers. How their products are safe and healthy. How they espouse good, old-fashioned, feel-good values.

How they support consumers' right to know about GMOs.

But when it comes to actually taking a stand on behalf of consumers, and especially when it comes to putting their money where their mouths are, what do we hear from most CEOs and their PR flacks?

Excuses. One after another.

**But not Dr. Bronner's Magic Soaps! Dr. Bronner's, a fifth-generation family-owned business, believes consumers should have the right to know if their food, or other products, contain genetically modified organisms (GMOs). So the Bronner Family has donated \$1 million so far to YES on I-522, the campaign to pass a GMO labeling initiative in Washington State.**

It's great to know that there are still a few companies out there that have a conscience. They deserve our thanks!

**TAKE ACTION: Tell the Bronner Family 'Thank you!' for supporting I-522 and our Right to Know!**

Say 'Thanks' on Dr. Bronner's Facebook page

Watch Dr. Bronner's YES on I-522 video



**ACTION ALERT**

**This Land Is (Not?) Your Land**

When is this land not your land or our land?  
When the President of the United States and  
the Bureau of Land Management (BLM)  
conspire to open 600 million acres of Federal  
and Native American land, *including our  
national parks*, for fracking.

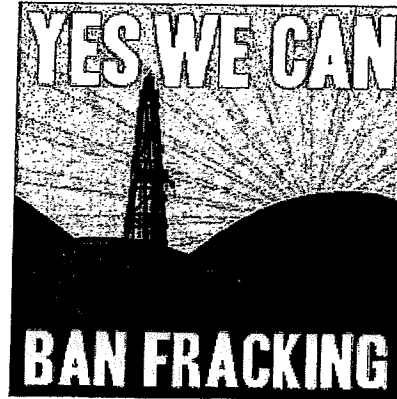
Recent reports suggest fracking is  
contaminating our groundwater with heavy  
metals and arsenic. Is this the legacy we want  
to leave our kids?

On Aug. 21, you can join Americans Against  
Fracking for a national call-in day to President  
Obama. Call the President at 1-888-660-2594. You can tell him: "*Fracking threatens  
the air we breathe, the water we drink, the food we eat, the communities we love and  
the climate on which we all depend. We need to ban fracking now.*"

Also, until Aug. 23, the BLM is seeking public comments on its proposal to weaken the  
rules for fracking on public lands. Please sign the petition below to let President  
Obama and the BLM know you want stronger, not weaker, rules for fracking on public  
lands!

TAKE ACTION: Tell the President and the BLM: Don't Frack America's Public  
Lands!

Learn more about fracking and arsenic in groundwater



#### SUPPORT THE OCA & OCF

### Let's Be Reasonable. Or Not.

*"Reasonable people adapt themselves to the  
world. Unreasonable people attempt to adapt  
the world to themselves. All progress,  
therefore, depends on unreasonable people."*  
– George Bernard Shaw

If you're reading this, you're probably a  
member of the Unreasonable People Club.

You know. One of those people who rails  
against the invisible-yet-ubiquitous forces that  
want us to believe all is well with the world.  
Even as our food system disintegrates, our  
farms are fracked, our soil is soaked in toxins.



And our democracy disappears.

One of those people who can't just turn a blind eye, can't carry on without a fuss. A tilter at windmills. Is that you?

We hope so. Because, without you, there would be no progress. And boy, do we need progress. On so many urgent fronts.

In just 10 short weeks, Washington State will start mailing ballots to voters. On that ballot will be one of today's most urgent food rights issues: I-522, a citizens' initiative to label GMOs. The outcome of the final Nov. 5 tally could determine the future of GMO labeling in the entire country.

So while it may seem unreasonable to try to beat the likes of Monsanto and Big Food, we know you're up to the task. Please help us win in Washington, and support future GMO labeling laws, with your donation today. Thank you!

Donate to the Organic Consumers Association (tax-deductible, helps support our work on behalf of organic standards, fair trade and public education)

Donate to the Organic Consumers Fund (non-tax-deductible, but necessary for our legislative efforts in Washington, Vermont and other states)

## ORGANIC RETAIL AND CONSUMER ALLIANCE

### Top Grocer Spotlight: Good Earth Natural Foods

Mark Squire, co-owner and manager of Good Earth Natural Foods in Fairfax, Calif., has one of the most celebrated resumes in the retail organic food industry.

In the 1980s, Squire pioneered California's organic certification standards and eventually served on the Board of Directors for the California Certified Organic Farmers (CCOF). He was instrumental in creating the Non-GMO project and now serves on the organization's board. From 1988-1993, Squire served on the board and then on staff of the Organic Crop Improvement Association, which was at the time the largest certifier of organic foods worldwide. He also helped write Measure B, the Marin County initiative that prohibits the outdoor cultivation of genetically modified organisms (GMOs). The measure passed by 61 percent of the popular vote in 2004.



That's a lot of extra work for a guy running a retail grocery store. But Squire wouldn't have it any other way. And, he says, if not for his passion for organics and his commitment to providing the best possible selection of locally-sourced organic foods, Good Earth probably wouldn't have such a loyal customer base.

But it does. So loyal that customers recommended Good Earth for a slot on OCA's list of Top 'Diligent Dozen' Right to Know Grocers. And we agreed.

[More about Good Earth Natural Foods](#)

[More about the Right to Know Grocers Contest](#)

## NEW REPORT

### **ALEC at 40: Turning Back the Clock on Prosperity and Progress**

Happy birthday to the American Legislative Exchange Council (ALEC), the anti-consumer, anti-environment, anti-workers' rights lobbying group responsible for introducing 466 bills in 2013.



According to a [new report \(.PDF\)](#) by the [Center for Media and Democracy \(CMD\)](#), "ALEC is going to new lengths to hide its lobbying of legislators from the public eye. It has taken to stamping all its documents as exempt from state public records laws, dodging open records with a 'dropbox' website, and other tricks."

The report says that this year ALEC introduced 77 bills to advance a polluter agenda, 17 of which became law. The "model" bills promote a fossil fuel and fracking agenda and undermine environmental regulations. The CMD also identified 71 ALEC bills to cap damages, limit corporate liability or "otherwise make it more difficult for citizens to hold corporations to account when their products or services result in injury or death."

[Learn more](#)

[Read the report \(.PDF\)](#)

## ORGANIC TRANSITIONS

### Fighting Climate Change. One Acre at a Time.

Like an old reliable Ford 9N hauling its way out of a mud bank, the idea that agriculture can be used as a tool to reverse climate change is starting to gain traction.



If we all agree that climate change is the result of too much carbon in the atmosphere, then we also agree that we need to reduce carbon emissions. **But what if we could also pull carbon out of the air, and sequester it in the earth, just by changing how we manage farms?**

We can, says Courtney White (pictured), founder and creative director of the Quiivira Coalition. White explains that by combining the use of cover crops, organic no-till farming and planned rotational grazing, not only can we grow carbon-neutral food, but we can actually grow carbon-negative food.

We may not think of biological processes as tools or technologies. But tools like no-till farming and the holistic management of grass-fed beef are proving to be the most effective technologies to combat climate change.

Food activist Michael Pollan puts it this way:

*"We have to think about what technology means. Does it only mean hardware and intellectual property? If we limit it to those two definitions, we're going to leave out a lot of the most interesting technologies out there, such as methods for managing the soil and growing food that vastly increase [agricultural] productivity and sequester carbon but don't offer something you can put into a box."*

[More on Carbon Ranching](#)

[More on Pollan, agriculture and climate change](#)

## LITTLE BYTES

### Essential Reading for the Week

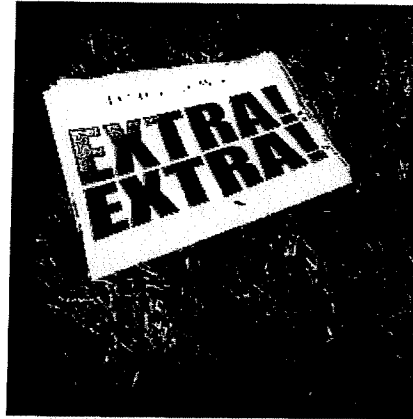
What You Need to Know About Farmed Shrimp

Monsanto's GMO Crops Already Planted in North Dakota

Israel Will End Fluoridation in 2014, Citing Health Concerns

Chipotle Is Keeping Its Meat Antibiotic-Free After All

The Downside of Texas Fracking: Ample Oil, No Water



Koch Industries: Secretly Funding the Climate Denial Machine

#### MESSAGE FROM OUR SPONSORS

### Organic Groceries Delivered to Your Door

Ever thought about trying Green PolkaDot Box, the national door-to-door discount distribution service for organic and non-GMO foods, but just weren't ready to commit to a full membership? Now's your chance to take Green PolkaDot Box for a spin. For a limited time, Green PolkaDot Box is offering a \$10 Trial Membership. To take advantage of this limited-time offer go to the website and begin shopping. Select the items you want and add them to your shopping cart. Then click on the checkout button and fill in your zip code. When you check out you'll be able to see the savings on your order calculated as if you were a member, so you can compare the difference with or without membership. You'll then have the option to purchase a membership and receive the difference in cost benefits. After you receive a Green PolkaDot Box and evaluate the convenience, quality and savings on your first "trial" order, you can decide to become a member. If you do, you can apply your \$10 towards the \$50 annual membership fee.



**Green PolkaDot Box is one of the few, if not the only, online merchants that**

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**refuses to carry any genetically modified foods and ingredients.**

[follow on Twitter](#) | [friend on Facebook](#) | [OCA on Pinterest](#) | [Donate](#)

Please forward this publication to family and friends, place it on web sites, print it, duplicate it and post it freely. Knowledge is power!

*Organic Bytes* is a publication of [Organic Consumers Association](#)

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
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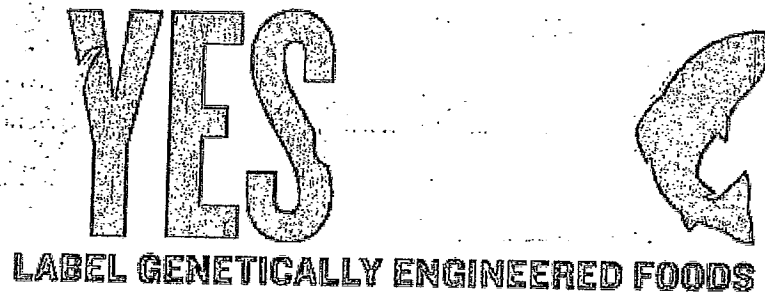
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# Exhibit J



----- Forwarded message -----

From: Delana Jones, Yes on 522 <[info@yeson522.com](mailto:info@yeson522.com)>  
Date: Wed, May 29, 2013 at 10:13 AM  
Subject: The AmeriCone Dream



Dear Brett,

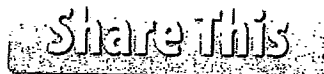
Our hearts melted like ice cream on a hot day when the good folks at Ben & Jerry's called and let us know that they were endorsing Yes on I-522!

**Share this exciting news with your friends.**

You see, Ben & Jerry's is a business that represents the AmeriCone dream. They support labeling of genetically engineered food in Washington State because they are proud of what is in their ice cream.

*"Ben & Jerry's is thrilled to be joining Whole Foods Market, PCC Natural Markets, Nature's Path, Dr. Bronner's and the growing coalition of businesses, organizations, and people supporting Yes on I-522. Cherry Garcia, Half-Baked, Chunky Monkey, Phish Food, collectively contain hundreds of ingredients, and we believe you have the right to know what they are and where they came from. We support Initiative 522 because we support transparency and our customers' right to know what's in their food." --Jerry Greenfield*

**If you agree with Jerry that you deserve the right to know what is in your food, please share this news with five of your friends. The first 52 people to use our page to share the news will receive a coupon for some delicious Ben & Jerry's.**



From our table to yours,

Delana Jones

Campaign Manager

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**Contribute**



This email was sent to [bnoble09@gmail.com](mailto:bnoble09@gmail.com) | [Unsubscribe](#)

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# Exhibit K

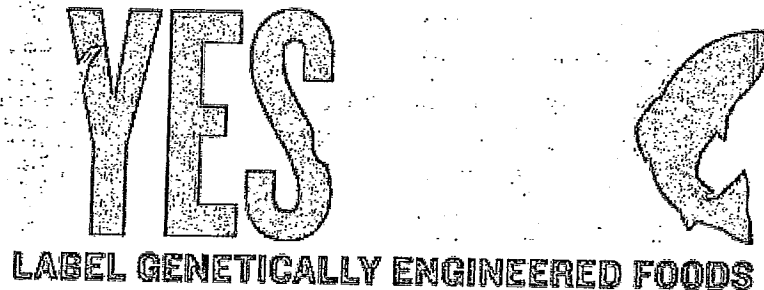
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OCT 28 2013  
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# Exhibit L

----- Forwarded message -----  
From: **Delana Jones, Yes on 522** <[info@yeson522.com](mailto:info@yeson522.com)>  
Date: Wed, May 29, 2013 at 10:13 AM  
Subject: The AmeriCone Dream  
[REDACTED]



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From our table to yours,

Delana Jones

Campaign Manager

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**Contribute**



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# Exhibit M



STAND FOR YOUR  
RIGHT TO KNOW IF OUR  
FOOD IS GENETICALLY  
ENGINEERED

**YES ON 522**  
LABEL GENETICALLY ENGINEERED FOODS  
VOTE BY TUES. NOV. 5<sup>TH</sup> IN WASHINGTON STATE

WE HAVE THE RIGHT  
TO CHOOSE THE FOOD  
WE EAT AND FEED  
OUR FAMILIES

THE PATH TO NATION  
LABELING IS THROUGH  
THE STATES

IMPORTANT GMO INFO LABEL  
DR. BRONNER'S Magic Soaps

UNLTD. EDITION  
GMO LABEL  
MADE IN INDIA

THESE ARE A FEW OF THE 18-IN-1 USES. GIVE THEM A TRY:  
FACE AND BODY WASH; GET WET, APPLY SOAP TO HANDS, WASH CLOTH  
OR LOOFAH, LATHER UP, RINSE OFF AND TINGLE FRESH AND CLEAN.  
FRUIT AND VEGETABLE WASH: ADD 3 DASHES TO A SINK FULL  
OF WATER, SOAK FOR 2-3 MINUTES AND THEN RINSE CLEAN.  
HOUSEHOLD CLEANER: DILUTE SOAP WITH WATER 1:10 FOR LIGHT CLEANING,  
OR USE FULL-STRENGTH FOR HEAVY-DUTY, GREASE-CUTTING JOBS.

OVER 150 YEARS & 5 GENERATIONS OF SOAP EXCELLENCE

**18-in-1 Hemp PEPPERMINT  
PURE-CASTILE SOAP**  
MADE WITH ORGANIC OILS

INGREDIENTS: Water, Organic Coconut Oil, Potassium Hydroxide, Organic Olive Oil, Mentha Arvensis, Organic Fair Deal Hemp Oil, Organic Jojoba Oil, Organic Peppermint Oil, Citric Acid, Tocopherol

**CERTIFIED FAIR TRADE INGREDIENTS**  
\*None remains after saponifying oils into soap and glycerin.  
\*100% Post-Consumer Recycled Plastic Bottle!

These soaps are more concentrated than traditional soaps. Dilute with water. Contains when cold. Patch when warm/water; deters at -70C.

**WARNING!** Keep Out of Eyes. If Gap Clogs, Poke It Clean. Do Not Squeeze Bottle and Shoot Out Soap. Soap can Clog and Spout with Pump Dispenser. Flush Eye Well with Water for 15 Minutes. Consult a Physician if Irritation Persists.

DR. BRONNER'S  
**MAGIC ALL-ONE!**  
100% POST-CONSUMER RECYCLED PLASTIC BOTTLE  
MADE IN INDIA

**fair for life**

CERTIFIED UNDER THE USDA NATIONAL ORGANIC PROGRAM

NO PESTICIDES  
NO FERTILIZERS  
NO GMOs

ONE OF HUMANITY'S OLDEST AND SIMPLEST PRODUCTS, SOAP IS MADE BY SAPONIFYING OILS WITH ALKALI, WITH NO WASTE GENERATED. THE ALKALI IS EITHER SODIUM (FOR BARS) OR POTASSIUM (FOR LIQUIDS) HYDROXIDE. MADE BY RUNNING ELECTRICITY THROUGH SALT WATER. NO ALKALI REMAINS IN OUR SUPERB SOAPS. ALL GLYCERIN IS RETAINED. OUR UNIQUE OLD WORLD FORMULA A HIGH LATHER CLEANSING AND SMOOTH, MILD AFTERFEEL.

**YES ON 522**  
LABEL GENETICALLY ENGINEERED FOODS

EDUCATE  
DONATE  
VOLUNTEER

www.yeson522.com

202-28-6500 (in CA 92033)  
859-725-0111 (in WA 98101)  
Green from Central Organic

18787 77532

**DON'T BE FOOLED BY DECEPTIVE TV ADS**  
Like Prop 37 will face an attack of relentless funded by pesticide and junk food manufacturers. They seek to mislead voters into thinking simple labeling law is somehow a plot to lather up to get rich while food prices sky rise. These same hollow arguments against consumer right to know have been made against previous labeling regulations such as color origin and calorie disclosure. It's wrong American democracy is hijacked by manufacturers who spend vast sums of money to keep consumers in the dark.

**522 CAN WIN WITH YOUR VOTE.** The campaign has demonstrated through its polling that their simple ads reminding voters their fundamental relationship and right to what's in their food cuts right through the enough voters are reminded of their own and power. 522 can win!

Chemical companies genetically engineer DNA from bacteria into food crops to either produce or tolerate the pesticides they sell. This foreign DNA produces foreign proteins in every cell of the plant that we eat in our food. No long-term independent safety studies have been performed on adverse health effects. Overuse of pesticide is creating resistant superweeds and Superbugs and more pesticide is bought and sprayed. Now chemical companies like Monsanto and Dow are engineering resistance in food crops to much more toxic weed killers like Dicamba and 2,4-D, the main ingredient in Agent Orange.

America, we have a right to know important information about the food we eat and feed our families - such as sugar and sodium salts, the country of origin, whether flavors and other ingredients are natural or artificial, and if fish is wild or farm-raised. Also should have the right to choose whether we want to buy and eat genetically engineered food, just as citizens in over 60 other countries do, including Europe, Japan and even China. Labels ensure transparency and preserve the freedom to make our own decisions about the food we eat. The government has conducted no independent safety tests on GMOs. The Washington State Barre Association endorses labeling as a means of tracing health issues that may result from consuming GMO foods.

5. companies already label genetically engineered foods for markets in the 64 countries that have labeling laws, including some of the largest trading partners. Genetically engineered crops like wheat and rice have contaminated conventional crops in the Northwest and Southeast. This has led some countries to reduce imports from our farmers, jeopardizing their economic health and livelihoods.

22 was brought to the ballot by more than 350,000 citizens and draws strong, statewide support from farmers, fishing families, health care professionals, moms and dads, business owners, Republicans, Democrats and Independents across the state.

valent chemical corporations that genetically engineer food oppose labeling because they care about their profits, not our right to know. Labeling lets us trust your own judgment. You should have the freedom to decide for yourself what to eat - not corporations, the government, or special interests. Health and food decisions are up to you. Vote for the right to know what's in your food. YES on 522. For more information go to: www.yeson522.com

WHY IN WASHINGTON STATE IS KEY NATIONAL LABELING EFFORT. The close Prop 32, California's GMO labeling initiative, sparked a nationwide movement to label genetically engineered foods. Connecticut and Massachusetts passed labeling laws, but do not take effect until 2012. New England states pass labeling. The battleground states in Washington, which has agricultural sectors and fisheries that are covered about 50% wheat, salmon and other. In fact, GMO test, which recently disclosed containing an Oregon wheat farm, led and Korea to suspend wheat imports from entire northwest for months. Washington is the can punch through to victory, other states follow and national labeling is inevitable.

PLEASE DONATE  
US, please sign up at  
www.yeson522.com to  
donate and volunteer to  
answer the opposition's  
lies on TV while a huge  
grassroots surge reaches  
voters directly.

www.yeson522.com



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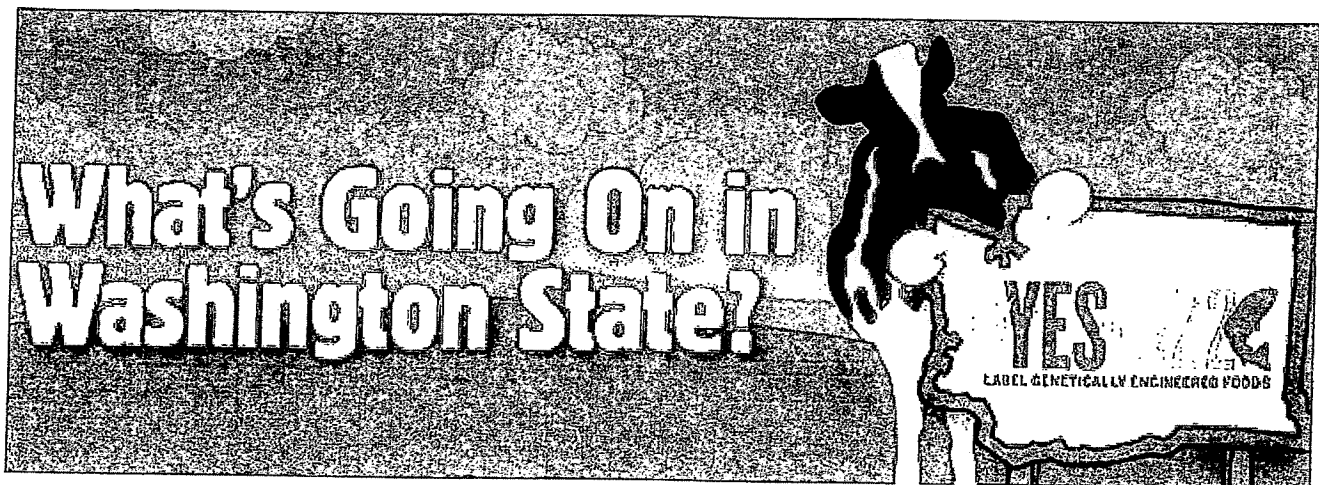
# Exhibit N

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# What is in your food?

Shouldn't Genetically Engineered foods be labeled?

Join 1, 2, or all 3 *free* GMO-Free events.



## JOIN

### Jubilee Naturals – Sumner

909 Main St Sumner, WA 98390  
(253) 447-7921

### SUMNER ANIMAL GRUB

800 Traffic St Sumner, WA 98390  
(253) 863-5511

### SUMNER PUBLIC LIBRARY

1116 Fryar Ave Sumner, WA 98390  
(253) 548-3306

*On Saturday, September 14<sup>th</sup>*  
*...and learn about what's really in*  
*your food.*

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# Exhibit O

From: Lennon Bronsema, Yes on 522 [mailto:info@yeson522.com]  
Sent: Tuesday, September 10, 2013 11:00 AM  
To: info@brecourtstrategies.com  
Subject: Monsanto dumps \$4.5M into Washington

# YES



## LABEL GENETICALLY ENGINEERED FOODS

Hello Friend,  
Holy batman!

I don't know about you, but none of us at Yes on 522 have that kind of cash sitting around to buy elections with.

As soon they heard about Monsanto's millions a couple of our supporters called. They know our campaign is founded on the principles of grassroots activism. So they made us a deal. If we can get 1,000 donors before 12am Saturday they'll match your gift. So if you give even just \$3 - it's really like you're giving \$6.

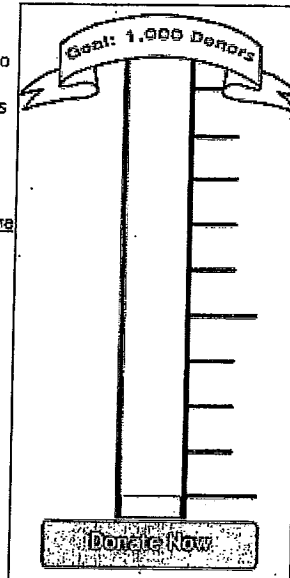
That's a pretty sweet deal - and one I know you'll step up to help us with.

There is only one reason Monsanto is cutting checks this big: *they're more worried about protecting their profits than letting shoppers have the right to know what they're buying at the grocery store.*

Even \$3 counts towards the goal of 1,000 donors by midnight Saturday so click here right now to rush your donation to us.

If we all come together as the national movement for labeling GMOs we can defeat whatever piles of cash Monsanto throws at us.

Cheers,  
Lennon Bronsema  
Finance Director  
Yes on 522



Contribute



Yes on 522, (206) 452-9110 | 1233 1st Ave S, B-102, Seattle, WA 98114  
This email was sent to info@brecourtstrategies.com | Unsubscribe

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# Exhibit P

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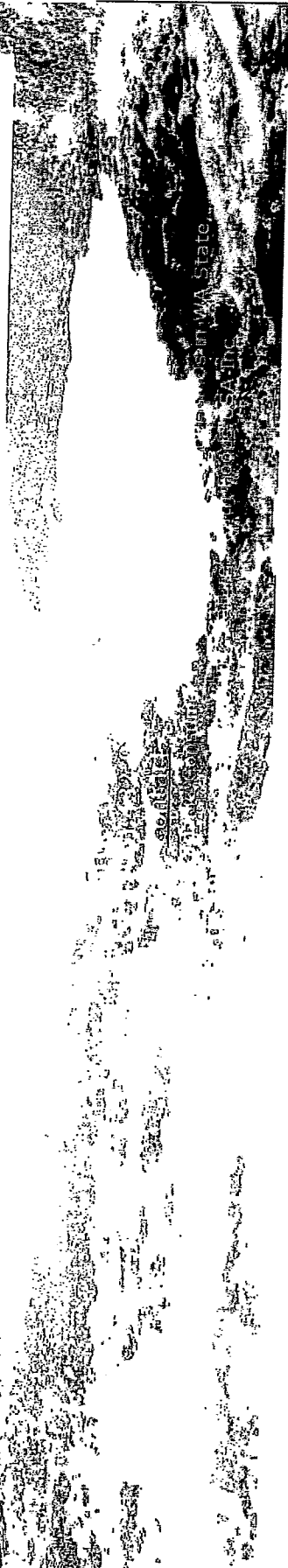
COALITION PARTNERS

WASHINGTON  
TOXICS  
COALITION



WASHINGTON  
CONSERVATION  
VOTERS

[View All Endorsements](#)





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**Paimm Larry and Howard Vlieger WA September Speaking Tour**

Today October 2013 ▾

Print Week Month Agenda ▾

Fri 4 Sat 5

Thu 3

Wed 2

Tue Oct 1

Mon

Sun

**12pm Work Party & Potlu 7pm Fire Station # 71 - P 8pm GMO Labeling Fundr** [Paimm Departs](#)

6 7 8 9

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Events shown in time zone: Pacific Time

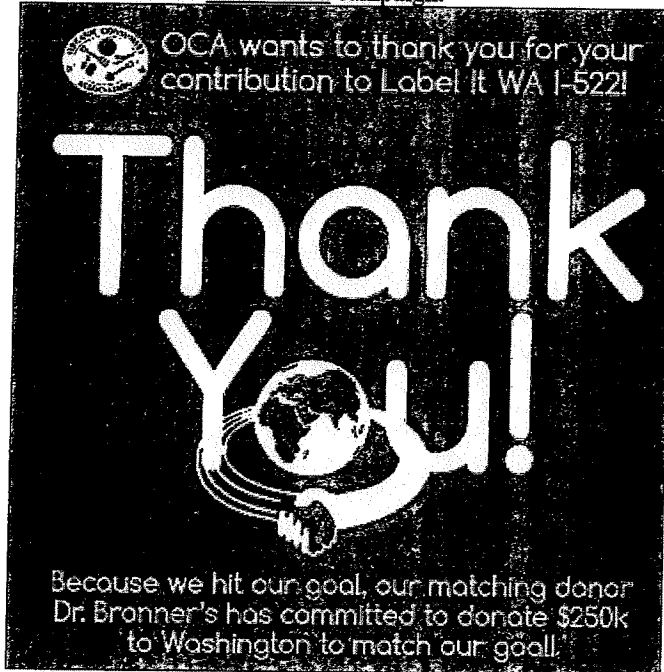
Go to Calendar

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# Exhibit R

We did it!

Thanks to everyone's amazing response to our campaign, Dr. Bronner's Magic Soaps, who was our anonymous donor, has gone public with their support and will now be donating \$750k to the I-522 campaign, instead of the \$500k they originally planned to donate. So, between the \$250k we raised, and the \$750k Dr. Bronner's is donating, that's \$1 million for the Label It Wa campaign.



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# Exhibit S

From: Organic Consumers Association  
Sent: Thursday, August 1, 2013 6:21 AM

Reply To: [ronniecummins@organicconsumers.org](mailto:ronniecummins@organicconsumers.org)

Subject: Winning Our Hearts and Minds? Monsanto and Big Food Pull Out the Big Guns

Is this email not displaying  
correctly?  
[View it in your browser.](#)



# Organic Bytes

Health, Justice and Sustainability News from the Organic Consumers Association  
A weekly e-newsletter edited by Katherine Paul and Ronnie Cummins

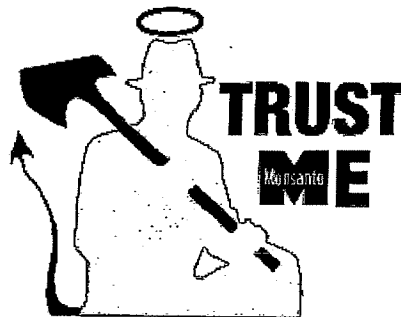
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## ESSAY OF THE WEEK

# Winning Our Hearts and Minds? Monsanto and Big Food Pull Out the Big Guns

Monsanto and Big Food are taking the battle for consumers' hearts and minds to the next level. And it's no coincidence that they're pulling out the big guns just as the Washington State [I-522 campaign to label genetically modified organisms](#) in food products is gaining steam.



Can industry front groups and slick public relations firms convince us that the products they're peddling are not only safe, but good for us? Will the millions they spend on websites and advertorials pay off?

You be the judge.

The freshly launched [GMOAnswers.com](#) is funded by the biotech industry, which claims it just "wants to talk." And the recently formed [Alliance to Feed the Future](#), representing more than 50 multinational food, agribusiness and biotech companies, wants to give us the "real" scoop on our food system.

Read the essay

**ACTION ALERT**

## Organic Eggs? Not If the USDA and FDA Can Help It!

Are the U.S. Department of Agriculture (USDA) and the Food and Drug Administration (FDA) determined to keep chickens penned up, and rob consumers of the right to real free-range organic eggs?



It would seem so. First, the USDA's National Organics Program refuses to enforce standards set by the National Organic Standards Board requiring organic farmers to allow their hens outdoors. Responding to complaints that organic farmers were violating the standards, the NOP said they have more "urgent" matters to deal with.

Now, the FDA wants to make it nearly impossible for organic farmers to raise free-range hens. Despite weak scientific evidence, the FDA says it's risky for organic farmers to let their hens come in contact with wild birds. So the FDA is proposing costly, redundant and onerous so-called "food safety" measures on organic farmers who let their hens outdoors.

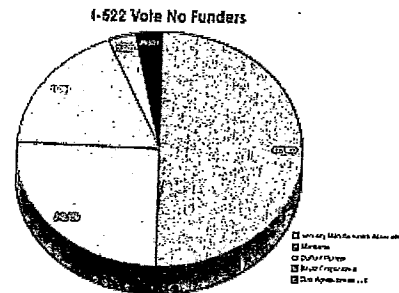
The USDA and the FDA need to hear from us. Eggs from organic free-range hens raised outdoors are more nutritious than eggs from hens kept indoors and raised on exclusively on grain. Not to mention how much more the animals suffer from being penned up.

**TAKE ACTION: Tell the USDA and FDA: Set Organic Chickens Free!**

**I-522 UPDATE**

## Leader of the Pack: GMA Tops List of NO on I-522 Donors

Who wants you to have the right to know whether or not your food has been genetically engineered or not? Leading organic and natural health companies. Consumer groups such as the OCA and the Alliance for Natural Health. Nonprofit watchdog groups. Thousands and thousands of organic and natural health consumers.



Who doesn't? The Grocery Manufacturers Association (GMA) and its dues-paying members. Monsanto. DuPont. Bayer CropSciences. Dow Agrisciences.

So far the GMA is the largest donor to the NO on I-522 campaign, which wants desperately to defeat I-522, Washington's citizens' initiative to label GMOs. The GMA represents more than 300 corporations including Kraft, Kellogg's, PepsiCo, Coca-Cola, Unilever, Hershey's, ConAgra, General Mills and a long list of other companies that want your money – but don't want you to know what they're selling you.

The GMA member roster also includes Starbucks, Target and Safeway, owner of the O Organics™ brand. Which is why we hope you'll sign our petition asking the leaders of those companies to support I-522 and ditch the GMA.

See Who's Funding NO and YES on I-522 Campaigns

TAKE ACTION: Tell Safeway, Starbucks and Target: Stop bankrolling campaigns to defeat GMO Labeling!

SUPPORT THE OCA & OCF

You Rock!

You did it again. Thank you!

Thanks to almost 4,000 of you who contributed to our recent appeal for support for I-522, we raised the \$150,000 we needed in order to receive a generous matching grant from Mercola.com.

We were all disappointed when we lost Prop 37,





the GMO labeling initiative in California last year. But together, we rallied. Now we're more determined than ever to win this year in Washington State. And beyond.

**I-522 is a must-win campaign. As the donations to the NO on I-522 campaign pour in from Big Food and the Biotech Bullies, we will keep pressuring the natural and organic companies who sat on the sidelines last year while you emptied your pockets to fight this battle.**

In the meantime, we're grateful for your generous support and your unstoppable determination to win this battle. Thank you. From all of us.

**Donate to the Organic Consumers Association** (tax-deductible, helps support our work on behalf of organic standards, fair trade and public education)

**Donate to the Organic Consumers Fund** (non-tax-deductible, but necessary for our legislative efforts in Washington, Vermont and other states)

#### TRAITOR BOYCOTT

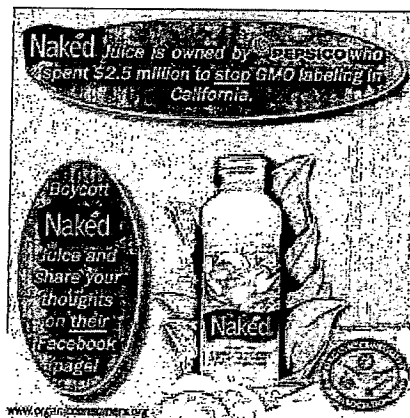
### Naked Truth: Naked Juice Not So Natural

No wonder PepsiCo, owner of the Naked Juice brand, spent \$2.5 million to defeat California's GMO labeling law last year. Turns out the Junk Food Giant isn't too fond of honest labeling, even when it comes to its so-called "all-natural" Naked Juice.

In a big win for consumers, PepsiCo has been ordered to pay \$9 million to settle a class-action lawsuit. Why? Because the courts agreed that adding synthetic fiber material made by Agri-Giant Archer Daniels Midland to Naked Juice products equates to deliberately deceiving consumers.

And that's not all. The lawsuit accused Pepsi of adding a host of other questionable ingredients, including zinc oxide, ascorbic acid and calcium pantothenate, made from formaldehyde, a carcinogenic compound.

Pepsi denied the claim that Naked Juice contains GMOs. **But the undeniable truth?**



Pepsi doesn't want you to know what's in Naked Juice, or any of its other products. And as a member of the Grocery Manufacturers Association (GMA), which is so far the top donor to campaign to defeat I-522, a GMO labeling initiative in Washington State, Pepsi is still working to keep you in the dark.

[Learn more](#)

[TAKE ACTION: Tell Naked Juice to Clean up its Act and Support I-522, Washington State's GMO Labeling Initiative](#)

#### ORGANIC INDEX 8.1.13

## Gaining Ground: Organic and 'Natural' Grab 13% of All U.S. Grocery Sales

Maybe it's the high cost of healthcare. Or the fact that organic food just tastes better. But American consumers are increasingly willing to pay a premium price for foods and products that they believe are healthier, environmentally sustainable, and humanely produced.

Organic and "natural" products now constitute over 13% of U.S. grocery purchases. Sales of certified organic products are projected to reach approximately \$35 billion in 2013, or 4.5% of total grocery sales. That number amounts to only half the sales of so-called "natural" products - uncertified, and routinely produced with pesticides, chemical fertilizers, animal drugs, GMOs, and sewage sludge - which are expected to exceed \$70 billion in 2013.

Unfortunately many, if not most consumers are unclear about the qualitative difference between certified organic and most so-called "natural" products. **Given this rampant mislabeling in the marketplace, if so-called "natural" products containing GMOs and synthetic chemicals and residues had to be truthfully labeled, organic sales would likely double within a short period of time.**

[Get the facts on organics and "natural" here](#)

#### ORGANIC TRANSITIONS



## No Small Thing: Reversing Climate Change through Sustainable Agriculture and Biochar

For the past five years, OCA has been passionately  talking and writing  about how organic farming, ranching, and forestry practices can potentially reverse global warming and save us from climate catastrophe.



There were times when we thought we were preaching only to the choir. **But now a growing number of leading food and environmental writers, including Michael Pollan and Mark Hertsgaard, are joining the chorus and educating the public on how we can use sustainable farming, ranching and biochar practices to exponentially increase plant photosynthesis and soil carbon sequestration on hundreds of millions of acres of farmland, pasture, and rangeland.**

This Great Transition has the potential to bring our current greenhouse gas pollution down from our 400 ppm of CO<sub>2</sub> to 350 ppm – the number scientists say we need to achieve if we're going to survive. If we can achieve this, we can stabilize our dangerously out-of-control global climate. And in the process, we'll dramatically increase soil fertility, biodiversity, and moisture retention.

As Pollan puts it, moving away from factory farms and industrial/GMO agriculture to organic no-till farming and rotational grazing "gets us out of one of the worst aspects of environmental thinking - the zero sum idea that we can't feed ourselves and save the planet at the same time. It also raises our spirits about the challenges ahead, which is not a small thing."

[Read Michael Pollan on agriculture and climate change](#)

[Read Mark Hertsgaard on how biochar, composting and biochar energy production can reverse global warming](#)

### LITTLE BYTES

## Essential Reading for the Week

Consumer Alert: Fertilizer Industry's  
Arsenic-Tainted Fluoride Laced into Drinking  
Water of 150 Million Americans

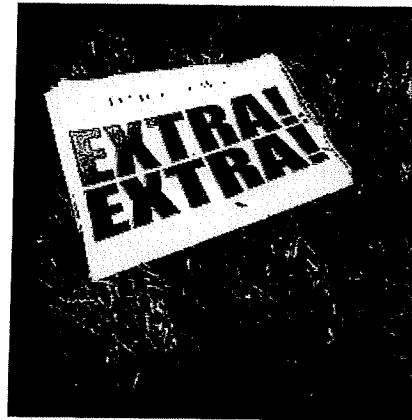
Nasty Pesticide Broken Down by Probiotic  
Used in Culturing Food

Sacramento's Farm-to-Fork Food Bank  
Changes Lives

Study Shows High Levels of Arsenic in  
Water Near Fracked Gas Wells

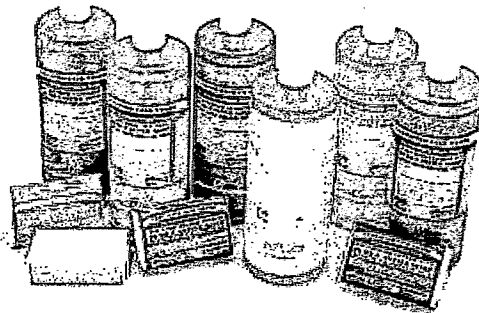
Survey: Only 15% of Farmers would Eat GMO Food

Consumer Alert: Most Common Vitamins, Including Children's Vitamins, Found to  
Contain GMOs



MESSAGE FROM OUR SPONSORS

Dr. Bronner's Magic Pure Castile Classic  
Soaps



FAIR TRADE ORGANIC  
LIQUID AND BAR SOAPS

Our Liquid Soaps are completely  
biodegradable & vegetable-based. They are  
made with Certified Fair Trade and Organic  
Oils! Simple Ecological Formulations Based  
on Old-World Quality and Expertise.



WASH WITH A CLEAN CONSCIENCE  
(and shave, shampoo and moisturize too!)

Unlike any you've ever used. A combination of organic extra virgin coconut, olive, jojoba and hemp oils, together with pure essential oils, creates a unique soap that cleans effectively without being aggressive and produces a velvety-lather that leaves the skin silky-smooth and refreshed.

Now available in two new *Magic liquid* fragrances: Rose and Citrus Orange

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Please forward this publication to family and friends, place it on web sites,  
print it, duplicate it and post it freely. Knowledge is power!

*Organic Bytes* is a publication of [Organic Consumers Association](#)

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
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# Exhibit T

**The Spokesman Review, Jim Camden, September 29, 2013**

<http://www.spokesman.com/stories/2013/sep/29/initiative-522-ads-dispute-whether-pet-food-would/>

**Ads dispute whether pet food would have to be labeled for GMOs**

Jim Camden The Spokesman-Review

The opening salvo in the battle over the proposal to label genetically modified foods includes ammunition that hit the mark last year in California: Food you buy for Rover would have to be labeled, if it contains those products, recent commercials for opponents say, but steaks you throw on the grill would not.

Wrong on both counts, say supporters of Initiative 522. Pet food isn't covered by the initiative, but genetically modified meats would have to be labeled if they ever reach the local supermarket. Each campaign can produce legal theories of the state's complicated initiative case law to support their claims. The Yes campaign has mounted a response ad that the No campaign is rebutting. The average voter might wonder whether it's worth fighting about.

It likely is, because the pet food argument comes from the playbook that defeated a ballot measure last year in California. Proposition 37 had similar wording and many of the same big-spending donors, with major natural-product companies like Mercola and Dr. Bronner's Magic Soaps contributing to the Yes campaign and chemical companies like Monsanto and DuPont subsidizing the opposition. Proposition 37 also enjoyed an early lead in public opinion polls, as I-522 does now. But a \$44 million campaign turned the tide, in part with an argument that Proposition 37 was poorly written and had major inconsistencies, like requiring labels on canned pet food but not fresh meat.

"Pet food would be covered but meat for human consumption would be exempt," Dan Newhouse, a former state agriculture secretary, says in recent commercials against I-522.

I-522 doesn't mention pet food in its 2,448-word text. It does exempt meat that has been fed or injected with genetically modified products from the labeling requirements, but would require meat from a genetically modified animal to be labeled. No genetically modified animals have been approved by the federal government for commercial sale, although the Food and Drug Administration is reviewing a request to allow farm-raised, genetically modified salmon to be sold to the public.

Newhouse doesn't draw any distinction between animals that eat genetically modified food and those that are genetically modified, a point that has the Yes side crying foul.

The key point is that the initiative doesn't define "food," said Rob Maguire, an attorney for the No campaign. So courts would look at the definition in Article 69 of state statutes, which deals with food labeling, along with federal law and the common dictionary definition of food. All include pet food. "That's just false," said Knoll Lowney, attorney for the Yes campaign. The initiative wouldn't be part of Article 69, but Article 70, so that definition doesn't apply, he said.

Courts would look first at the initiative, which says in the introductory section that its purpose is "to ensure people are fully informed about whether the food they purchase and eat was produced through genetic engineering," Lowney said.

If supporters wanted to exempt pet food, they easily could have done so in the initiative, just like they exempted meat and dairy products, medical food and food cooked at a restaurant, Maguire said.

Lowney and Maguire agree that pet food would only have to be labeled if the state Health Department includes it in rules the agency must write if the initiative passes. Lowney said there's one key difference between I-522 and Proposition 37, despite the similar wording. In California, supporters wanted their law to cover pet food, he said. Washington's supporters are only concerned about human food.

It wasn't until after I-522 was drafted that opponents in California made headway by raising the pet food issue. "By the time the whole California thing happened, (I-522) was already out there," Lowney said. That meant supporters couldn't add specific language to exempt pet food. Once an initiative begins gathering signatures, it can't be changed.

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# Exhibit U



SMITH & LOWNEY, P.L.L.C.

2317 EAST JOHN STREET  
SEATTLE, WASHINGTON 98112  
(206) 860-2882, FAX (206) 860-4187

October 16, 2013

KOIN CBS  
Tim Perry, President & General Manager  
222 SW Columbia St  
Portland, Or 97201

To: Station Manager and Counsel

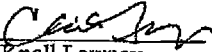
Subject: False and Illegal Advertising by No on 522 on Your Station

I am writing on behalf of the Yes on 522 Campaign as a follow up to the previous letter dated September 18, 2013, which informed you that the No on 522 Campaign's ads appearing on your station are illegal. As we explained, the No on 522 Campaign's mandatory disclosures fail to list the actual contributors and instead list the Grocery Manufacturers Association (GMA), which was illegally laundering campaign funds.

Today the Attorney General of the State of Washington confirmed that our allegations are true and filed a lawsuit against the GMA for these actions. A copy of the AG's press release and the complaint are attached. He found that the GMA's laundering of campaign funds was driven by the goal of concealing the identity of donors. According to the complaint, "...the GMA board directed GMA staff to 'scope out a funding mechanism to address the GMO issue while better shielding individual companies from attack for providing funding.'" Complaint ¶ 17. By running these illegal ads, your station would be furthering this unlawful concealment of donors.

We demand that you immediately remove the illegal No on 522 Campaign ads from the air or your station will face legal liability. While we were disappointed in your station's decision to play these illegal ads after it received our first notice, you cannot justify playing these ads now that you have objective information confirming their illegality.

SMITH & LOWNEY PLLC

By   
Knoll Lowney  
Claire Torrey

10/16/13

Attorney General Ferguson files suit against Grocery Manufacturers Association

[News > News Releases > 2013](#)

FOR IMMEDIATE RELEASE

October 16, 2013

[back](#)

*AG alleges association skirted disclosure rules in \$7.2 million contribution to No on Initiative 522 campaign*

SEATTLE— Attorney General Bob Ferguson today filed suit in Thurston County Superior Court alleging that the Grocery Manufacturers Association (GMA) violated the state's campaign disclosure laws. Ferguson alleges the GMA illegally collected and spent more than \$7 million while shielding the identity of its contributors. The funds were spent to express opposition to Initiative 522, a measure requiring labeling of genetically engineered foods, seeds and seed products in Washington.

"When Washington state voters overwhelmingly approved Initiative 276 in 1972, they voiced their desire for transparency and openness in elections," Ferguson said. "Truly fair elections demand all sides follow the rules by disclosing who their donors are and how much they are spending to advocate their views."

The Grocery Manufacturers Association is a trade association, based in Washington DC, representing more than 300 food, beverage and consumer product companies. It is the biggest donor to the No on I-522 campaign.

The Attorney General's Office alleges the GMA established the "Defense of Brands Strategic Account" within its organization and asked members to pay assessments that would be used to oppose I-522. GMA then funded opposition efforts while shielding contributors' names from public disclosure.

Ferguson alleges the GMA should have formed a separate political committee, registered with the state's Public Disclosure Commission (PDC), and filed reports indicating who contributed, how much they contributed and how the money was spent to oppose I-522.

The AGO filed suit in Thurston County Superior Court to compel the GMA to register with the PDC and file disclosure statements.

The AGO is preparing to seek a temporary restraining order asking the court to order the GMA to immediately comply with state disclosure laws.

The AGO is also requesting civil penalties and costs of investigation and trial, including reasonable attorney's fees, injunctive relief and any other relief the court deems appropriate.

The suit stemmed from a citizen action letter received by the Attorney General's Office in late August. Upon receipt of the letter, the office immediately referred the case to the PDC for investigation. Working closely with the PDC, the Attorney General's Office reviewed information provided to the PDC during its investigation and determined there was sufficient evidence to file a court action.

The complaint can be found, [here](#).

— 30 —

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Attorney General Ferguson files suit against Grocery Manufacturers Association

*The Office of the Attorney General is the chief legal officer for the state of Washington with attorneys and staff in 27 divisions across the state providing legal services to roughly 200 state agencies, boards and commissions. Attorney General Bob Ferguson is working hard to protect consumers and seniors against fraud, keep our communities safe, protect our environment and stand up for our veterans. Visit [www.atg.wa.gov](http://www.atg.wa.gov) to learn more.*

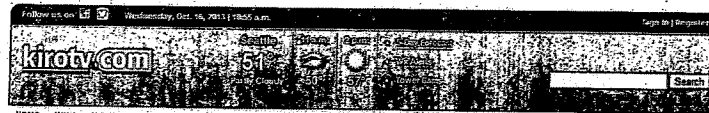
**Contacts:**

Janelle Guthrie, Director of Communications, (360) 586-0725

Alison Dempsey-Hall, Deputy Communications Director, (206) 641-1335

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# Exhibit V



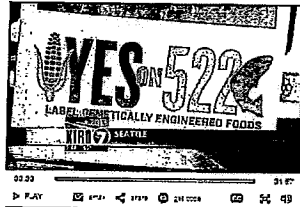
HOME > NEWS

Posted 8:23 p.m. Tuesday, Sept. 17, 2013

### Big money battle over GMO labeling Initiative

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By Essex Porter  
SEATTLE — A multi-million dollar advertising battle just launched that could determine how much you know about what goes into your food.

It's about Initiative 522 on the November ballot. The initiative requires labels on food that has been genetically engineered.

#### Related

"The question here is if we're going to be able to figure out what's in our food. If we have a right to know if genetically engineered ingredients are being used in our food," said Aaron Ostrom of the Yes-on 522 campaign.



Supporters of Initiative 522 gathered in Seattle.

Initiative supporters don't necessarily claim that such ingredients are unsafe. In fact, unless you shop very carefully, it's likely you consume some form of genetically modified food every day.

But there was trouble recently for Washington exports when some genetically modified wheat was found in Oregon, because Governments in Asia and Europe refuse to buy such crops.

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\$6 APR for 63 months on 2013  
Subani Legacy

Still, opponents say the initiative places a huge burden on our state's farmers.

"For farmers who would want to farm some GE crop, and some non GE crops they would have to essentially run two entirely farming organizations," said Dana Bieber of the No-on-522 campaign. And opponents believe the initiative would confuse consumers. "Take the example of a steak," Bieber said. "A steak will come from a cow that has been fed GE grains so there is GE in the steak. It's exempt from Initiative 522 that's where we as consumers get misled."

But consumers, like grocery shopper, Olga Rohlfen, are also anxious for information. "I feel like I'm responsible to give my kids some good food I would love to know when I buy food what's in it," Rohlfen said.

Initial sponsors have gone to court because they accuse opponents of trying to hide their big money donors like Monsanto and Dow Chemical. Opponents deny the accusation and say their donations are fully reported.

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Benefiting The American Cancer Society  
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10/16/13

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Posted by Now11 at 6:44 a.m. Sep. 18, 2013

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- I'm not sure

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SMITH & LOWNEY, P.L.L.C.  
2317 E. JOHN ST.  
SEATTLE, WASHINGTON 98122  
(206) 860-2976, FAX (206) 860-4187

Public Disclosure Commission

DATE FILED PDC

SEP 24 2013

September 24, 2013

Public Disclosure Commission  
711 Capitol Way # 206  
PO Box 40908  
Olympia WA 98504-0908

Subject: Moms for Labeling

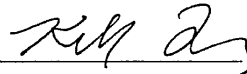
This letter is being submitted along with Moms for Labeling's Form CIPC.

Out of an abundance of caution, Moms for Labeling is submitting this CIPC to provide information to the public about its activities, but denies that it is a political committee. Moms for Labeling anticipates that its only activity during this election cycle is to hire my law firm to take certain legal actions to enforce the campaign finance laws. While all actions during an election cycle have potential impact on the election, we do not believe that groups seeking to enforce the campaign finance laws qualify as political committees.

Very Truly Yours,


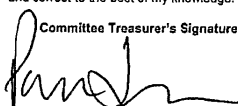
SMITH & LOWNEY, P.L.L.C.

By



Knoll Lowney

Attorneys for Moms for Labeling

<b>PUBLIC DISCLOSURE COMMISSION</b>  711 CAPITOL WAY RM 206 PO BOX 46008 OLYMPIA WA 98504-0908 (360) 753-1111 Toll Free 1-877-601-2828		<b>Political Committee Registration</b>		<b>C1PC</b> (1/12)		<b>DATE FILED PDC</b> SEP 24 2013	
Committee Name (Include sponsor in committee name. See next page for definition of "sponsor." Show entire official name. Do not use abbreviations or acronyms in this box.) <b>Moms for Labeling</b>				Acronym:		Telephone: ( 206 ) 860 2883	
Mailing Address c/o Smith & Lowney, 2317 E. John				Fax: ( 206 ) 860 4187		E-mail: <b>momsforlabeling@gmail.com</b>	
City Seattle		County King		Zip + 4 98112			
NEW OR AMENDED REGISTRATION? <input checked="" type="checkbox"/> NEW. Complete entire form. <input type="checkbox"/> AMENDS previous report. Complete entire form.		COMMITTEE STATUS <input checked="" type="checkbox"/> Continuing (On-going; not established in anticipation of any particular campaign election.) <input type="checkbox"/> _____ election year only. Date of general or special election: _____ (Year)					
1. What is the purpose or description of the committee? <input type="checkbox"/> <b>Bona Fide Political Party Committee</b> - official state or county central committee or legislative district committee. If you are not supporting the entire party ticket, attach a list of the names of the candidates you support. <input type="checkbox"/> <b>Ballot Committee</b> - Initiative, Bond, Levy, Recall, etc. Name or description of ballot measure: _____ Ballot Number _____ FOR <input type="checkbox"/> AGAINST <input type="checkbox"/> <input checked="" type="checkbox"/> <b>Other Political Committee</b> - PAC, caucus committee, political club, etc. If committee is related or affiliated with a business, association, union or similar entity, specify name: _____ <b>For single election-year only committees (not continuing committees):</b> Is the committee supporting or opposing (a) one or more candidates? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, attach a list of each candidate's name, office sought and political party affiliation. (b) the entire ticket of a political party? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, identify the party: _____							
2. Related or affiliated committees. List name, address and relationship. <input type="checkbox"/> Continued on attached sheet.							
3. How much do you plan to spend during this entire election campaign, including the primary and general elections? Based on that estimate, choose one of the reporting options below. (If your committee status is continuing, estimate spending on a calendar year basis.) If no box is checked you are obligated to use Full Reporting. See instruction manuals for information about reports required and changing reporting options. <input type="checkbox"/> <b>MINI REPORTING</b> Mini Reporting is selected. No more than \$5,000 will be raised or spent and no more than \$500 in the aggregate will be accepted from any one contributor.							
<input checked="" type="checkbox"/> <b>FULL REPORTING</b> Full Reporting is selected. The frequent, detailed campaign reports mandated by law will be filed as required.							
4. Campaign Manager's or Media Contact's Name and Address None				Telephone Number: ( )			
5. Treasurer's Name and Address. Does treasurer perform only ministerial functions? Yes ___ No ___ See WAC 390-05-243 and next page for details. List deputy treasurers on attached sheet. <input type="checkbox"/> Continued on attached sheet. Pam Johnson (co-director), c/o Smith & Lowney, PLLC, 2317 E. John, Seattle, WA 98112				Daytime Telephone Number: ( 206 ) 860-2883			
6. Persons who perform only ministerial functions on behalf of this committee and on behalf of candidates or other political committees. List name, title, and address of these persons. See WAC 390-05-243 and next page for details. <input type="checkbox"/> Continued on attached sheet. None							
7. Committee Officers and other persons who authorize expenditures or make decisions for committee. List name, title, and address. See next page for definition of "officer." <input type="checkbox"/> Continued on attached sheet. Karen Andonian and Pam Johnson, Co-Directors, c/o Smith & Lowney, PLLC, 2317 E. John, Seattle, WA 98112							
8. Campaign Bank or Depository None		Branch		City			
9. Campaign books must be open to the public by appointment between 8 a.m. and 8 p.m. during the eight days before the election, except Saturdays, Sundays, and legal holidays. In the space below, provide contact information for scheduling an appointment and the address where the inspection will take place. It is not acceptable to provide a post office box or an out-of-area address. <b>Street Address, Room Number, City where campaign books will be available for inspection</b> To be determined In order to make an appointment, contact the campaign at (telephone, fax, e-mail): ( ) momsforlabeling@gmail.com							
10. Eligibility to Give to Political Committees and State Office Candidates: A committee must receive \$10 or more each from ten Washington State registered voters before contributing to a Washington State political committee. Additionally, during the six months prior to making a contribution to a state office candidate your committee must have received contributions of \$10 or more each from at least ten Washington State registered voters. <input checked="" type="checkbox"/> A check here indicates your awareness of and pledge to comply with these provisions. Absence of a check mark means your committee does not qualify to give to Washington State political committees and/or state office candidates.				11. Signature and Certification. I certify that this statement is true, complete and correct to the best of my knowledge. Committee Treasurer's Signature  Date <b>9/24/2013</b>			

SEE INSTRUCTIONS ON NEXT PAGE



**Special Political Expenditures**

**C7**  
12/08

PDC OFFICE USE  
DATE FILED PDC

FEB 25 2014

1. Name (Use complete company, association, union or entity name.)  
**Dr. Bronner's Magic Soaps**

Attention (Identify person to whom inquiries about the information below should be directed.)

---

Mailing Address Telephone  
**PO Box 28 760 743-2211**

---

City State Zip + 4  
**Escondido, CA 92033-0028**

**THIS REPORT MUST BE FILED BY THE LAST DAY OF FEBRUARY. Disclose all payments or expenditures the reporting entity made and accrued during the previous calendar year for the types of activities described below. Complete all sections. Use "none" or "0" when applicable. Follow the directions on the attached instructions.**

<u>Summary of Expenditures</u>	Amount
2. Political contributions to candidates for legislative or statewide executive office, committees supporting or opposing these candidates, or committees supporting or opposing statewide ballot measures. Also complete Item 8.	
a. Aggregate contributions made by the filer.	\$2,401,234.21
b. If contributions were made by a political committee associated, affiliated or sponsored by the employer, show the PAC name below. (Information reported by the PAC on C-4 reports need not be again included as part of this report.) Name of PAC _____	\$0
3. Independent expenditures supporting or opposing a candidate for legislative or statewide executive office or a statewide ballot measure. Show aggregate amount. Also complete Item 9.	
4. Expenditures for entertainment, gifts, tickets, passes, transportation and travel expenses (including meals, lodging and related expenses) provided to legislators, state officials, state employees and members of their immediate families. Show aggregate amount. Also complete Item 10.	\$0
5. Expenditures to or on behalf of legislators, state officials, their spouses and dependents for the purpose of influencing, honoring or benefiting the legislator or official. Show aggregate amount. Also complete Item 13.	\$0
6. Other expenditures related to lobbying state officials, whether payment is made to, through or on behalf of a registered lobbyist. Attach list itemizing each expense. Show date, recipient, purpose and amount.	\$0
<b>7. Total Reportable Expenses</b> (Items 2 thru 6)	<b>2,401,234.21</b>

Itemized Expenditures

8. Contributions totaling over \$25 to a legislative or statewide executive office candidate, a committee formed to support or oppose one of these candidates or a committee supporting or opposing a statewide ballot measure.

Label It Wa	Name of Recipient	Amount	Date
		50,000.00	01/26/2013
Yes on I-522 Committee		\$ 350,000.00	03/27/2013
Yes on I-522 Committee		350,000.00	06/17/2013
Yes on I-522 Committee		45,635.00	07/08/2013
Yes on I-522 Committee		250,000.00	08/12/2013
Yes on I-522 Committee		13,248.84	08/31/2013
Yes on I-522 Committee		250,000.00	09/20/2013
Yes on I-522 Committee		500.00	09/20/2013
Yes on I-522 Committee		500,000.00	09/18/2013
Yes on I-522 Committee		200.00	09/24/2013
Yes on I-522 Committee		1,522.00	09/30/2013
Moms for Labeling		26,095.00	10/02/2013
Yes on I-522 Committee		25,000.00	10/15/2013
Yes on I-522 Committee		5,846.00	10/15/2013
Yes on I-522 Committee		4,900.00	10/15/2013
Yes on I-522 Committee		1,500.00	10/15/2013
Yes on I-522 Committee		500,000.00	10/28/2013
Moms for Labeling		26,787.37	11/12/2013

Information continued on attached pages

9. Independent expenditures in support of or opposition to a) a legislative or statewide executive office candidate or b) a statewide ballot measure. See instructions for definition of "independent expenditure."

Candidate's Name, Office Sought & Party or Ballot Measure & Brief Description	Amount \$	Date and Description of Expense (Note if Support or Oppose)
		<b>DATE FILED PDC</b>  <b>FEB 25 2014</b>

Information continued on attached pages

10. Entertainment, gifts, tickets, passes, transportation and travel expenses (including meals, lodging and related expenses) provided to legislators, state officials, state employees and members of their immediate families.

Name and Title	Cost or Value \$	Date and Description of Entertainment, Gift or Travel

Information continued on attached pages

11. Compensation of \$2,000 or more during the preceding calendar year for employment or professional services paid to state elected officials, successful candidates for state office and each member of their immediate family.

Name	Relationship to Candidate or Official, if Family Member	Amount (Code)	Description of Consideration or Services Exchanged for Compensation

Information continued on attached pages

12. Compensation of \$2,000 or more during the preceding calendar year for professional services paid to any corporation, partnership, joint venture, association or other entity in which state elected official, successful state candidate or member of their immediate family hold office, partnership, directorship or ownership interest of 10% or more.

Firm Name	Person's Name	Amount (Code)	Description of Consideration or Services Exchanged for Compensation

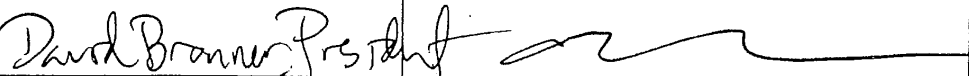
Information continued on attached pages

13. Any expenditure, not otherwise reported, made directly or indirectly to a state elected official, successful candidate for state office or member of their immediate family, if made to honor, influence or benefit the person because of his or her official position.

Name	Amount \$	Date and Description of Expense

Information continued on attached pages

14. This report must be certified by the president, secretary-treasurer or similar officer of reporting entity.

<b>Certification: I certify that this report is true, complete and correct to the best of my knowledge.</b>	Signature of Officer	Date
Printed Name and Title of Officer:		

## **Executive Summary and Staff Analysis**

### **Greg Kimsey**

### **PDC Tracking No. T15-106**

This summary highlights staff's findings, conclusions, and recommendations regarding the allegations contained in the complaint identified as PDC Tracking No. T15-106, a 45-day citizen action complaint (Complaint) filed with the Attorney General on February 5, 2015 by Kenny Smith, Chairman, Clark County Republican Party, against Greg Kimsey, Clark County Auditor. This summary includes **Exhibit 1**, the Complaint, and **Exhibit 2**, the response to the Complaint.

### **Background**

In November 2013, voters elected five county residents from each of the three Clark County Commissioner districts to serve as a Board of Freeholders ("Board" or "Freeholders"). The 15-member Board of Freeholders was charged with creating a proposed home rule charter for voters to accept or reject at the November 2014 general election. The Board met from November 2013 through May 2014, disbanding when the charter was completed. A proposed home rule charter for Clark County was placed on the November 4, 2014 general election ballot as Proposition 1. The measure passed. Greg Kimsey is the elected Clark County Auditor. The Auditor's Office was responsible for producing the 2014 Voters' pamphlet.

### **Allegations**

The Complaint alleged that Greg Kimsey may have violated RCW 42.17A.555 by authorizing the inclusion of a summary of the Clark County home rule charter (pages 58-59) in the 2014 Voters' Pamphlet that promoted the home rule charter, and by citing or using pages 58-59 of the Voters' Pamphlet in his personal public statements regarding the home rule charter.

The complaint further alleged that county officials authored a summary of the proposed home rule charter, and posted this summary to the Clark County Board of Freeholders Web site ([clark.wa.gov/freeholders](http://clark.wa.gov/freeholders)), allegedly to promote the proposed charter. The complaint did not provide evidence indicating which officials authored this summary (i.e. members of the Board of Freeholders, Mr. Kimsey, or other officials.) The complaint alleged that Mr. Kimsey failed to post a "minority report" opposing the charter to the Board of Freeholders Web site, an alleged violation of RCW 42.17A.555.

Finally, the Complaint also alleged that Mr. Kimsey may have violated RCW 42.17A.565 by soliciting campaign contributions from employees of the Clark County Auditor's office for political committee activity in support of the home rule charter.

### **Investigative Findings**

**Alleged Violation of RCW 42.17A.555** – On May 13, 2014, the Freeholders voted to direct the Clark County Elections Department to include in the 2014 Voters' Pamphlet fair and objective information describing the proposed home rule charter. Following receipt of this request, Mr. Kimsey contacted the Secretary of State's Office to verify

that he had the authority to place an informational statement concerning the charter into the Voters' Pamphlet. That office confirmed that the auditor has the authority to follow the Board's directive. After verifying that he was authorized by Washington law to include this type of information in the Voters' Pamphlet, Mr. Kimsey oversaw the preparation of the statement that was ultimately published on pages 58-59. He took steps that he stated were to ensure that the information contained in the Voters' Pamphlet was fair and objective.

On July 17, 2014, the Clark County Elections Advisory Committee met, and Mr. Kimsey told the committee about the vote taken by the Board of Freeholders to include an informational statement about the charter in the Voters' Pamphlet. The informational summary (pages 58-59 of the Voters' Pamphlet) was a collaborative effort between the Board of Freeholders and Clark County government, including the Clark County Auditor's office. It was a factual summary of key elements of the charter followed by a list of "frequently asked questions." The summary set forth specific elements of the charter and potential changes it would make to the then-current system of government in Clark County. Language in the informational summary was extracted from the charter that was written by the Freeholders, and was submitted to others in county government for review and comment, including the Clark County Public Information Office and the Office of the Prosecuting Attorney. On September 4, 2014, the informational summary was also posted on the county's website for review.

The Complaint alleged that Mr. Kimsey attached copies of pages 58-59 from the 2014 Voters' Pamphlet to promotional emails, and that such actions are evidence that Mr. Kimsey used the facilities of the Clark County Auditor's Office to promote passage of Proposition 1, in violation of RCW 42.17A.555. The Complaint further alleged that Mr. Kimsey attended political and community events, including neighborhood association meetings and town-hall style meetings for the purpose of promoting passage of Proposition 1, and that he used as his primary supporting campaign literature pages 58-59 of the Voters' Pamphlet. The Complaint also alleged that Mr. Kimsey wrote an Op-Ed piece on October 22, 2014 in The Reflector newspaper, with the sole purpose of advocating for yes votes for Proposition 1, and that he closed his article with the statement, "*Pages 58 and 59 of the voters' pamphlet provide information describing the Charter. This information is in addition to the statements from the "Pro" and "Con" committees.*" The Complaint alleged that this statement was further indication that the information Mr. Kimsey put in the Voters' Pamphlet was perceived by him to be advocacy of Proposition 1, in violation of RCW 42.17A.555.

As described above, and separate from the allegation concerning the voters pamphlet, the complaint alleged that a promotional summary of the proposed charter was authored by unidentified officials and posted to the Clark County Board of Freeholders Web site ([clark.wa.gov/freeholders](http://clark.wa.gov/freeholders)), without opportunity for a "minority report" by dissenting freeholders to be posted to the site. The complaint did not provide evidence establishing that Mr. Kimsey either authored the summary, or authorized its posting on the Board of Freeholders Web site. Further, PDC staff's review indicates that a "minority report" by dissenting freeholders was in fact posted to the site prior to the 2014 general election.

Mr. Kimsey stated that the emails referred to in the Complaint as emails promoting Proposition 1 were sent from his personal email account, and attached the informational statement which had already been published in the Voters' Pamphlet and mailed to voters. Mr. Kimsey stated that use of the informational statement from the Voters' Pamphlet in his personal correspondence, urging list serve members to read the charter and understand the issues surrounding it prior to casting their vote, was not evidence of any improper use of Clark County Auditor's Office facilities.

**Alleged Violation of RCW 42.17A.565** - The Complaint also alleged that Mr. Kimsey may have violated RCW 42.17A.565 by soliciting campaign contributions from employees of the Clark County Auditor's office in support of the home rule charter. The Complaint alleged that Mr. Kimsey participated in establishing "Team Clark Forward" and that at the first announcement of the of Team Clark Forward, a Rotary meeting, and at the first public organizing meeting of Team Clark Forward, and at other subsequent meetings of the group, he directly solicited contributions from all in attendance. The complainant acknowledged that he was unaware of whether any employees of Mr. Kimsey's agency were present at any of these meetings.

### **PDC Analysis**

**Alleged Violation of RCW 42.17A.555** - County auditors are authorized by law to provide information to voters in voters' pamphlets about candidates and ballot measures, and auditors have done so in Clark County for many years.

The Board of Freeholders directed the Clark County Elections Department to include in the 2014 Voters' Pamphlet fair and objective information describing the proposed home rule charter. Mr. Kimsey oversaw the preparation of the statement that was ultimately published on pages 58-59 of the Voters' Pamphlet. He took steps to ensure that the information contained in the Voters' Pamphlet was fair and objective.

The informational summary on pages 58-59 of the Voters' Pamphlet was a collaborative effort between the Board of Freeholders and Clark County government, including the Clark County Auditor's office. Language in the informational summary was extracted from the charter that was written by the Freeholders, and was submitted to others in county government for review and comment. No evidence was found that Mr. Kimsey produced the informational summary on pages 58-59 of the Voters' Pamphlet for the purpose of promoting Proposition 1.

The Complaint alleged that Mr. Kimsey attached copies of pages 58-59 from the 2014 Voters' Pamphlet to personal emails for the purpose of promoting Proposition 1, attended political and community events for the purpose of promoting Proposition 1, and wrote an Op-Ed piece in The Reflector newspaper, citing pages 58-59 of the Voters' Pamphlet, for the purpose of promoting Proposition 1, and that these actions demonstrate that he created the informational summary on pages 58-59 for the purpose of promoting Proposition 1, in violation of RCW 42.17A.555. Although the Complaint asserted that Mr. Kimsey was personally involved in promoting Proposition 1, WAC 390-

05-271(1) states that RCW 42.17A.555 does not restrict the right of any individual to express his or her own personal views concerning, supporting, or opposing any candidate or ballot proposition, if such expression does not involve a use of the facilities of a public office or agency. There was insufficient evidence to find that Mr. Kimsey's personal use of voters pamphlet information demonstrated that his work to administer the production of the pamphlet constituted a use public facilities for the purpose of promoting Proposition 1, in violation of RCW 42.17A.555.

**Alleged Violation of RCW 42.17A.565** - The Complaint asserted that Mr. Kimsey was personally involved in promoting Proposition 1, including that he spoke at meetings on behalf of Team Clark Forward. However, the Complaint did not provide evidence that Mr. Kimsey solicited contributions for a political committee or political party from employees of his agency, or that employees of his agency were in attendance when he spoke on behalf of Team Clark Forward.

### **Conclusion**

Staff concludes there is insufficient evidence to establish that Greg Kimsey violated RCW 42.17A.555 by using or authorizing the use of the facilities of Clark County for the purpose of promoting Proposition 1, the home rule charter that was on the November 4, 2014 general election ballot. Mr. Kimsey was authorized by law to place an informational statement concerning the charter into the Voters' Pamphlet, and it was a usual practice to do so. While Mr. Kimsey oversaw the preparation of the statement that was ultimately published on pages 58-59 of the Voters' Pamphlet, our review indicates that the statement was a collaborative effort of numerous county officials, including the Board of Freeholders. In responding to the complaint, county officials stated that Mr. Kimsey took steps to ensure that the information contained in the Voters' Pamphlet was fair and objective. Our review indicates that the production of the voters pamphlet was part of the normal and regular conduct of Mr. Kimsey's office, and not subject to the prohibition of RCW 42.17A.555.

Similarly, there is insufficient evidence to establish that Greg Kimsey had a role in authoring or posting a summary of the home rule charter to the Web site of the Clark County Board of Freeholders, or in preventing a "minority report" from also being posted to the Web site. (As indicated above, the "minority report" was in fact posted to the site prior to the election.)

Staff concludes there is insufficient evidence to establish that Greg Kimsey violated RCW 42.17A.565 by soliciting contributions for a political committee or political party from employees of the Clark County Auditor's Office. No evidence was provided that employees of his agency were present when he spoke on behalf of Team Clark Forward.

## **Recommendation**

PDC staff recommends that the Commission recommend to the Washington Attorney General that he take no further action concerning the allegations contained in the Citizen Action Complaint that: (1) Greg Kimsey violated RCW 42.17A.555 by using the Clark County facilities to promote passage of Proposition 1; and (2) RCW 42.17A.565 by soliciting contributions from employees of his agency in support of Proposition 1.

## **Applicable Statutes, Rules, and Interpretations**

**RCW 42.17A.555** states: No elective official nor any employee of his or her office nor any person appointed to or employed by any public office or agency may use or authorize the use of any of the facilities of a public office or agency, directly or indirectly, for the purpose of assisting a campaign for election of any person to any office or for the promotion of or opposition to any ballot proposition. Facilities of a public office or agency include, but are not limited to, use of stationery, postage, machines, and equipment, use of employees of the office or agency during working hours, vehicles, office space, publications of the office or agency, and clientele lists of persons served by the office or agency. However, this does not apply to the following activities:

(1) Action taken at an open public meeting by members of an elected legislative body or by an elected board, council, or commission of a special purpose district including, but not limited to, fire districts, public hospital districts, library districts, park districts, port districts, public utility districts, school districts, sewer districts, and water districts, to express a collective decision, or to actually vote upon a motion, proposal, resolution, order, or ordinance, or to support or oppose a ballot proposition so long as (a) any required notice of the meeting includes the title and number of the ballot proposition, and (b) members of the legislative body, members of the board, council, or commission of the special purpose district, or members of the public are afforded an approximately equal opportunity for the expression of an opposing view;

(2) A statement by an elected official in support of or in opposition to any ballot proposition at an open press conference or in response to a specific inquiry;

(3) Activities which are part of the normal and regular conduct of the office or agency.

(4) This section does not apply to any person who is a state officer or state employee as defined in RCW 42.52.010.

**WAC 390-05-273** states, in part: "Normal and regular conduct of a public office or agency, as that term is used in the proviso to RCW 42.17A.555, means conduct which is (1) lawful, i.e., specifically authorized, either expressly or by necessary implication, in an appropriate enactment, and (2) usual, i.e., not effected or authorized in or by some extraordinary means or manner."

**WAC 390-05-271(1)** states that RCW 42.17A.555 does not restrict the right of any individual to express his or her own personal views concerning, supporting, or opposing any candidate or ballot proposition, if such expression does not involve a use of the facilities of a public office or agency.

**WAC 390-05-271(2)** states, RCW 42.17A.555 does not prevent a public office or agency from (a) making facilities available on a nondiscriminatory, equal access basis for political uses or (b) making an objective and fair presentation of facts relevant to a ballot proposition, if such action is part of the normal and regular conduct of the office or agency.

**RCW 42.17A.565** states: (1) No state or local official or state or local official's agent may knowingly solicit, directly or indirectly, a contribution to a candidate for public office, political party, or political committee from an employee in the state or local official's agency.

(2) No state or local official or public employee may provide an advantage or disadvantage to an employee or applicant for employment in the classified civil service concerning the applicant's or employee's:

- (a) Employment;
- (b) Conditions of employment; or
- (c) Application for employment,

based on the employee's or applicant's contribution or promise to contribute or failure to make a contribution or contribute to a political party or political committee.

## **Exhibits**

**Exhibit 1** Complaint filed by Kenny Smith, Chairman, Clark County Republican Party

**Exhibit 2** Response to Complaint filed by Jane Vetto, Deputy Prosecuting Attorney, Clark County





**Bob Ferguson**  
**ATTORNEY GENERAL OF WASHINGTON**

Government Compliance & Enforcement Division  
PO Box 40100 • Olympia, WA 98504-0100 • (360) 664-9006

February 12, 2015

Andrea McNamara Doyle, Executive Director  
Public Disclosure Commission  
PO Box 40908  
Olympia, WA 98504-0908

**RE: Citizen Action Notice – Greg Kimsey – Clark County Auditor**

Dear Ms. Doyle:

On February 5, 2015, the Attorney General's Office received a citizen action notice from Kenny Smith of the Clark County Republican Party alleging violations of the campaign finance disclosure law, RCW 42.17A, by Greg Kimsey.

My office has reviewed the allegations and is requesting that your agency review them and determine if an investigation is warranted. We will await the results of that review and any investigation and subsequent action by the Commission if deemed appropriate. In the event the Commission determines that it is appropriate to schedule an administrative hearing related to any allegations against any of the entities named, please advise. Otherwise, I would request the Commission's recommendation with how to proceed, along with any report of investigation that may be completed, be forwarded to the Attorney General when available.

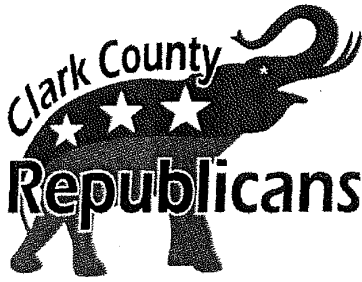
Chad Standifer in my office has been assigned the file and is available to answer any legal questions you may have during the course of your review or investigation. If you have any questions, please do not hesitate to call me at (360) 753-0543.

Sincerely,

LINDA A. DALTON  
Sr. Assistant Attorney General

LAD:jf  
Enclosure

cc: Bob Ferguson, Attorney General  
Christina Beusch, Deputy Attorney General  
Chad Standifer, Assistant Attorney General  
Kenny Smith, Clark County Republican Party  
Greg Kimzey, Clark County Auditor  
Jane Vetto, Clark County Prosecuting Attorney's Office



# Clark County Republican Party

PO Box 205 • Vancouver, WA 98666

360-695-1609 • Action@ClarkRepublicans.com

www.ClarkRepublicans.org

NOV 04 2014

Prosecutor's Office

November 4, 2014

**Tony Golik**

Clark County Prosecutor

PO Box 5000

Vancouver WA 98666

RE: Alleged violations of RCW 42.17A.555 by Greg Kimsey, County Auditor  
Use of public office or agency facilities in campaigns

Dear Mr. Golik:

By way of this letter, the Executive Board of the Clark County Republican Party hereby notifies the Clark County Prosecutor that we have reason to believe the Clark County Auditor, Greg Kimsey, has violated RCW 42.17A.555, and that none of the alleged violations are exceptions enumerated in subsections 1 through 4.

Further, the Executive Board of the Clark County Republican Party, pursuant to RCW 42.17A.765, requests the County Prosecutor investigate the allegations listed below, determine what other provisions of law and/or obligations or oath of office these actions may have violated, and pursue each and every civil, criminal and/or punitive remedy allowed by law including but not limited to those provided by section 42.17A.750 and chapter 9.92.

#### ALLEGATIONS:

During the 2014 general election cycle, Greg Kimsey, an elective official and head of his public office, both directly and indirectly used the facilities of his office in the promotion of Proposition 1, The Home Rule Charter, in violation of RCW 42.17A.555.

These violations were committed willfully, and with actual malice as defined by RCW 42.17A.005

These violations are made more egregious by the fact that the particular public office to which he is elected is charged with conducting open, fair and unbiased elections.

#### STATEMENTS IN SUPPORT OF THE ALLEGATION:

- 1) Greg Kimsey, the County Auditor, is an elected official as defined by RCW 42.17A.005(15)
- 2) The "2014 Voter's Pamphlet" is a publication of the Office of County Auditor

- 3) RCW 42.17A.555 specifies that a "publication of the office" is one of the "facilities of a public office"
- 4) Proposition 1 – Home Rule Charter on the 2014 general election ballot is a "Ballot Proposition" as defined by RCW 42.17A.005(4)
- 5) Greg Kimsey actively campaigned for the passage of Proposition 1, and while doing so used copies of pages 58-59 of the 2014 Voter's Pamphlet as his primary campaign literature in support of his promotion of the aforementioned proposition.
  - a. He attached copies of pages 58-59 in promotional emails distributed to large lists in which he advocated for Proposition 1 and referenced the attached pages as his primary literature in support of the proposition.
  - b. He attended political and community events, including neighborhood association meetings and town-hall style meetings for the purpose of promoting passage of Proposition 1, using as his primary supportive campaign literature pages 58-59 of the Voter's Pamphlet.
  - c. In an Op-Ed he wrote in the October 22, 2014 edition of The Reflector newspaper, the sole purpose of which was to advocate for yes votes for Proposition 1, he closed his article with the statement "Pages 58 and 59 of the voters' pamphlet provide information describing the Charter. This information is in addition to the statements from the "Pro" and "Con" committees". This is further indication that the information he put into the Voter's Pamphlet is perceived by him to be advocacy of Proposition 1, and, is another example of his use of the publication itself in his advocacy of Proposition 1.
- 6) Greg Kimsey directly authored and/or had primary editorial control over the content of pages 58-59 of the 2014 Voter's Pamphlet.
- 7) Greg Kimsey fully believed the content of pages 58-59 to be in support of Proposition 1 as evidenced by his decision to employ their use as the primary promotional literature of his Proposition 1 campaign efforts.

**COMMENTARY:**

Supportive statements #5 and #7 above are alleged to be two separate actions, each of which violate the same section of law. The premise of this statement being that there is more than one way in which a publication of a public office can be used in the promotion of a ballot proposition. One is the act of inserting into a publication content which is designed to promote a proposition. This is the allegation in #7. The other is the use of a publication, regardless of its content, in the promotion of a ballot proposition. This is the allegation in #5. We believe the combination of the two further compounds the violations.

We allege that Mr. Kimsey's actions as enumerated in #5 are a prima facie admission by Mr. Kimsey that he believed the content which he caused to be published in these pages would in fact prejudice voters

to be in favor of the proposition. Additionally, any reasonable person who opposes the proposition would find these pages to be carefully crafted to put the proposition in the most favorable light possible, while strategically omitting the many legitimate objections voters have to the proposition. Finally, if Mr. Kimsey had been motivated to produce an unbiased commentary on the measure, he would have had it produced through an open and transparent process which incorporated input from citizens of both points of view and limited his editorial authority solely to correction of any statements contrary to fact. We believe that each and every one of these actions by Mr. Kimsey indicate he promoted the passage of Proposition 1 both by the language he caused to be inserted into a publication of his office and also by the use of that publication in his promotion of the proposition, both actions being clear violations of RCW 42.17A.555.

In the interest of protecting The People against abuses by those they've entrusted with their governance, we look forward to your swift, professional and unbiased investigation into this matter, as well as your recommendation as to what remedies should be pursued.

Sincerely,

THE CLARK COUNTY REPUBLICAN PARTY

A handwritten signature in black ink, consisting of a large, sweeping initial 'K' followed by a horizontal line and a circular flourish.

Kenny Smith, Chairman



# Clark County Republican Party

PO Box 205 • Vancouver, WA 98666  
360-695-1609 • Action@ClarkRepublicans.com  
www.ClarkRepublicans.org

**RECEIVED**

DEC 01 2014

Prosecutor's Office

December 1, 2014

**Tony Golik**  
Clark County Prosecutor  
PO Box 5000  
Vancouver WA 98666

RE: Additional alleged violations of RCW by Greg Kimsey, County Auditor

Dear Mr. Golik:

I am writing to advise you of additional concerns we have with Mr. Kimsey's promotion of Proposition 1.

In addition to the allegations set forth in our letter of November 4<sup>th</sup> wherein we requested you investigate certain suspected violations of law, our investigation of other issues has now matured to a point that we believe they also warrant your attention. By way of this letter we are requesting you expand your investigation of Mr. Kimsey's advocacy of Proposition 1 to include in addition to alleged violations of RCW 42.17A.555, whether or not the following statutes were also violated:

RCW 36.22.110 - Auditor cannot act as attorney or lobbyist.

RCW 42.17A.565 - Solicitation of contributions by public officials or employees.

RCW 42.20.040 - False report

RCW 42.20.050 - False certificate

The examples and justifications we provide below are not intended to be exhaustive. They are meant to be indicative, and to lend both credence to the allegations as well as demonstrate that the decision to put them forward was not made superficially. We also request that while reviewing any of the examples given you continue to consider whether they also violate RCW 42.17A.555 as well. It is our hope that your thorough investigation will reveal all manners in which these and other statutes may have been violated, and all actions which may have violated them. While you consider these issues we ask you to keep in mind the legislature has intended all sections of RCW 42.17A to be "liberally construed" and why.

RCW 42.17A.904 - Construction

The provisions of this act are to be liberally construed to effectuate the policies and purposes of this act.

RCW 42.17A.001 – Declaration of Policy

(5) That public confidence in government at all levels is essential and must be promoted by all possible means.

(6) That public confidence in government at all levels can best be sustained by assuring the people of the impartiality and honesty of the officials in all public transactions and decisions.

With these considerations in mind, we ask that you investigate the following possible violations of law.

RCW 36.22.110 Auditor cannot act as attorney or lobbyist.

The person holding the office of county auditor, or deputy, or performing its duties, shall not practice as an attorney or represent any person who is making any claim against the county, or who is seeking to procure any legislative or other action by the board of county commissioners. (emphasis added)

Obviously we are not alleging Mr. Kimsey acted as an attorney. The allegation is that he represented others seeking to procure legislative action by the board of commissioners.

Mr. Kimsey overtly and publicly established "Team Clark Forward" on June 19, 2013, and was making known its pending creation and intent well before then. Steve Stuart and Greg Kimsey were listed as the contacts for the organization on its webpage, and the same website solicited donations for the organization. Our understanding is the organization's purpose was to advocate the board of commissioners pass legislation which would create the Board of Freeholders and initiate the process of proposing a Home Rule Charter. It is our contention that Mr. Kimsey, by representing the people and interests of Team ClarkForward, was "representing any person who .... is seeking to procure any legislative or other action by the board of county commissioners." We believe that Mr. Kimsey, by way of creating an organization designed to represent the interests of others, then advocating for those legislative interests on behalf of that organization to the board of commissioners, violated RCW 36.22.110.

RCW 42.17A.565 - Solicitation of contributions by public officials or employees.

- (1) No state or local official or state or local official's agent may knowingly solicit, directly or indirectly, a contribution to a candidate for public office, political party, or political committee from an employee in the state or local official's agency.

Our recollection is that at the first announcement of the formation of Team ClarkForward, a Rotary meeting broadly and personally publicized by Mr. Kimsey, and at the first public organizing meeting of Team ClarkForward as well as other subsequent meetings, he directly solicited contributions from all in attendance. Our recollection is that Mr. Kimsey made great efforts to publicize his role in the forming of this organization and its purpose. see <https://www.youtube.com/watch?v=6mCYdyNr5IU> and <http://www.columbian.com/news/2013/jun/19/kimsey-stuart-propose-reorganized-county-governmen/>

We believe that current and former Clark County employees may have assisted Clark County Commissioner Stuart and Clark County Auditor Kimsey onstage with the presentations. We are unaware

of whether any employee of Mr. Kimsey's official agency was present at that meeting or at other subsequent meetings, however, his organization's records might indicate this as might other witnesses present at the first or other meetings.

Such solicitations would in our eyes constitute a "direct" solicitation. Furthermore, we ask that you discover whether he directly or indirectly invited or induced any other employees of his agency to any of these meetings, the purposes of which were to organize interested parties and solicit contributions.

Finally, we suspect that broad public solicitation of contributions on Team ClarkForward's website and other avenues may constitute "indirect" solicitation of donations from employees of his agency.

Under new management in 2014, ClarkForward went on to raise over \$100,000 by direct donations and solicitations through its advertising arms; notably CharterYes.com. The affiliated Facebook group, CharterYes, now dissolved, had numerous members who are Clark County employees. Even as of this writing the Team ClarkForward website is still online, with Greg Kimsey and Steve Stuart listed as their only contacts, and is still soliciting donations to this day.

RCW 42.20.040 - False report.

Every public officer who shall knowingly make any false or misleading statement in any official report or statement, under circumstances not otherwise prohibited by law, shall be guilty of a gross misdemeanor.

It is our belief that in a letter published online by The Columbian newspaper entitled "Letter: Charter restricts initiative power", linked below, Mr. Kimsey commented as Auditor and made the following false report.

[http://www.columbian.com/news/2014/oct/31/letter-charter-restricts-initiative-power/?fb\\_action\\_ids=847833228581963&fb\\_action\\_types=og\\_comments](http://www.columbian.com/news/2014/oct/31/letter-charter-restricts-initiative-power/?fb_action_ids=847833228581963&fb_action_types=og_comments)



Greg Kimsey - County Auditor at Clark County, Washington

A home rule charter that may be amended by the voters, may be repealed by the voters.

The proposed Home Rule Charter for Clark County provides three methods by which proposed charter amendments may be placed on the ballot for voters' consideration: "Charter amendments may be proposed by the charter review commission, council or public." (Article 9, Section 9.3)

Reply Like #3 11 Follow Post

We have reason to believe that prior to the Auditor posting this statement, one or more people had already brought to his attention the fact that the Supreme Court of Washington previously decided a home rule charter was considered to be "organic law", and that efforts to amend such charters by initiative were limited to be legislative in nature, and that this process of amending the charter could not do so in a way as to repeal the charter itself. Yet, as Auditor, he made a statement to the interested public which gives the appearance the exact opposite is so. While Ford v. Logan may be speaking solely to the limitations of the initiative process, and an amendment process "by the public" to which Mr. Kimsey refers may be citizen petition and not initiative, the article upon which Mr. Kimsey was commenting specifically focused on the limitations of the initiative process. His statement was made in that context and done in a way as to be claiming that the initiative process would allow amendments

and even repeal. Also, we are unaware of any legal distinctions which put the citizen petition process outside of the definition of an initiative. Based upon the comment giving him the title of Auditor, the context of the statement, and the lack of clarification of any nuance, we ask that you determine:

- Was the report made in his official capacity as Auditor?
- Is the statement either literally or de facto a false report or misleading?
- Was he acting as Auditor when making this statement of advocacy for Proposition 1?
- Was this a statement of legal opinion which, if made as Auditor would at minimum require some supporting legal evidence that indeed a home rule charter can be repealed?
- Is there any evidence to suggest a court would determine the process outlined in Article 9.5 of the charter is not also an "initiative process" subject to the same limitations of Ford v. Logan, and if so, what legal principle or decision differentiates the two?
- Is there any mechanism by which the home rule charter can be repealed?

Ford v. Logan

<http://law.justia.com/cases/washington/supreme-court/1971/41722-1.html>

"A fundamental limit on the initiative power inheres in its nature as a legislative function reserved to the people. In Washington, that power derives from our Const. art. 2, § 1 (amendment 7).[3] It is clear from the constitutional provision \*155 that the initiative process, as a means by which the people can exercise directly the legislative authority to enact bills and laws, is limited in scope to subject matter which is legislative in nature.

The question before us is whether repeal of a "home rule" charter is a legislative act. In proceeding to answer this question, we first note that, once validly established, a "home rule" charter is the "organic law" of the county. Const. art. 11, § 4 (amendment 21).

[6] We find nothing in the provisions of Const. art. 2, § 1 (amendment 7) which places within the legislative authority the power to amend or repeal the very organic law which allocates that authority. To the contrary, our constitutional provisions for amendment are distinct and apart from article 2, relating to the legislative authority."

Based upon this decision it is clear that the initiative process cannot amend the charter to the point of repeal. It is our reasonable suspicion that Mr. Kimsey was aware of this fact, that his statements were made as Auditor and were therefore an "official statement" as referenced in RCW 42.20.040.

RCW 42.20.050 – False certificate

"Every public officer who, being authorized by law to make or give a certificate or other writing, shall knowingly make and deliver as true such a certificate or writing containing any statement which he or she knows to be false, in a case where the punishment thereof is not expressly prescribed by law, shall be guilty of a gross misdemeanor."

Auditor Kimsey was authorized to publish the Voters' Pamphlet as an aid to voters to ensure informed decisions and fair elections – a solemn duty. In his letter to voters in the pamphlet Greg Kimsey states:



"I urge you to read this pamphlet, but also seek more information. The best decisions are made by informed voters."

Nobody including Mr. Kimsey would dispute that he was an ardent supporter of Proposition 1. When considering whether or not the related pages in the Voters' Pamphlet were prejudicial, there should be no question as to whether or not there was motive. Therefore, it is reasonable to scrutinize carefully what he did cause to be printed in that publication of his office. We believe the Auditor violated both the spirit and the letter of the law with his conduct during the 2014 election season and in the Voters' Pamphlet document itself.

The Voters' Pamphlet is meant to inform. If it contains false or contradictory information the Auditor should highlight and clarify those issues. Intentional failure to do so is tantamount to the Auditor's complicity in deception. Following are some examples which cause concern and we believe warrant detailed study of the full two page statement when considering whether or not the Voters' Pamphlet was used in a way which was designed to influence the voters toward a position of support.

With regard to the Proposition 1, the text, reprinted verbatim in the pamphlet, contains a glaring contradiction. Section 7.2 A (6) states that the charter cannot be repealed or amended by initiative petition but Section 9.5 outlines a citizen petition process whereby the charter may be amended.

Because the two sections each outline a process of citizen initiative, the two sections are likely contradictory, in which case one or both is false.

Surely, it was incumbent on the Auditor to draw the contradiction to the attention of the voters and truthfully explain the contradiction if possible. We believe Greg Kimsey did neither.

We believe the Auditor further obfuscated the enigma by publishing the following contrary statement in the pamphlet at page 58,

"Voters may change the charter. The three methods by which proposed charter amendments may be placed on the ballot are: 1) Council action 2) Citizen petition 3) Charter Review Commission."

This statement seems to directly contradict, without explanation, Section 7.2(A) 6 which states,

"Section 7.2 A. Initiative Limitations. The following are limited by state or federal law or court interpretations and may not be proposed or adopted by initiative...6. Amending or repealing this charter."

In addition to the Voters' Pamphlet, Mr. Kimsey's office published on the Elections Division website a summary document entitled "What Is A Home Rule Charter" which we believe contains false statements and was also constructed in a way to advocate passage of Proposition 1 (<http://www.clark.wa.gov/freeholders/faq.html> ). If a person uses the search facility on the Elections Division webpage and searches on the word "Charter", this is the first item in the results, making it primary material for any voter searching the Elections Division website for information on the Charter. We ask that you also consider this document a "publication of the office" when investigating alleged violations of RCW 42.17A.555 per our previous request.

The document carries the date of “May 2014”

The proposed charter was adopted by the Board of Freeholders on May 27, 2014.

On June 25, 2014 the dissenting Freeholders wrote a letter to the BOCC requesting they ask the Auditor to include their minority report on the Elections Division website.

Please note that the Elections Division website states the page was last updated on 10/03/2014 07:46:01.

While considering if this document is a publication of the office, we ask that the following questions be answered:

- Was the question and answer portion of the document produced by the Freeholders or by the Auditor’s Office?
- If the entire document was prepared by the Freeholders, is the Auditor obligated to publish it on the Elections Division website even if it contains false statements or statements of opinion and/or advocacy?
- If the document was prepared by the Freeholders, does the fact that the Auditor published it on the Elections Division website make it a “publication of the office” subject to the restrictions of 42.17A.555?
- If it contains statements of opinion and/or advocacy, does the fact that it was produced by the Freeholders alleviate the Auditor of his obligation to provide fact-based and unbiased information, or of his obligation to not use publications of his office in the advocacy of a proposition?
- If the Auditor was obligated to publish the document on their website, and if the document does contain statements of opinion and/or advocacy, does the Auditor’s obligation to not use the facilities of his office in the promotion of a proposition require that he also publish information contrary to the Freeholder’s advocacy statements in an equally prominent and accessible manner, such as a minority report of the dissenting Freeholders?
- If the Auditor is obligated to publish the document, and if in the case it contains statements of opinion and/or advocacy then the Auditor is obligated to publish contrary opinions/advocacy, did someone render a decision as to whether the document did in fact contain statements of opinion and/or advocacy and if so, who made that decision?
- The dissenting Freeholders did create a “minority report” which most certainly addresses statements they believed to be opinion and/or advocacy statements made by the majority. The dissenting freeholders submitted that report to the BOCC with the request that the Auditor publish it on their website. Was a formal or informal request made to the Auditor to publish the minority report by the BOCC or any other person or group?

- If a request was made of the Auditor to publish the freeholder's minority report, who made the decision whether or not to publish it, and what was their justification for not publishing it?

Some areas of concern we believe do not meet a standard of unbiased and accurate statements of fact in this publication include but are not limited to:

- "...if the charter includes the initiative option, citizens could propose charter amendments through the initiative process."

This a false statement. This statement is not only contradicted by Logan v. Ford as referenced above, but it is also in direct contradiction to the proposed charter itself which states:

Section 7.2(A) Initiative Limitations

The following are limited by state or federal law or court interpretations and may not be proposed or adopted by initiative.

....

6. Amending or repealing this charter.

- "...gives local voters the opportunity to make the structure of county government fit the community's needs."

Such a statement implies that the current form of government does not meet the community's needs. It is leading to the reader, and because others can certainly draw a different conclusion it is certainly a matter of opinion.

- "...members were nearly unanimous about what issues should be addressed in the charter."

We believe this statement is both false and misleading. Eleven out of fifteen in support is not nearly unanimous. By our calculations it is 73.3% in favor. The statement is designed to lead the reader to believe that there were no significant objections to the charter, which was not the case.

- "...contains checks and balances freeholders think will help maximize good governance."

In fact the minority of Freeholders as well as many in opposition to the charter believed that the proposed charter would have the exact opposite effect. Such diversity of belief on the matter clearly makes the above statement a matter of opinion, and not a statement of fact.

- "...strengthens citizens' representation"

Note that no qualifying statement was made. A statement that "the majority of freeholders believe" may have made the statement more technically accurate. As it stands it is portrayed as a statement of undisputed fact. Even with a qualifying statement, because a minority of

freeholders as well as many in opposition believed the exact opposite to be true, with or without a qualifier it is clearly a statement of opinion, one which advocates toward favoring the charter. Specifically, the charter reduces the number of representatives for whom the public may vote from three to two, clearly reducing the number of representatives of which each voter may avail themselves.

- "...this model would preserve close ties between voters and their elected representatives"

Few would purport this to be a universally held belief. This is another opinion based statement in advocacy of the charter. For example, many would claim it to be empirical fact that having part-time councilors who meet half as often reduces the ties between the voters and their representatives in half, because the voters have half the opportunity to address them in public.

- "...an appointed county manager and elected County Council would minimize potential conflicts between the positions"

Not only is this a matter of opinion, but many would believe if it were true that it directly contradicts the earlier claim that the charter will lead to better governance. It is a fact of our American system of governance that many believe conflicts between branches of government are precisely what leads to better governance. The point here is not to debate whether or not this view is true, but that any statement one way or another is at minimum a matter of opinion.

- Will be cost effective

Any effort to explain why this also is a matter of opinion would at this point be redundant.

- "Freeholders established thresholds for signature gathering and validation which will discourage frivolous petitions but allow practical use of these powers."

While freeholders most certainly did establish signature thresholds, who is to say if they will discourage frivolous petitions or in whose opinion would a petition be deemed to be frivolous? Does anyone believe a 100 signature threshold to put ordinances on hold would discourage actions of a frivolous nature? The charter certainly doesn't define what would be frivolous and any attempt to do so would certainly be a matter of opinion. Furthermore, others believe some thresholds are unreasonably high (20% of voters in last gubernatorial election to propose amendments) and therefore empirically does not allow practical use of the power.

Pages 58-59 of the Voter's Pamphlet, inarguably a publication of the office, contained three separate and distinct sections: Charter Background, Charter Summary and Charter Frequently Asked Questions.

- The Voter's Pamphlet portrays all three of these sections as "information provided by the Clark County Board of Freeholders." Were all three sections provided by the BOF, and specifically, who authored the section entitled "Charter Frequently Asked Questions?"

- If the BOF provided the Q&A section, was the Auditor under any obligation to review it for inaccurate or misleading statements or statements of advocacy, and if so, was this review conducted?
- If the Auditor had determined that these statements contained inaccurate, misleading or advocacy statements, what actions should the Auditor take to assure that a publication of his office does not contain such statements?
- If the Auditor authored the Q&A section, what process was used to assure that it did not contain false, misleading or advocacy statements?
- If the Auditor authored the Q&A section, was he under any obligation to inform the voters that this section was NOT "information provided by the Clark County Board of Freeholders?" We believe failure to do so may constitute a false certificate, false report, or both.
- The Charter Summary section contains the following statement: "The manager hires department heads and, subject to county council acceptance or rejection, appoints members of certain commissions, task forces, and boards."

The wording of this statement, while technically correct, is constructed in a way to easily lead the average reader to be left with the impression that the council has the power of advice and consent over the appointment of department heads. A major objection to this charter by its opposition was the very fact that the council had no such power with respect to the manager's appointment of department heads. An unbiased author or an editor opposing the charter would likely have insisted this statement be made in an unambiguous manner.

- The summary section states "Voters may change the charter" and states one of the methods is by "Citizen Petition".

No effort is made to inform the reader that the citizen petition process is distinct from the initiative process, nor that its signature threshold is double that of the initiative. Why were signature requirements set forth for all aspects of the Charter except for the 20% requirement for citizen petitions? Why did the section on the initiative powers not specifically state that the process cannot be used to change the charter itself? Considering the controversy and conflicting claims about the proposed powers of initiative, wouldn't these be points upon which an unbiased report would take special care to clarify?

- The Charter Frequently Asked Questions sections states, "Adding two council members will increase citizen representation and access"

This is a statement of opinion. As stated earlier with regard to the publication on the Auditor's website, the fact that the councilors will be meeting approximately half as frequently certainly argues against the idea that the charter will increase citizen's access to them, and the fact that voters will have two representatives instead of three directly contradicts the claim of increased representation.

- The FAQ sections also states, "Electing councilors by district (the same method by which state legislators are elected) gives minority groups with a geographic base a better chance of being represented on the council.

Depending upon how the districts are drawn, it could just as easily give minority groups with a geographic base a worse chance of being represented. Districts could either wholly include or bifurcate any particular minority group with a geographic base. Were minority groups and their geographic base considered when the districts were drawn, or was it based upon a mere geographic division of the voter population? Stating that the only possible outcome of additional districts is neutral or better for minority groups is a false statement.

- The FAQ section poses the question, "Would the charter cost taxpayers more than the current form of county government?" The question is answered with this statement:

"Any increases in county taxes, fees, and expenditures would require approval by the county council. The charter was designed to keep the five-member county council's operational costs comparable to those of the current three-member Board of County Commissioners. By 2017, after a transition period, the salaries of the five council members will essentially be half of what the three commissioners are currently paid."

The question asks what the overall cost to the county might be, yet the answer to this question is limited solely to the salaries of the council members. Not only must an accurate answer to this question include costs other than merely the councilors' salaries, but must also include any costs beyond the costs of the council.

Mr. Kimsey, an experienced Auditor, presumably knows that this is a grossly over-simplified and misleading answer to the question. Even most laymen would realize that five benefits packages will likely cost more than three, and that the salary of the new County Manager would likely be higher and with greater severance liabilities than the current Administrator. Furthermore, professionals in government realize that changes in government structure make the question of their cost far more dynamic than a mere comparison of the gross salaries of three versus five people.

Even more egregious is to answer this global question by only addressing one portion of the cost (councilor salaries) of one portion of the county government (cost of the council) and is wholly insufficient to the question which was posed. The answer is misleading at worst and incompetent at best. If the Auditor chose to answer this question, he was obligated to provide a complete and unbiased answer which he did not do.

Such a question when posed to the County Auditor deserves and requires a more in depth and non-advocative answer, one which was not provided by the Auditor in the official Voters' Pamphlet. It seems to us that Mr. Kimsey's support of Proposition 1 made him reluctant to properly address this question to the voters.

- We believe the Auditor's open advocacy of the charter clearly required he recuse himself from any authorship or review of any statements about the Charter in the Voter's Pamphlet. If no such review was done, was that an abdication of the Auditor's responsibility with respect to the Voter's Pamphlet? If such a review was done, was it done by the Auditor, and if so, what precautions were taken to assure that his publicized personal bias would not exemplify itself in the statements he caused or allowed to be published? Was this question of recusal considered by the Auditor's office, and if so, who decided recusal was unnecessary?

Finally, in any and all issues which you may decide to bring before a court, we ask that you also make the following arguments:

- 1) Advocating the board of commissioners pass legislation to create the Board of Freeholders, more than any other action taken, directly contributed to the outcome of the election results of Proposition 1, because without the creation of the Board of Freeholders Proposition 1 would never have been on the ballot.
- 2) Before and after Proposition 1 was placed on the ballot, Mr. Kimsey's advocacy for it as Auditor had a great impact on the results of the vote.
- 3) The "Charter Summary" published on the Elections Division website was a "publication of the office" and due to its nature would reasonably be expected to have an impact on the outcome of the election.
- 4) Refusal to publish the freeholders' minority report on the Elections Division website was extremely prejudicial to the voters, and would reasonably be presumed to have impacted the outcome of the election.
- 5) More than any other publication or advertisement, the Voters' Pamphlet has the greatest impact upon the voters. Unlike any other advertisement or statement, it is effectively delivered to 100% of the voters. More than any other advertisement or statement, the voters expect all of its statements outside of the pro and con committees to be completely and entirely unbiased – both by a lack of prejudicial statements and by a lack of prejudicial omissions. Pages 58-59 failed in both regards.
- 6) That these actions and others, individually and especially in combination, may reasonably be suspected to have had a profound and immeasurable impact on the election results.
- 7) That these matters and others justify the court's consideration of all remedies available, including those under RCW 42.17A.750(1)(a).

Thank you for your sincere consideration of these matters. Please let me know if we can be of further assistance in any way.

Sincerely,

Clark County Republican Party

Kenny Smith, Chairman



PROSECUTING ATTORNEY | ANTHONY F. GOLIK

JOHN P. FAIRGRIEVE  
Chief Deputy

SCOTT D. JACKSON  
Chief Criminal Deputy

CHRISTOPHER HORNE  
Chief Civil Deputy

SHARI JENSEN  
Administrator

March 5, 2015

Philip E. Stutzman  
Director of Compliance  
Washington State Public Disclosure Commission  
711 Capital Way, South  
PO Box 40908  
Olympia WA 98504-0908

Dear Mr. Stutzman:

This office is in receipt of your February 20, 2015 letter to Greg Kimsey regarding the 45-day citizen action complaint filed against him by Mr. Kenny Smith on November 4, 2014 and December 1, 2014.<sup>1</sup> Thank you for the notice. Pursuant to your request, below is a written response to Mr. Smith's allegations. For the following reasons, the Public Disclosure Commission (hereinafter referred to as "PDC") should conclude that Mr. Smith's complaint is wholly without merit and that no further investigation is warranted.

**Allegation No. 1:**

By authorizing the inclusion of a summary of the home rule charter (pages 58-59) into the 2014 Voters' Pamphlet, Mr. Kimsey used his office to promote the Clark County home rule charter in violation of RCW 42.17A.555.

**Response to Allegation No. 1:**

- A. Mr. Kimsey was specifically directed, by a vote taken on May 13, 2014 by the Board of Freeholders, to place an informational summary of the proposed charter into the 2014 Voters' Pamphlet.

<sup>1</sup> In his December 1, 2014 letter, Mr. Smith alleges violations of RCW 36.22.110, RCW 42.17A.565, RCW 42.20.040 and RCW 42.20 .050. As the last two allegations, if true, would result in criminal penalties, this response will be limited to the allegations contained in Mr. Smith's November 1, 2014 letter, as well as the first two allegations in his December 1, 2014 letter. If the Public Disclosure Commission would like a response regarding Mr. Smith's criminal allegations, this response will be supplemented.



Philip E. Stutzman  
March 5, 2015  
Page 2 of 7

It should first be noted that Mr. Kimsey was directed by the Board of Freeholders to place an informational summary of the charter into the Voters' Pamphlet. By way of background, in 2013 the citizens of Clark County elected a 15-member Board of Freeholders to write a proposed home rule charter for placement on the November 2014 ballot. On May 13, 2014, the Freeholders voted to direct the Clark County Elections Department to include in the 2014 Voters' Pamphlet fair and objective information describing the proposed home rule charter.<sup>2</sup> This motion passed and was subsequently forwarded to Mr. Kimsey. Following receipt of this request, Mr. Kimsey contacted the Secretary of State's Office to verify that he had the authority to place an informational statement regarding the charter into the Voters' Pamphlet. That office confirmed that the auditor has the authority to follow the Board's directive.<sup>3</sup>

After verifying that Washington law authorizes the county auditor to include this type of information in the Voters' Pamphlet, Mr. Kimsey oversaw the preparation of the statement that was ultimately published on pages 58-59, taking the steps described below to ensure information contained in it was fair and objective.<sup>4</sup>

Mr. Smith is a member of the Clark County Elections Advisory Committee. This committee met on July 17, 2014 and Mr. Smith attended that meeting. At the July 17, 2014 meeting, Mr. Kimsey told the Elections Advisory Committee about the vote taken by the Freeholders to include an informational statement about the charter in the Voters' Pamphlet. The discussion notes of that meeting show that Mr. Smith did not express any concern or oppose inclusion of the informational statement which he is now claiming was an unauthorized illegal act by Mr. Kimsey.<sup>5</sup>

- B. The informational summary was a collaborative effort between the Board of Freeholders and county government to provide factual and objective information to voters about an unique ballot issue.

The two-page summary attached as Exhibit 2 to this letter is composed of a factual summary of key elements of the charter followed by a list of "frequently asked questions." It is significant that in his complaint Mr. Smith does not specify what language contained in the statement he believes is "promotional," presumably because he cannot. On its face, the language is an objective statement setting forth specific elements of the charter and any potential changes it would make to the current system of government in Clark County.

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<sup>2</sup> See minutes from May 13, 2014 Board of Freeholders' meeting, attached as Exhibit 1.

<sup>3</sup> This contact was made by telephone shortly after May 13, 2014. The Secretary of State's Office verification was later reviewed and confirmed by this office.

<sup>4</sup> See pages 58-59, the 2014 Voters' Pamphlet attached as Exhibit 2.

<sup>5</sup> See minutes of July 17, 2014 Election Advisory Committee meeting, attached as Exhibit 3.

Philip E. Stutzman  
March 5, 2015  
Page 3 of 7

The informational summary provided on pages 58-59 of the 2014 Voters' Pamphlet was extracted from the charter itself and it was submitted for review and comment prior to publication in a collaborative, open and transparent process. Specifically, the informational summary included in the Voters' Pamphlet at pages 58-59: 1) incorporated information prepared by the Clark County Public Information Office; 2) was posted on the county website for review on September 5, 2014, over one month before the Voters' Pamphlet was mailed to voters;<sup>6</sup> 3) was reviewed or made available for review to county offices, including this office; and 4) was excerpted from the charter written by Board of Freeholders, which included both proponents and opponents of the charter passage. Thus, the information summary contained on pages 58-59 of the Voter's Pamphlet was prepared in an open and transparent process with opportunity for input by parties both for and against the charter.

C. The duties of the county auditor include providing voters with information about issues on the ballot.

Pursuant to RCW 29A .32.241, voters' pamphlets provide information to voters and that job falls to the auditor. While Clark County voters commonly consider candidate races, school financing questions, initiatives, referendums and, increasingly in recent years, advisory questions, the 2014 ballot was the first time that a home rule charter proposal had appeared on a Clark County ballot since 2002. As this proposal was unique for Clark County voters to consider, therefore, it was within the auditor's scope of duties and responsibilities to determine whether additional information should be included in the pamphlet pursuant to RCW 29A.32.241.

It is important to note that Mr. Smith does not challenge the auditor's authority to place information in the local Voters' Pamphlet, because he cannot. Mr. Kimsey has the authority, pursuant to RCW 29A.32.031 and RCW 29A.32.241 to place information in the Voters' Pamphlet. There are no specific limitations on that authority. Indeed, the above-cited statutes place a floor, but not a ceiling, as to what can be included by the auditor in the local voters' pamphlet. Specifically, RCW 29A.32.241 states, "[t]he local voters' pamphlet shall include but not be limited to the following." The express statutory authority, therefore, shows Mr. Kimsey was acting within the scope of his duties in authorizing the publication of this information in the Voter's Pamphlet.

It should also be noted that the inclusion in voters' pamphlets of informational summaries of unique issues on the ballot is a practice that is not limited to Clark County. The 1990 Thurston County general election ballot had a home rule charter proposition and the local voters' pamphlet contained 6 pages of information about the charter.<sup>7</sup> The 2014 Pierce County general election

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<sup>6</sup> [http://www.clark.wa.gov/elections/documents/2014/NOVEMBER\\_4/General\\_2014\\_VP.pdf](http://www.clark.wa.gov/elections/documents/2014/NOVEMBER_4/General_2014_VP.pdf)

<sup>7</sup> See Excerpts from 1990 Thurston County Voters' Pamphlet, attached as Exhibit 4.

Philip E. Stutzman  
March 5, 2015  
Page 4 of 7

had 12 proposed amendments to the city of Tacoma charter and the local voters' pamphlet contained information about these.<sup>8</sup> The 2011 Yakima County general election ballot had freeholder candidate races and the local voters' pamphlet contained information about the freeholder office.<sup>9</sup> The 2008 Pierce County general election ballot had a mass transit expansion funding issue on it and the local voter's pamphlet contained information about that proposal.<sup>10</sup>

Indeed, the Washington State Attorney General's Office has recognized that local officials may use the facilities of their offices to inform their constituents in appropriate circumstances.<sup>11</sup> Even-handed efforts to provide information do not run afoul of the statute.<sup>12</sup> Furthermore, the PDC, which is charged with enforcing RCW 42.17A.555, has routinely advised and held that with respect to election-related publications, one jurisdiction-wide objective and fair presentation of the facts per ballot measure is appropriate.<sup>13</sup>

Finally, it should also be noted that while providing information to voters is a specific duty of the county auditor, other county offices have provided additional information on ballot proposals in local elections as well. For example in 2002, after the Clark County Board of Freeholders agreed on a home rule charter for voter consideration, the Clark County Board of Commissioners provided funding for the creation of a brochure that contained information about the proposed charter and mailed that brochure to every household in Clark County.<sup>14</sup> Thus, Mr. Kimsey's authorization of a two-page factually objective statement excerpted from the charter itself, which was designed to provide voters with information regarding a unique issue, can hardly be labeled as a "promotional statement," nor as an exercise of authority outside the scope of his office.

## **Allegation Number 2**

Mr. Smith further alleges that Mr. Kimsey used pages 58-59 of the 2014 Voters' Pamphlet to actively campaign for the passage of the Home Rule Charter.

## **Response to Allegation Number 2**

- A. RCW 41.06.250(2) and WAC 390-05-271 expressly protect an elected official's right to free speech.

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<sup>8</sup> See excerpts from the 2014 Pierce County Voters' Pamphlet, attached as Exhibit 5.

<sup>9</sup> See excerpts from the 2011 Yakima County Voters' Pamphlet, attached as Exhibit 6.

<sup>10</sup> See excerpts from the 2008 Pierce County Voters' Pamphlet, attached as Exhibit 7.

<sup>11</sup> See AGO 1994 number 20; see also AGO 1975 number 23 at 16 (making an "objective and fair presentation of facts relevant to a ballot proposition" is not a violation of RCW 42.17A .555 as doing so is part of the normal and regular conduct of the auditor's office.)

<sup>12</sup> See *Seattle v. State*, 100 Wn.2d 232, 278, 668 P.2d 1266 (1983).

<sup>13</sup> See, e.g., Washington Public Disclosure and Commission Interpretation Number 04 - 02, Basic Principles 7A.

<sup>14</sup> See 2002 Informational Brochure attached as Exhibit 8.

Philip E. Stutzman  
March 5, 2015  
Page 5 of 7

WAC 390-05-271 provides: (1) RCW 42.17A.555 does not restrict the right of any individual to express his or her own personal views concerning, supporting, or opposing any candidate or ballot proposition if such expression does not involve a use of the facilities of a public office or agency.

Mr. Smith's assertion that the mere use of the statements contained on page 58-59, regardless of its content, violates RCW 42.17A.555 is without merit. To show a violation of RCW 42.17A.555, Mr. Smith must show that Mr. Kimsey used the facilities of his office or agency for the purpose of promoting or opposing any ballot proposition. The statute goes on to include as facilities of a public office or agency "use of stationary, postage, machines and equipment, use of employees of the office or agency during working hours, vehicles, office space, publications of the office or agency and clientele lists." What Mr. Smith cites as evidence of a violation of RCW 42.17A.555, however, does not even come close to evidence of a violation of that statute. Instead, Mr. Smith cites to Mr. Kimsey's email dated October 18, 2014 sent from his own personal Comcast account, attaching the informational statement which had already been published in the Voters' Pamphlet and mailed to voters, urging list serve members to read the charter and understand the issues surrounding it prior to casting their votes. While this email urges people to be informed voters, it is not, as Mr. Smith alleges, evidence of any improper use of the office of county auditor.

Likewise, Mr. Smith's November 4, 2014 reference to Mr. Kimsey attending "political and community events for the purpose of promoting passage of proposition" also does not establish any misuse of his position as county auditor. There is no statutory prohibition preventing Mr. Kimsey from attending political events and Mr. Smith provides no specific evidence of Mr. Kimsey using the facilities of his office for the purpose of promoting passage of any proposition.

Finally, Mr. Smith's November 14, 2014 letter cites to an opinion piece by Mr. Kimsey published in a local newspaper asking voters to read information about the charter prior to voting. While Mr. Smith cites to this in an attempt to support his unfounded allegation that the informational statement in the Voters' Pamphlet was "promotional," it is more reasonable to conclude that encouraging voters to gather information on issues prior to voting on them is actually a basic tenet of democracy.

B. Mr. Kimsey did not act as a lobbyist in violation of RCW 36.22.110 or solicit contributions as defined in RCW 14.17A.005 13(a).

Regarding Mr. Smith's December 1, 2014 allegations the Mr. Kimsey violated RCW 36.22.110, which prohibits an auditor from representing any person who "is seeking to procure any

legislative or other action by the Board of County Commissioners” by giving a speech about the proposed charter to the rotary club on June 19, 2013,<sup>15</sup> Mr. Smith appears to confuse Mr. Kimsey’s right as a private citizen to attend meetings and correspond with fellow citizens with activities conducted by a political lobbyist. Again, by speaking as a private citizen, Mr. Kimsey was exercising his First Amendment rights and was not lobbying on behalf of any person to the Board of County Commissioners.

Mr. Smith also alleges in his December 1, 2014 letter that at the above-mentioned rotary club meeting, Mr. Kimsey solicited contributions in violation of RCW 42.17A.565. RCW 42.17A.005(13)(a) defines a contribution as, “a loan, gift, deposit, subscription, forgiveness of indebtedness, donation, advance, pledge, payment, transfer of funds between political committees or anything of value including personal or professional services for less than full consideration.” In the speech to the rotary club, Mr. Kimsey spoke of himself personally and his wishes for Clark County as one of its citizens and did not solicit contributions.

- C. Mr. Smith acknowledges he has no evidence that Mr Kimsey ever attempted to solicit contributions from employees or even that any employees of the Auditor’s Office were present for Mr. Kimsey’s speech to the rotary club in 2013.

RCW 42.17A .565 is limited to prohibiting local officials from seeking contributions from “any employee in the State or local officials agency.” In his December 4, 2014 letter, Mr. Smith acknowledges he has no evidence that any employee from the county Auditor’s Office was present at the rotary club meeting or any “other meetings.” Thus, while it is clear that Mr. Kimsey never solicited any contributions from any member of the audience at the June 9, 2013 rotary club meeting, there is also no evidence that any member of his office was even present at this meeting. Mr. Smith, therefore, has failed to establish any violation of RCW 42.17A.565.

## CONCLUSION

The applicable law is clear that the county auditor has the authority to place information in the voters’ pamphlet to inform voters regarding ballot issues. While Mr. Smith alleges violations of various sections of Title 42 RCW and Title 36 RCW, he fails to submit evidence showing any violation of these statutes by Mr. Kimsey. On the contrary, the facts in this matter show that the Clark County Board of Freeholders voted to direct the auditor to place an informational statement about the proposed charter into the 2014 Voters’ Pamphlet and that upon receipt of this directive, Mr. Kimsey consulted with this office and the Secretary of State’s Office to ensure he

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<sup>15</sup> See [https://www.youtube.com/watch?v=6mCYdyNr5IU&feature=share&list=UUOdLEq\\_FQ55IzyFaUMEAyFg](https://www.youtube.com/watch?v=6mCYdyNr5IU&feature=share&list=UUOdLEq_FQ55IzyFaUMEAyFg)

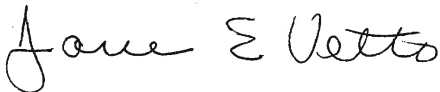
Philip E. Stutzman  
March 5, 2015  
Page 7 of 7

had the authority to do as the Freeholders directed him. The evidence also shows that after determining he had the authority to follow the directive of the elected Board of Freeholders to place a fair and objective informational statement in the Voters' Pamphlet, Mr. Kimsey took the additional step of trying to obtain input on the statement from interested parties. The facts also show that the complainant Kenny Smith was aware of the July 17, 2014 directive from the Board of Freeholders to have Mr. Kimsey place an informational statement in the Voters' Pamphlet, but he never voiced any concerns or objections until filing his complaint on Election Day, November 4, 2014.

Regarding Mr. Smith's complaints that Mr. Kimsey solicited contributions from his agency employees for the proposed charter at a rotary club meeting, the plain text of Mr. Kimsey's speech shows that he voiced his own opinions as a private citizen and, further, that he never sought contributions from employees in his office.

For the past 16 years, Greg Kimsey has served as County Auditor with the understanding that the citizens of Clark County rely on him to ensure elections are conducted in a transparent, accountable, fair and impartial manner. It is clear from the facts on record that Mr. Kimsey conducted the Clark County 2014 election accordingly. We, therefore, ask that the Commission reject the claims against Mr. Kimsey. We look forward to your review of this matter and appreciate your time and attention.

Very truly yours,



Jane E Vetto  
Deputy Prosecuting Attorney

JV/tk

# EXHIBIT 1

**CLARK COUNTY BOARD OF FREEHOLDERS  
MINUTES OF MAY 13, 2014**

The Board of Freeholders convened in the Commissioners' Hearing Room, 6th Floor, Public Service Center, 1300 Franklin Street, Vancouver, Washington.

**Call to Order**

Nan Henriksen, Chair called the meeting to order at 6:00 p.m.

**Public Comment**

1. Scott Weber
2. Steve Foster
3. Bridget Schwartz

**Approval of Minutes**

Moved by Garry Lucas, seconded by Jim Mains to approve minutes from April 22, 2014.  
**Motion Passed**

**Transition Article**

Chair Henriksen stated that in section 10.6E the last sentence which states "salaries shall be" was moved to section F so therefore was removed from section E.

Also in Section 10.6E, there was a concern that the language regarding filling a vacancy in a council position between the effective date and January 2016 assignments could read for a person who does not reside in the district to be appointed to fill the vacancy, which is contrary to state law. To clarify this section the language has been changed to:

"In the event of a vacancy in a county council position between the effective date and January 2016 assignments to council districts the person appointed to fill the vacancy shall reside in the same council district as the original member."

Chair Henriksen stated that section 10.6F will read as follows:

"Any person appointed or elected to fill an unexpired term of a council member elected before 2015 shall be paid \$53,000 per year."

The board discussed salary transition and was given a briefing by the County Prosecuting Attorney, Chris Horne. It was moved by Randy Mueller to approve Option A which is \$53,000 for all four years for the commissioner elected in 2014. Liz Pike made a motion to amend the current motion to approve Option C, which is \$102,000 for the first two years and \$53,000 for the second two years of the term of the commissioner elected in 2014. The board ensued in a lengthy discussion regarding each option. The board voted to approve the amendment. **Motion passed.** The board voted on the amended motion to approve Option C. **Motion passed.**



**CLARK COUNTY BOARD OF FREEHOLDERS  
MINUTES OF MAY 13, 2014**

**Overview of draft charter**

Chair Henriksen stated that board voted on revisions to Page 5 Section 2.6 at the last meeting and wanted to clarify that the changes were made correctly.

Chair Henriksen asked for input from the board regarding Page 8 Section 3.3 "confirmation of the council of appoints made by the county manager" Moved by Pat Jollota, seconded by Jim Mains to delete A1 of Section 3.3. **Motion Passed.**

Chair Henriksen stated that there were other minor changes in the document. The charter will be compiled and ready for the next meeting.

**Public outreach material**

Chair Henriksen stated that Holley Gilbert from PIO is developing an unbiased simple summary of what the charter includes. She also stated that she has requested that Holley assist her in writing a letter to Chair Mielke, which would include an offer to attend a Board Meeting to talk about the charter elements.

Moved by Randy Mueller that the Board of Freeholders direct the Clark County Elections Department to include in the 2014 General Election Voter's pamphlet two pages of factual, unbiased information describing the proposed Home Rule Charter, furthermore asked the Clark County Elections to request the Clark County Public Information and Outreach office to create the content and that the Executive Board of the Freeholders is given final authority to approve the content, seconded by Garry Lucas. **Motion Passed.**

**Notice of intention to act on Charter at May 27, 2014 meeting**

Chair Henriksen stated that there will be two steps to this final action at the May 27, 2014 meeting:

1. There will be a roll call vote on the charter with no amendments allowed.
2. Resolution for all members to sign requesting that the County Auditor bring the charter for vote of the electorate in the November, 2014.

**Close of Business**

**Good of the Order**

A photo of the Board of Freeholders will be taken at the next meeting.

**Next Meeting Date/Location**

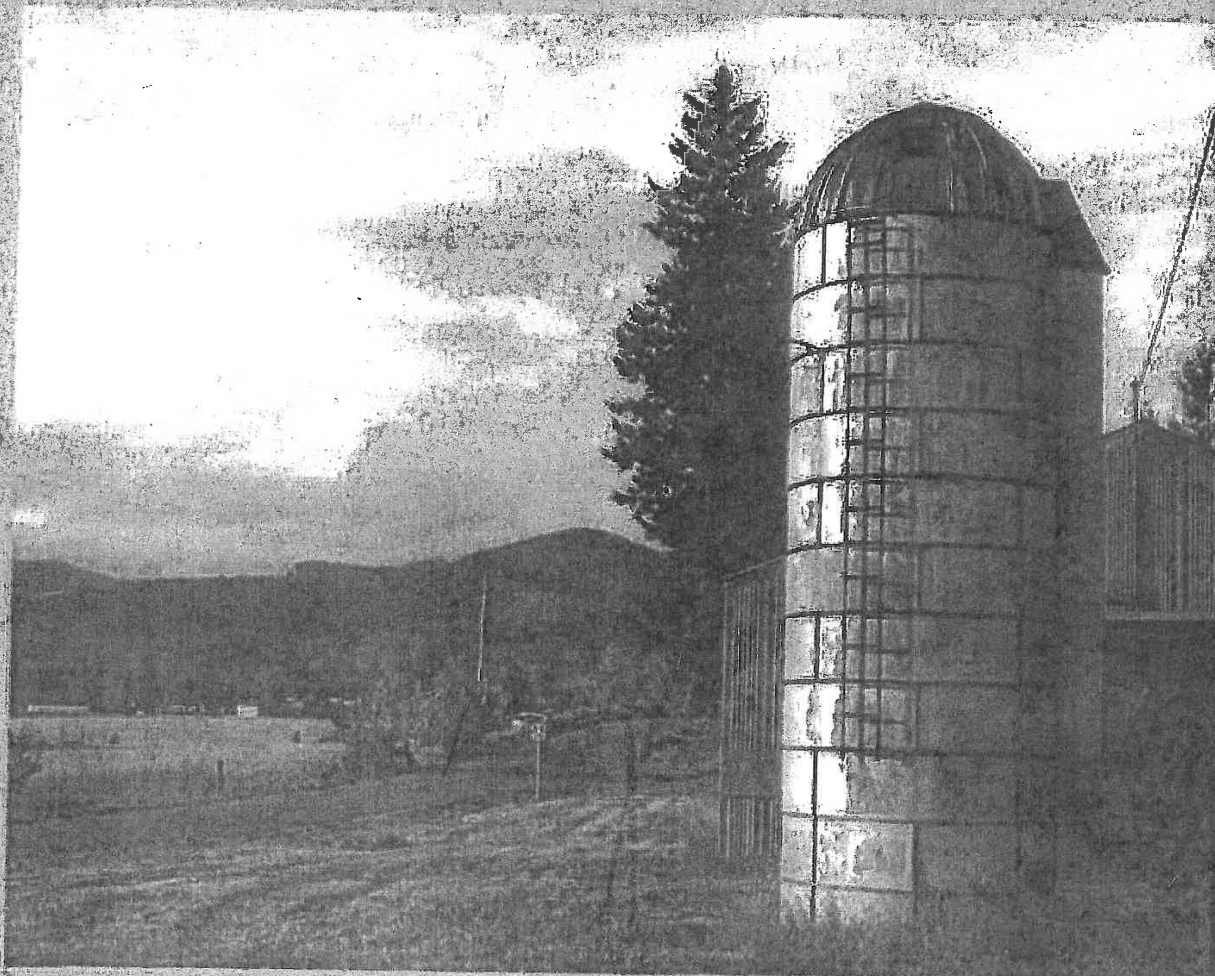
May 27, 2014, 6:00 p.m., Public Service Center, Training Room, 1300 Franklin Street, Vancouver, Washington.

# EXHIBIT 2

Clark County Official Local

# Voters' Pamphlet

November 4, 2014 General Election



Published by the Clark County Auditor's Office

# Proposed Home Rule Charter

## Proposed Clark County Home Rule Charter

Information provided by the Clark County Board of Freeholders

### Charter Background

Washington's constitution gives local voters the ability to change the structure of their county's government by approving a home rule charter. Six of Washington's 39 counties are Home Rule Charter Counties, representing 56% of the state's population.

In November 2013, Clark County voters elected fifteen people, five from each of three commissioner districts, to serve as a Board of Freeholders. Its sole purpose was to create a home rule charter for voters. The Board of Freeholders met for seven months, from November 2013 through May 2014. After completing the charter for voters, the Board of Freeholders disbanded per the state constitution's directive. That charter is on this year's general election ballot. See the full text of the charter on page 80 of this voters' pamphlet.

### Charter Summary

- The charter establishes a council-manager form of government, with five partisan council positions and one manager position. The charter changes the three existing commissioner positions to three council positions, the existing county administrator position to a county manager position and adds two new council positions.
- Council districts elect four of the five council positions, and a county-wide election determines the council chair. The council sets the county budget, enacts ordinances, establishes policy, and hires a manager. The council appoints members of the Planning Commission, Historic Preservation Commission, and Board of Equalization.
- The manager is appointed, and is subject to removal, by the council. This position implements policies established by the council, and handles day-to-day administration of county departments under the council's authority. The manager hires department heads and, subject to county council acceptance or rejection, appoints members of certain commissions, task forces, and boards.
- The four councilor salaries will be \$53,000 per year. The council chair's salary will be 20% higher, at \$63,600. The council members' salaries may be adjusted based on changes established for state legislators by the Washington State Salary Commission. The Salary Commission consists of 17 unpaid citizens. Since 2007, legislator salaries have increased 2%, from \$41,280 to \$42,106.
- The annual salary of the two commissioners currently in office will be \$102,000 for the remaining two years of their term. The 2014 elected commissioner has a four-year term. For the first two years of that term, the commissioner's salary will be \$102,000. For the remaining two years of the term, the salary declines to \$53,000.
- The charter retains the elected, partisan offices of assessor, auditor, clerk, sheriff, and treasurer, with no change of authority or responsibility. The salaries for these positions may be adjusted based on changes established for state legislators by the Salary Commission.
- Voters may change the charter. The three methods by which proposed charter amendments may be placed on the ballot are:
  - 1) Council action
  - 2) Citizen petition
  - 3) Charter Review Commission

- An initiative is a procedure by which voters can, within limits, propose a new law and submit it directly to other voters. A successful initiative petition will place a proposed ordinance on the ballot after gathering signatures equal to 10% of the votes cast in the county's last gubernatorial election. If the proposed ordinance requires additional revenue, it must include a recommended revenue source. All initiatives require the prosecuting attorney to provide an opinion as to whether the initiative's subject matter is within the scope of local initiative powers. Before the subject of an initiative can be passed into law, it must earn a majority vote.
- A mini initiative requires signatures to equal 3% of total votes cast in the county's last gubernatorial election. If the mini initiative gathers enough signatures, the council must hold a public hearing on the proposed ordinance.
- A referendum is a procedure by which voters can alter or repeal some council actions by a vote of the people. A referendum requires a minimum of 100 signatures to suspend an ordinance. To place the subject of a referendum on the ballot, signatures must equal 10% of the total votes cast in the county's last gubernatorial election. A simple majority vote will repeal the ordinance.

## Charter Frequently Asked Questions

### Why increase the number of council members from three commissioners to five councilors?

Adding two council members will increase citizen representation and access, and reduce the concentration of power. With a council of five members, two councilors can meet without forming a quorum.

### Why elect four council members by district and one at large?

Electing councilors by district (the same method by which state legislators are elected) gives minority groups with a geographic base a better chance of being represented on the council. Under the current system, where districts nominate commissioner candidates and the county-wide vote elects them, the general election winner may not be the first choice of voters in the district. Electing councilors by district may reduce candidates' campaign costs, because each district has fewer voters than the entire county, and a campaign would need to reach fewer people.

The council chair requires a county-wide nomination and election because this position provides a county-wide view on the council and serves as the face of the county.

### Would the charter cost taxpayers more than the current form of county government?

Any increases in county taxes, fees, and expenditures would require approval by the county council. The charter was designed to keep the five-member county council's operational costs comparable to those of the current three-member Board of County Commissioners. By 2017, after a transition period, the salaries of the five council members will essentially be half of what the three commissioners are currently paid.

### How were the new council districts created?

The boundaries of the proposed four council districts were established in accordance with the criteria set forth in Washington state law.

### If voters approve the charter, when would it take effect?

If approved, the charter would take effect January 1, 2015. The two new council members, including the council chair, would be elected in the 2015 general election.

### What percent of voted ballots will be required to approve or reject the charter?

The charter will pass or fail depending on the results of a simple majority vote.

# EXHIBIT 3

**Election Advisory/Voting Accessibility Committee  
July 17, 2014, Discussion Notes**

**Members in Attendance:** Paul Mulwitz, Mike Gaston, Kenny Smith, Republican Party; Karen Hengerer, Dan Ogden, Don Gardner, Liz Campbell, Kathleen Lawrence, Clark County Democrats; Maria Rodriguez-Salazar; Dan Sockle; Elizabeth Watson; Greg Kimsey, Clark County Auditor; Janielle Tomlin, Auditor's Office

**Legislation**

Greg recently attended an Auditor's Association Conference to discuss proposed legislation. Items discussed:

- The state currently requires non-UOCAVA email voters to mail back the voted ballot and signed affidavit after these have been scanned and emailed to the elections office. The auditors attending the conference would like to see a rule change to remove the requirement to return the paper documents.
- Due to a local issue with online PCO filing, Greg suggested there be a filing fee and the PCO tenure extended from two to four years. The filing fee was dismissed, but the term extension is still being discussed.
- A resolution regarding how a person becomes a write-in candidate was not reached. The discussion revolved around requiring persons who want to be elected via a "write-in" process to file some sort of Declaration of Candidacy form in order for the write-in votes for that person to be counted. Greg has advocated in support of this proposal but thinks it would be improved if there were no fee associated with filing that form.
- Auditors discussed removing the requirement to publish notice of election in the local newspaper.

**Ballot Drop Boxes**

The Elections Department is hoping to get two additional large permanent ballot drop boxes. The Department is looking at Cascade Park in the City of Vancouver and the City of Battle Ground. The mayor of Battle Ground and staff with the City of Vancouver are looking for spots which can handle the traffic load leading up to election night. Installing the boxes will remove two drop sites in those areas. The boxes will need to be emptied on a regular basis and will require staff to close the boxes at 8pm on the night of the election. The cost of each box runs between \$10,000 and \$12,000. When these Ballot Drop Boxes are established, one or two nearby Ballot Drop Locations (e.g. schools) will no longer be established. The savings from eliminating these will help pay for the permanent ballot drop boxes.

**General Election**

The General Election will be on November 4<sup>th</sup>. The proposed Clark County Home Rule Charter will be on the ballot. The Clark County Board of Freeholders requested two pages in the local voters' pamphlet to provide information about the proposed charter. This information will be written by the County Public Information Office. Paul Mulwitz suggested that the information should include a brief history of the process. These two pages of information will be in addition to the pages devoted to the complete text of the charter, an explanatory statement, pro and con arguments and rebuttals.

There will be at least one advisory vote on the November ballot. Discussion occurred regarding the cost of placing issues on the ballot. It was explained that election costs are allocated to participating jurisdictions based on the number of voters in that jurisdiction and the number of offices/issues that jurisdiction has on the ballot. The total cost of conducting an election may not increase by very much as the result of a jurisdiction placing an item on the ballot, however the allocated cost to that jurisdiction may be significant.

**Electronic Transmission of ballots and automated duplication:**

The Elections Department has obtained a new system allowing voters to electronically mark their ballots, and automatically duplicate the returned ballot. Voters access their ballot and affidavit through a secure website,

print these documents, scan the voted ballot and signed affidavit and return the scanned images via email to the Elections Department. The returned ballot has a 2-D barcode, the ballot is printed and put through a ballot duplicator that produces a ballot which can be tabulated by the Hart InterCivic voting system.

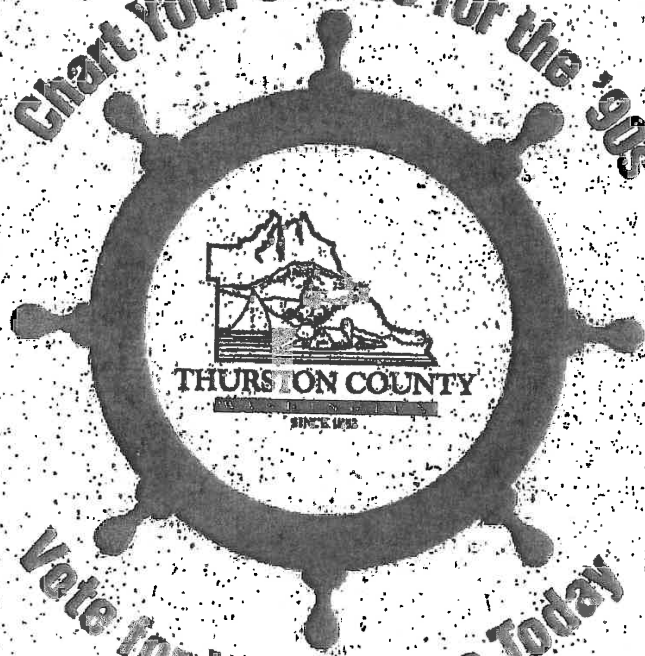


# EXHIBIT 4

*Please return to Thurston County*

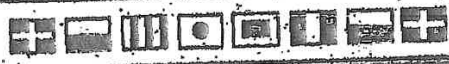
# 1990 THURSTON COUNTY OFFICIAL LOCAL VOTERS' PAMPHLET

*Chart Your Course for the '90s*



*Vote for Your Future Today*

General Election  
NOVEMBER 6, 1990  
Printed by the Thurston County Assessor's Office



# INTRODUCTION TO THE LOCAL VOTERS' PAMPHLET

## Dear Fellow Thurston County Voters:

Now's the time to CHART YOUR COURSE FOR THE '90s by becoming a well-informed citizen and voting.

On November 6th, you will be faced with a big challenge. As you will see in this pamphlet, you must decide whether to vote for or against a City-County Charter and an open spaces/welland taxation issue. You must also decide between candidates for the positions of County Assessor, County Clerk, and County Sheriff. I encourage you to also study the State Voters' Pamphlet regarding the state-level issues and candidates.

This pamphlet is provided to assist you towards becoming well-informed. I encourage you to read it carefully and, then, seek out more information. Since voters have expressed a strong interest in gaining more information regarding the proposed City-County Charter, this pamphlet contains six summary pages of information and its entire text.

I thank the Thurston County Board of Commissioners, the Thurston County Board of Freeholders, the City Councils of Olympia and Yelm, and the PUD Commissioners for their commitment and for providing the financial support necessary to produce this valuable document. I want to acknowledge and give credit to Lisa Robinson and other members of my staff who put this pamphlet together and organized participants. I also want to thank The Olympian, U. S. Postmaster Michael Lee and the mail carriers for their excellent help and cooperation.

Become informed and vote on November 6th.

Sincerely,

Sam Reed  
Thurston County Auditor

### PARTICIPATING JURISDICTIONS

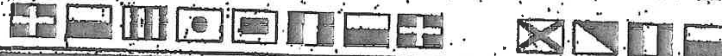
- Thurston County
- Thurston County Board of Freeholders
- Thurston County Public Utility District
- City of Olympia
- City of Yelm

## TABLE OF CONTENTS

<b>Absentee Voting:</b>	
Information and How to Obtain an Absentee Ballot .....	61-62
Absentee Ballot Request Forms .....	62
<b>Candidates and Jurisdiction Descriptions</b>	
County Commissioner .....	12-13
County Assessor .....	14
County Auditor .....	15
County Clerk .....	16
County Coroner .....	17
County Prosecuting Attorney .....	18
County Sheriff .....	19
County Treasurer .....	20
District Court Judges .....	21
Precinct Committee Officers .....	22-23
<b>Maps and List</b>	
Commissioner District Map .....	60
Legislative District Map .....	58
Legislative District Precinct List .....	59
Polling Place Locations .....	6-8
<b>Proposition Information</b>	
City-County Charter Pro and Con Statement .....	30-31
City-County Charter Summary .....	24-29
City-County Charter Text .....	42-57
911 Telephone Tax .....	32
Medic A Levy .....	33
Conservation Areas Real Estate Excise Tax .....	34-35
Public Utility District No. 1, Advisory Ballot .....	36-37
City of Olympia, Selection of Mayor .....	38-39
Timberland Regional Library Annexation - City of Yelm .....	40-41
Sample Ballot .....	9-11
Voter Registration Information .....	4-5
Your Comments Count .....	63

Nautical  
Flags  
Spell:

# REGISTER VOTE



Voter's Pamphlet prepared by Dan Robinson. Special thanks to assistants:  
Barbara Sandah-Reeves, Kris Mann, Ellen Egbert, Debbie Giles, Allison Brynson, and Joyce Kiers.

## **The City-County Charter for Thurston County**

### ***Summary Prepared by the Board of Freeholders***

Thurston County voters are being asked to make an especially important decision this election day — whether or not to adopt a “home rule” city-county charter that would begin to reshape local government.

This city-county charter proposal is the first to be drafted in Washington State. The next six pages should help you better understand this document. The complete charter text can be found on pages 42-57 of this pamphlet.

### ***What Is “Home Rule?”***

In November 1989, the voters of Thurston County elected a Board of 15 Freeholders to draft a city-county charter for Thurston County.

A charter is a constitution for local government. Creating and adopting a charter gives a county “home rule” powers. Currently in Thurston County, the structure, powers and duties of our local governments are determined by the state Legislature and Constitution.

When the citizens of Thurston County want to make changes in this system, they must go to the Legislature and convince them to change state laws.

Becoming a “home rule” county begins a process of redefining local government. The charter provides for changes in government that will take effect should the charter be approved. The people of Thurston County could continue to make changes in the future because the charter includes several methods for amending the governmental system, including automatic review at least every ten years.

### ***Why a “City-County” Charter?***

Through the “city-county” charter process, all local governments in Thurston County can be examined and restructured, including the county, cities, towns and special districts. Duties and responsibilities can be transferred from one government to another. It also provides the opportunity to retain individual cities and towns within a charter county, or create a single city-county government.

The charter process gives citizens the chance to propose and vote on broad governance changes among all these local governments to meet the specific needs of the county.

## ***What Are the Charter's Goals?***

in letters, surveys, phone calls and at meetings held throughout Thurston County during the charter drafting process, the Board of Freeholders found that many citizens said they wanted:

- Stronger management of growth,
- Better protection of water resources and the environment,
- Government that is more accountable and accessible to the people,
- Retention of local identity through our cities and towns, and
- More neighborhood control over land use.

## ***How Does It Achieve These Goals?***

The resulting charter proposal seeks to address these concerns by providing the following provisions:

- Citizens from throughout the county (both inside and outside the cities & towns) will be on a new city-county planning commission. They will guide the development of a county-wide plan for growth management that must be adhered to by all local government plans and actions.
- Cities and towns will keep their current boundaries, continue to provide day-to-day services, and prepare land use plans unique to their community.
- A restructured county is given new regional responsibilities to set county-wide standards and policies, particularly in the areas of growth, water quality and environmental protection. These standards and policies will apply to all jurisdictions in Thurston County - county, cities, towns, special districts.
- The charter provides for citizen involvement in neighborhood land use matters and a direct voice in governmental decisions through initiative and referendum.

## ***What Are the Charter's Key Elements?***

### **Management of Where and How Thurston County Grows**

- Mandates that urban growth take place only in established growth areas.
- Directs that urban growth areas be designated by January 1, 1993, and then changed only every 10 years, except by voter approval.
- Gives the county authority over choosing the location of major land uses that have a regional impact, such as landfills, shopping malls, industrial and office centers, and jail facilities.
- Directs the county to draft a new Regional Comprehensive Plan for growth and environmental protection. It must be adopted by July 1, 1993. This plan will provide the framework under which all local plans will be developed. The plan will address land use, all forms of transportation, water, sewer, solid waste and permanent open space. Citizens from throughout the county and elected officials from local governments are guaranteed a role in developing the plan.

### **Direct Links Between Citizens and Decision-Makers on Regional Issues**

- Provides that some services and programs now handled by intergovernmental agreements between the county and cities, as well as those issues no jurisdiction is addressing, will become the responsibility of the new county government whose decision-makers are elected by all voters of the county.
- Requires the county to assume responsibility for regional land use planning, water quality protection, public health services and housing. Decisions made by the county in these areas are binding over all jurisdictions.
- Allows the county the option of assuming responsibility for operating all or part of solid waste collection, sewers, stormwater facilities, emergency communications, Medic One and disaster coordination.

## **Self-Determination and Accountability**

- Gives the citizens of Thurston County the opportunity for a more direct voice not only in government decision-making, but in their neighborhoods.

- Allows neighborhoods in the unincorporated areas of the county to elect community councils, which may develop and adopt their own land-use plans (provided they conform to the county's Regional Comprehensive Plan). The community councils may also act as forums for discussion of neighborhood issues that need to be addressed by the county.

- Requires cities and towns to provide opportunities for neighborhood involvement and self-determination in planning and environmental protection for their neighborhoods.

- Final authority on regional matters rests with the county, so one elected body, the Board of County Commissioners, will be accountable to all citizens for cross-jurisdictional growth-related decisions.

- Allows for initiative, mini-initiative and referendum in the county, all cities and towns, and the Port of Olympia. Initiative and referendum is now available only on state matters, and to City of Olympia voters with some restrictions. The charter extends this right on all legislative matters, including financial matters, without restrictions.

... an initiative enacts a local law through a vote of the people.

... a referendum allows voters to stop a new local law from being enacted until it is voted on by the people.

... a mini-initiative takes fewer signatures than a full initiative or referendum and does not require a vote of the people. It requires the legislative body to act on the issue posed by the mini-initiative. Action can be to enact, modify or reject a proposal. It guarantees a hearing on the measure.



## **A New County Structure**

To accommodate the increased regional role of the county and provide for wider representation of citizens, the charter makes changes in the structure of Thurston County government.

- Expands the full-time Board of County Commissioners from three to five members. Four commissioners will be elected next Spring, and take office in June of 1991.
- Limits county commissioners to a maximum of three full terms.
- Formalizes the position of county administrator. Appointed by the county commissioners, the position will be responsible for budget preparation, hiring of department heads, supervision of executive departments (except offices headed by elected officials), and other responsibilities similar to those of a city manager.
- Transfers the role of the county clerk to the office of the county administrator. Retains the elected offices of Assessor, Auditor, Coroner, Prosecuting Attorney, Sheriff and Treasurer.
- Moves elections to odd-numbered years, creating a "local" election ballot for all city and county offices so that state and national matters do not overshadow local issues.

## **Financing Regional Responsibilities**

- Allows for the transfer to the county up to an amount equal to 10 percent of each city and town's sales tax receipts to help finance the county's new regional responsibilities.
- No new types of taxes can be created under the charter without the vote of the people.
- Retains bonded indebtedness limitations currently applicable under state law.
- Calls for a financial study addressing growth and tax base impact and the issue of revenue sharing among the jurisdictions. This study must be completed by June 30, 1992.

*While this summary outlines the key issues, there are many important elements of the charter that have not been detailed here. To provide you with further information, fact sheets covering specific issues addressed in the charter are available by calling 754-4898 or 1-800-624-1234, ext. 4898.*

## Charter Timeline

- |                            |   |
|----------------------------|---|
| November 6, '90            | Elections for charter and one county commissioner   |
| December 6, '90            | Geographer hired to draw new commission districts   |
| January 11, '91            | Geographer completes work   |
| April 2, '91 & May 28, '91 | Elections for 4 county commissioners  |
| June 15, '91               | 4 new county commissioners seated, county begins to assume regional responsibilities  |
| June 30, '92               | Financial study completed   |
| January 1, '93             | Urban growth areas designated (not changed for 10 years, except by vote of people)  |
| Fall, '93                  | Elections for 3 county commissioners  |
| Fall, '95                  | Elections for 2 county commissioners and other county offices   |
| Fall, '97                  | Elections for first charter review commission (if not called earlier by voter petition, or county commissioner resolution and election) |

# THURSTON COUNTY PROPOSITION NO. 1 CITY-COUNTY CHARTER

## Official Ballot Title

Shall the city-county charter as prepared and proposed by the Board of Freeholders be adopted as the "Home-Rule" charter of Thurston County?

YES \_\_\_\_\_

NO \_\_\_\_\_

## Statement for:

### VOTE YES — FOR LOCAL CONTROL OF OUR LOCAL DESTINY

We, the people, will have a Thurston County constitution, freeing our local governments from domination by the state legislature. The charter retains the rich cultural heritage of our communities, and the role of cities and towns as responsive service providers.

### VOTE YES — FOR EFFECTIVE GROWTH MANAGEMENT AND ENVIRONMENTAL PROTECTION

We, the people, will work together to control urban sprawl, provide a quality urban environment, and protect our drinking water, sensitive wetlands, bodies of water, open spaces and rural lifestyles. The Charter requires a regional comprehensive plan with firm growth management boundaries. Cities and towns will continue to shape their identities while tailoring their plans to the regional vision.

### VOTE YES — FOR A STRONGER CITIZEN VOICE IN LOCAL GOVERNMENT AND FOR MORE ACCOUNTABILITY TO THE PEOPLE

We, the people, will have the power to enact or repeal local laws through initiative and referendum. We will have expanded representation on the Board of County Commissioners, and the power to vote on any new taxes. Rural citizens may create community councils to ensure the regional vision meets their needs.

We, the people, will directly elect the officials who make regional decisions on growth management and environmental protection. The Charter reduces destructive inter-city feuding over growth, tax base and development without creating a new layer of government.

### VOTE YES — FOR COST-EFFICIENT GOVERNMENT

We, the people, will save tax dollars by eliminating time-consuming and costly processes. Government services transferred to the County are accompanied by a transfer of existing city revenues. No new taxing authority is allowed without a vote of the people. Tax or fee increases will be subject to initiative and referendum.

### VOTE YES — LET'S NOT BECOME ANOTHER LOS ANGELES!

## Rebuttal of Statement against:

This business about increased costs and size of government is nothing but a red-herring. What the opponents aren't saying is:

They don't want us to have the power of initiative, to vote on new taxes, or control the destiny of our neighborhoods.

The Charter cuts through the existing maze, eliminating costly, uncoordinated duplications.

If the citizens of Thurston County are to be labeled a "special interest" — so be it. We plead guilty as charged!

### Voters' Pamphlet Statement prepared by:

Les Eklidge, Thurston County Commissioner; Karen Fraser, State Representative (22nd District); Sam Reed, Thurston County Auditor.

Advisory Committee: Gladys Burns, Clifton Activist; Holly Gadbow, Olympia City Council member; Bob Jensen, Lacey City Council member; Ed Kerney, South County citizen leader; Norm Schut, senior citizen advocate.

**The Complete City-County Charter Text  
Can Be Found on Pages 42-57**

**Statement against:**

**SAY NO TO MEGA GOVERNMENT**

The Charter creates a maze of government. In addition to the existing cities and towns, a city-county planning commission, an "intergovernmental entity", county councils, two more commissioners and an appointed county administrator. A potential of 250 or more elected and appointed officials! Who's accountable? Can taxpayers find their way through the maze?

**SAY NO TO HIGHER COSTS**

This mega government will significantly increase costs. Two more \$52,684.00 commissioners plus staff and additional office space! And these are only the known costs. The true cost will not be determined until 1992, which will be too late. Can we afford to sign this blank check?

**SAY NO TO HIGHER TAXES AND FEES**

The new government will take up to 10% of the sales tax revenues from all the cities and towns. This mega government will require actions by cities and towns but will not be able to provide any funding source other than an increase in the fees and taxes of that city or town. How will the money be replaced? Will all current services be maintained? How much more will you be paying?

**SAY NO TO A GOVERNMENT BY SPECIAL INTERESTS**

Our voices as individuals will be replaced by the voice of special interests empowered through community councils and a non-elected "intergovernmental entity". A regional vision for the community will be displaced by small groups solely dedicated to keeping projects of economic enhancement from their neighborhood. These special-interest community councils and neighborhood associations can control the environmental and economic development of the entire county.

**JUST VOTE NO ON PROPOSITION 1**

**Rebuttal of Statement for:**

Don't believe the promises! The Charter will give us a larger, more unresponsive and costlier government. The maze of committees, councils and commissions will prevent individuals from being heard. Cities and towns will have to raise fees or cut services to fund this mega-government. The Charter fails to provide any new proposals for growth management and environmental protection. Don't sign a blank check for a government of special interests.

*Vote no on Proposition 1.*

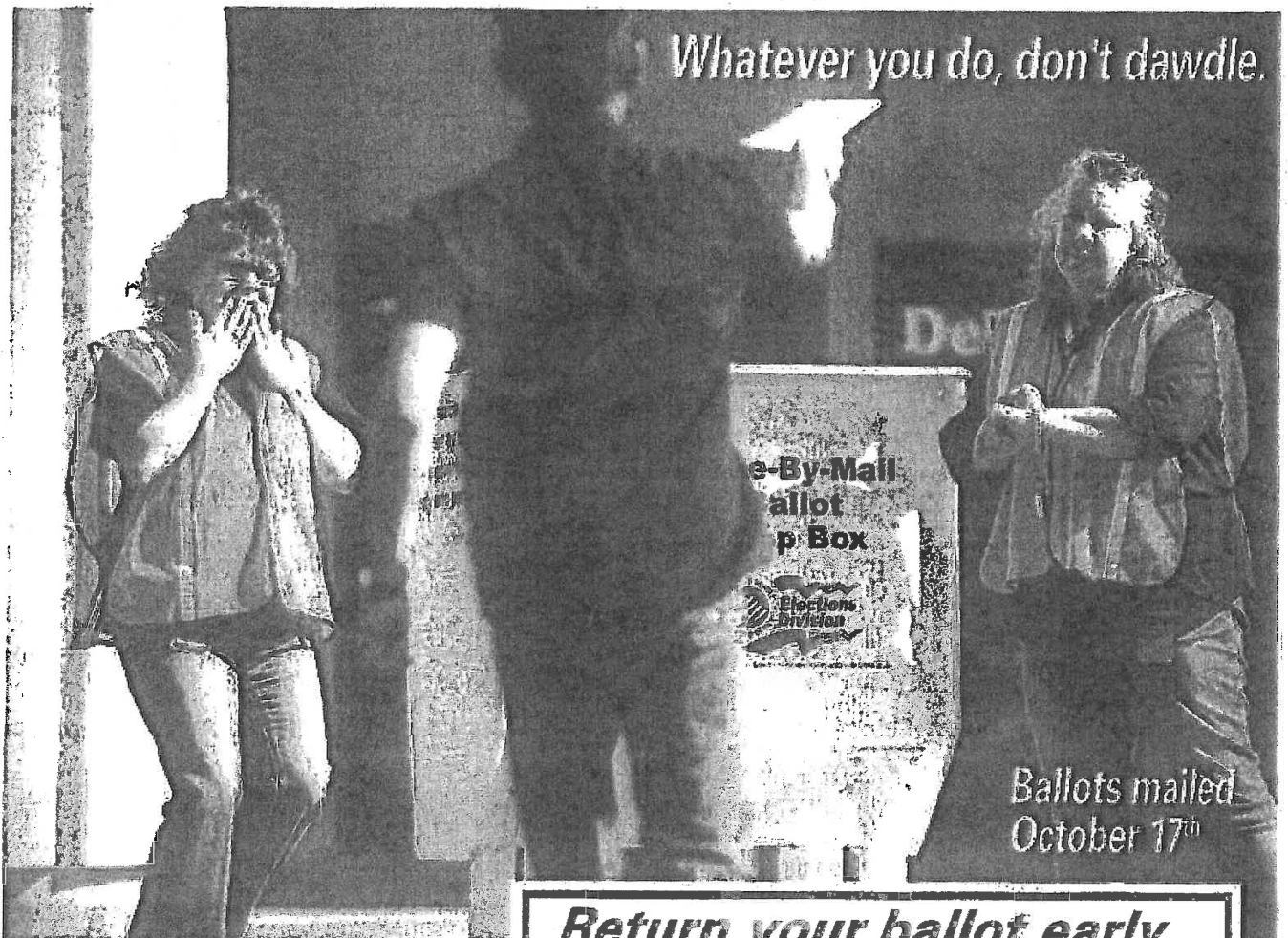
Voters' Pamphlet Statement prepared by:

Gary Andrews, Attorney and former President of the Olympia/Thurston Chamber of Commerce; Peter N. Fuesch, Mayor, City of Tumwater; Diane Oberquell, Thurston County Commissioner, District 2. Advisory Committee: Gene Dolan, Citizen activist and volunteer; Mike Edwards, Velm businessman; Dennis Ingham, Lacey City Councilperson; D. Jean Pettit, Tenino City Councilperson; Judy Wilson, Loan Officer and Volunteer.

# EXHIBIT 5

# General Election November 4, 2014

*Run, walk, drive, dash...*



Pierce County Official  
Local Voters' Pamphlet



***Return your ballot early.***



**Drop by 8 p.m. Nov. 4<sup>th</sup>**

**Mail by Nov. 3<sup>rd</sup>**

# City of Tacoma - Proposed Charter Amendments

---

The City of Tacoma is governed by a city charter, in place since 1953. The City of Tacoma is one of eleven cities in the State of Washington to operate under a city charter. Other cities include Seattle and Spokane.

## **What is a City Charter?**

Just as the United States Constitution serves as the "supreme law of the land" for our country, a city charter serves as the basic set of rules for city government. The charter establishes the branches, officers and departments of city government. It defines their relationships and how they interact.

## **Changing the Charter**

The charter can only be changed by a vote of the people. Proposed changes can be initiated by the council or by a voter initiative petition.

The Tacoma Charter requires that a citizens' committee look at the charter at least once every ten years.

## **Charter Review Committee**

The Tacoma City Council appointed a 15 member citizens' Charter Review Committee in January 2014. The Committee held multiple meetings, took public testimony and thought about changing a variety of things. The Committee met from January to April, 2014 and then forwarded recommended changes to the Council.

Again, public hearings were held and the Tacoma City Council chose to place twelve proposed charter amendments on the ballot.

## **For More Information**

Information about the twelve amendments appears on pages 22-33 of this pamphlet. Specific text changes to the Charter can be viewed at [piercecounyelections.org](http://piercecounyelections.org). Strikethroughs (deleted text) and underlines (new text) are shown for each proposed amendment. Additional information can be found on the City's web page at [cityoftacoma.org](http://cityoftacoma.org) or contact the City Clerk's Office at (253) 591-5505.

## **Local ballot measures**

---

Want to learn more about a ballot measure being proposed in your area?



You are encouraged to read the full text of each district resolution on our website at [piercecounyelections.org](http://piercecounyelections.org)

Read the voters' pamphlet information (ballot title, explanatory statement, and "For" and "Against" statements).

Contact the district or members of the "For" or "Against" committee.

Visit the district's website.

Special Elections are placed on the ballot at the district's request. The district's governing body passes a resolution or ordinance calling for the election.

# City of Tacoma - Special Election - Proposed Charter Amendment No. 1

Submitted by the Tacoma City Council - Conform City Election Provisions to State Law

## Ballot Title

The Tacoma City Council adopted Resolution No. 38948 to amend the City Charter. This proposition would amend sections 2.4, 2.7, 2.19, 2.20, 3.7, 5.1, 5.2, 5.3, 5.5, 5.6, and 6.11(b) to bring election-related provisions in conformance with state law and City practice, all as provided in Resolution No. 38948.

Should this proposition be approved?

## Explanatory Statement

City Charter Sections 2.4, 2.7, 2.19, 2.20, 3.7, 5.1, 5.2, 5.3, 5.5, 5.6, and 6.11(b) contain outdated language that conflicts with state law and City practice relating to elections. If approved, this amendment would conform City Charter language to state law and City practice to avoid confusion and assist citizens and candidates in understanding and complying with initiative, referendum, and other election processes.

## Statement For

**Voting Yes cleans up the Charter.** Our Charter was written in 1953 and has obsolete language and requirements which should be removed. In 1953, each city decided its own election procedures.

**State law now governs election procedures.** We have all-mail voting. The state says how to fill vacancies. The County Auditor administers elections. We and the Superior Court determine contested elections. Tacoma's former rules for all this are in the current Charter. Our actions comply with state requirements. This amendment makes the Charter comply also.

**The County Auditor will continue to print the Voters' Pamphlet.** Tacoma candidates currently need ten residents as sponsors and pay a \$50 printing fee. No other areas in the county have these requirements. The removal of Section 5.6 eliminates these requirements, bringing the city into agreement with the rest of the county.

**Vote Yes.** Voting no leaves inaccurate information in the Charter.

## Statement Against

### Keep the Voters' Pamphlet

In 1992, the voters approved Charter Section 5.6 which requires the City publish a voters' pamphlet. This amendment abolishes that voters' pamphlet requirement.

### The voters' pamphlet evens the playing field

The voters' pamphlet is comparative, objective and mailed to all voters before an election. Outsiders, challengers, and the underdogs compete against the council incumbents, the insiders, and the well-financed candidates. Do not trust the politicians to keep the voters' pamphlet without the charter requirement.

### Don't trust the politicians

The ballot title does not include abolishing the voters' pamphlet. This is misleading and hides what they're trying to do.

### Dangerous and useless amendments

This amendment is one of the dangerous amendments this year (like amendments 4-5-6-8-9) designed to increase the power of the council incumbents, as opposed to the useless amendments (like amendments 2-7-10). To be safe, it's best to vote against all the Charter amendments (except 3). To protect our voters pamphlet please vote No on Amendment 1.

## Rebuttal of Statement Against

This is a perfect example of why the Charter needs to be amended. The writers believe that the City produces the Voters' Pamphlet. It is the County who produces it and this outdated information should be removed from the Charter. Section 5.6 of the old Charter is going away because of its outdated filing provisions. It will *not* affect the Voters' Pamphlet. Vote yes on Amendment 1.

**Committee Members:** Terri Baker, Susan Eidenschink, and Lyz Kumitz-Thurlow, [goodfortacoma@gmail.com](mailto:goodfortacoma@gmail.com)

## Rebuttal of Statement For

The proponents' argument is *false*. The Charter voters' pamphlet requirement doesn't conflict with state law. The Charter requirement is *compatible* with the county's as both are together in your hands now.

Our voters' pamphlet predated the county's. The county can repeal theirs at any time. Our Charter requirement *insures* that we will always have one.

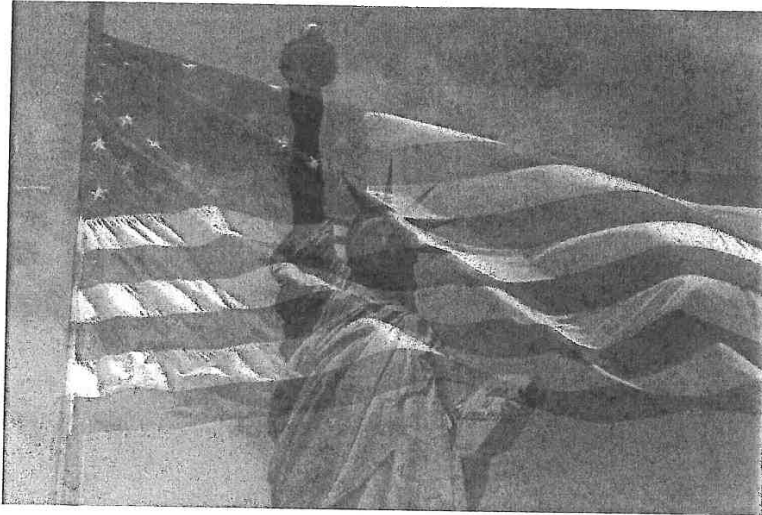
Don't trust the politicians. Vote No.

**Committee Member:** Tom Stenger (253) 227-6184  
[tacomacharteramendments@gmail.com](mailto:tacomacharteramendments@gmail.com)  
[tacomacharteramendments.org](http://tacomacharteramendments.org)



# EXHIBIT 6

# Yakima County Official Local Voters' Pamphlet



## General Election November 8, 2011

Prepared by the Yakima County Election Division

**Freeholder - Description of Office:**

A freeholder is a nonpartisan elected public officer whose purpose is to draft a home rule charter for submission to Yakima County voters to adopt or reject. A charter is a constitution for a city or county that acts as the basic governing document over local issues. It spells out the powers, duties and structure of the jurisdiction's government subject to the Constitution and laws of the state.

As they relate to this election, there are five freeholder positions in each of the three County Commissioner Districts. No member of the Board of Freeholders will receive compensation for his or her services as a Freeholder. The term of office commences November 29 and ends December 31, 2013 or upon the submission of a draft charter for public vote.

**Freeholder;  
Commissioner District 1, Position 1**



**Nick Hughes:**

I have lived here all my life and believe I know what we need. I stand for the concept of Home Rule and stand for representation for everyone who is a citizen or legal resident. I am sensitive to immigration issues.

Things we need for sure: To take several government functions back from the State that we previously used to perform ourselves, including Juvenile Crime and School Bond proceeds. We did this thinking it would be cheaper. It has not been. Since the state took over, they've done a horrible job of managing OUR money from the General Fund.

**Freeholder;  
Commissioner District 1, Position 1**



**Gary Peterson:**

It's time for a smaller and smarter government, a government with less burdensome regulations, a government that spends less of our tax dollars and a government, that lowers taxes on our property. It's time to take government back "for the people, and by the people." If taxes need to be raised, let voters decide. It's time to make government work for the people. It's time to develop and encourage new businesses to come to our county. We need jobs and new business, not more taxes and more government. I will pledge to do just that.

**Freeholder;  
Commissioner District 1, Position 1**



**Ronald Patnode:**

I am Father Ron Patnode and I would like to represent you as a Freeholder for Home Rule. I grew up on a local hop farm and have served our community as a Catholic Priest, Marquette teacher and Principal of Carroll High School.

I have experience developing organizational Constitutions and know the importance of strong community values and a community-led process. I believe in local government that is accountable to the people. I am convinced that more geographical and human diversity in leadership is needed to solve the problems of public safety, gangs and economic development.

**Freeholder;  
Commissioner District 1, Position 2**



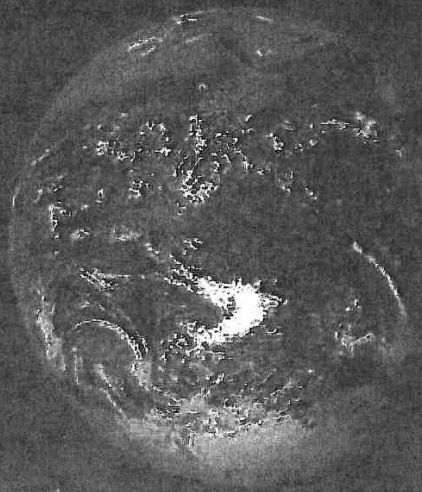
**Earl Steven Lee:**

We as a community need to look at different methods to deal more effectively with these present day concerns for example, increasing revenue, jobs, new business, eradicating gangs, developing new sources to help the sheriff department and the court system to work more efficiently without the worry of financial concerns, we need to house programs in our empty county jail facility that makes money and doesn't take money, we need to develop a program for criminals that puts them to work to pay back to society than to just have them lay in bed all day, we need bootcamps.

# EXHIBIT 7

# PIERCE COUNTY'S OFFICIAL LOCAL VOTERS' PAMPHLET

Published by Pierce County Elections • Voter Hotline 253-798-VOTE (8683)



Pat McCarthy, Pierce County Auditor • 2501 S. 35th Street, Suite C • Tacoma, WA 98409 • (253) 798-VOTE • 1-800-446-4979

# Sound Transit (A Regional Transit Authority) Mass Transit Expansion

## Ballot Title:

The Sound Transit Board passed Resolution No. R2008-11 concerning an expansion of mass transit. This measure would expand and coordinate light-rail, commuter-rail, and (beginning 2009) express bus service, and improve access to transit facilities in King, Pierce and Snohomish Counties, and authorize Sound Transit to impose an additional five-tenths of one percent sales and use tax, and to use existing taxes to fund the local share of the \$17.9 billion estimated cost (includes construction, operations, maintenance, interest and inflation), with independent audits, as described in Resolution R2008-11 and the Mass Transit Guide. Should this measure be approved or rejected?

## Explanatory Statement:

Proposition 1 expands mass transit in King, Pierce and Snohomish counties.

Express bus service will increase in 2009 on I-5, I-90, I-405, SR-167, SR-522 and bus rapid transit on SR-520.

Light rail extensions will provide frequent service on exclusive track between employment and residential centers, including Northgate, Shoreline, Lynnwood, Mercer Island, Bellevue, Redmond, Des Moines, and Federal Way. Streetcars will connect light rail to Seattle's International District, First Hill and Capitol Hill.

Sounder Commuter Rail adds daily trains with more seating between Lakewood and Seattle. Train stations throughout the system will be expanded or improved. Broad Street and Ballard stations are included, subject to available funds.

Transit connections will be integrated for passenger convenience. Facilities will be accessible to senior and disabled riders.

Community grants may be awarded for better car, pedestrian, and bicycle access to train stations, parking expansion, required infrastructure, including traffic signal improvements.

The transit improvements will increase ridership, decrease travel times, and reduce greenhouse gas emissions.

Fares, federal grants, existing and additional local taxes fund the improvements. Additional local funding comes from a 0.5% sales tax increase, costing the average adult approximately \$69 annually. Taxes will be reduced when the plan is completed.

More information: [www.soundtransit.org](http://www.soundtransit.org). (Complete text of measure printed on pages 57-59)

## For Statement:

### We Need Mass Transit Now!

We're like you - we work, take kids to daycare, want a clean environment. And, like you, we here in Pierce County are fed up with high gas prices and gridlock. We want solutions. Mass Transit Now is a huge step forward: transit investments across the region - immediate relief and long term results that help hard working families and our economy.

### Mass Transit Now - more buses, more trains

Increases *Sounder* commuter rail from Tacoma to Seattle by 65 percent with more runs, longer trains, and more seats. *Sounder station improvements* at Lakewood, Puyallup, South Tacoma, Sumner, Tacoma, Kent and Tukwila with more parking, bike storage and drop-off areas. *36 miles of new light rail* that never gets stuck in traffic - expanded from South 272<sup>nd</sup> Street in Federal Way to Lynnwood and east to Redmond. *Expands Tacoma Link light rail* beyond downtown. *Immediately increases bus service* - 100,000 hours of additional service in 2009.

### Mass Transit Now - accountable and affordable

For just \$69 per adult each year we can actually build solutions. And the taxes roll-back when the projects finish. Independent audits ensure *accountability* and our tax dollars are spent on local projects in our communities.

### Mass Transit Now - We can't delay

Opponents offer criticism without a plan. But hot air won't get us out of traffic. We need trains, buses and light rail, now!

### Vote Yes Proposition 1 - Mass Transit Now!

[www.MassTransitNow.org](http://www.MassTransitNow.org)

Committee Members: Jessyn Farrell, Bliss Moore, Don Halabisky

## Rebuttal of Against Statement:

This year's Proposition 1 is different - it's transit only, good for the environment, and offers immediate solutions to relieve gridlock.

*Value* - For \$69 a year, we get a regional mass transit system that can move more than one million people each day. *Accountability* - Independent audits and a tax rollback when completed.

*Solutions* - Opponents are anti-everything and have no plan.

Pierce County has waited long enough. It's time to move forward.

We need Mass Transit Now!

Committee Members: Jessyn Farrell, Bliss Moore, Don Halabisky

## Against Statement:

Just last year, voters said No to Prop 1, but Sound Transit simply won't listen. We said No because Prop 1 costs too much, does too little, and takes too long.

### No To More Taxes:

Do you know how many tens of thousands of dollars Prop 1 taxes you and your family during your lifetimes?

Prop 1 more than *doubles* its part of the regressive local sales tax, forever...increasing the overall sales tax to 10% in some places.

### No To More Empty Promises:

Can you name one promise Sound Transit has made, and kept? Remember their Ten-Year Plan of 1996? It's billions of dollars over budget and at least ten years behind schedule.

Look closely at Sound Transit's Prop 1 light rail plan. Few will ever ride it, because it doesn't go anywhere most of us go.

And Sound Transit admits their plans won't reduce traffic congestion. Most of Sound Transit's riders are taken from existing bus routes, only a few are "new" riders. Clearly, we can do better.

### The Wrong Tax, At The Wrong Time:

Prop 1 is the biggest local tax increase in Washington State, ever.

Vote No...and join us online at [www.NoToProp1.Org](http://www.NoToProp1.Org)

Committee Members: Phil Talmadge, Kemper Freeman, Gary Nelson

## Rebuttal of For Statement:

### No to More Taxes for More Empty Promises:

For the existing taxes we pay to Sound Transit, they still owe us more bus service, more Sounder service, light rail from Sea-Tac Airport to the UW or maybe Northgate, and a test ride.

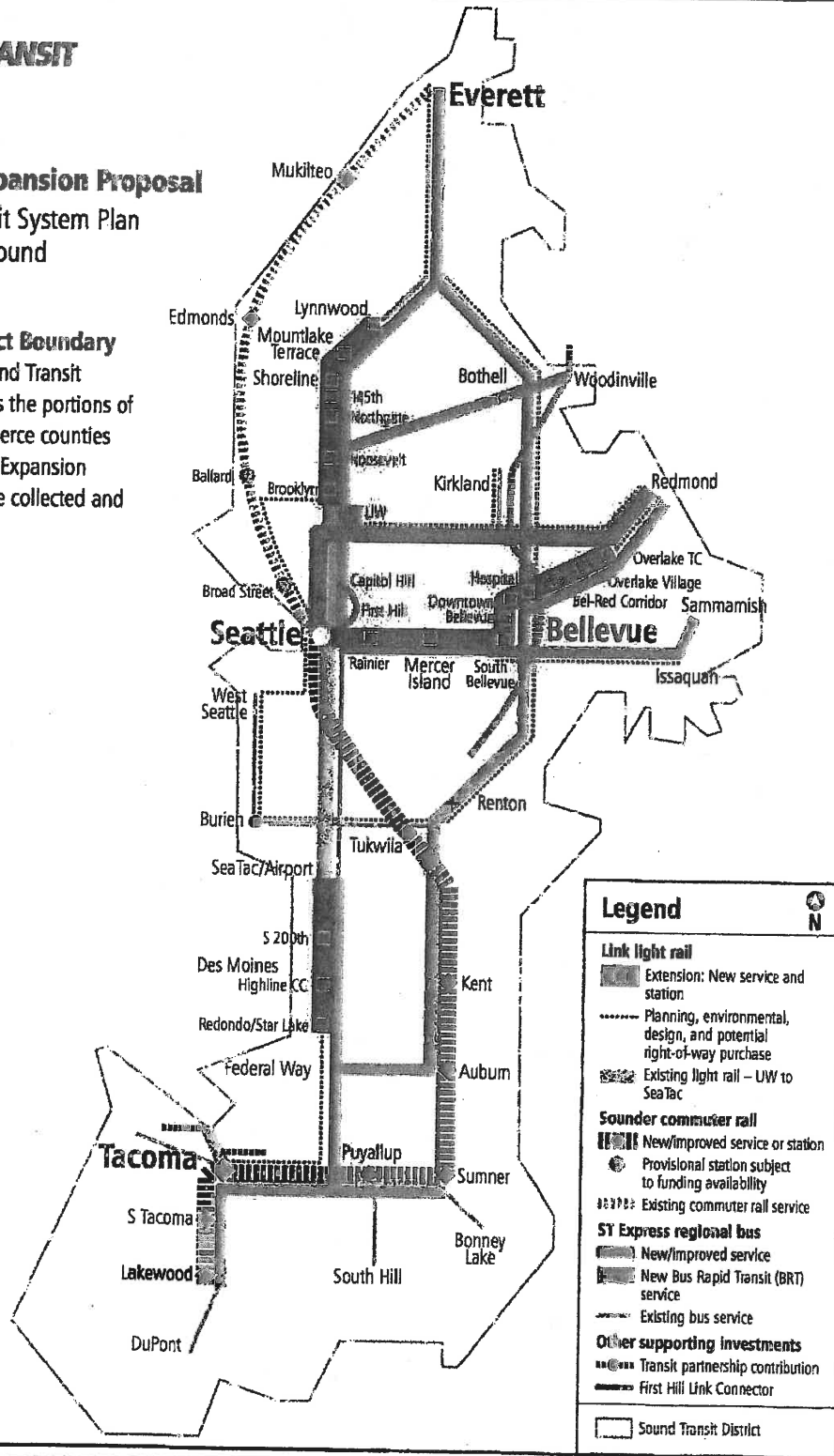
So why would we give Sound Transit any more of our money until they deliver what we are already taxed for in their Ten-Year Plan of 1996?

Vote No to Prop 1, Again!

Committee Members: Phil Talmadge, Kemper Freeman, Gary Nelson

**Mass Transit Expansion Proposal**  
The Regional Transit System Plan  
for Central Puget Sound

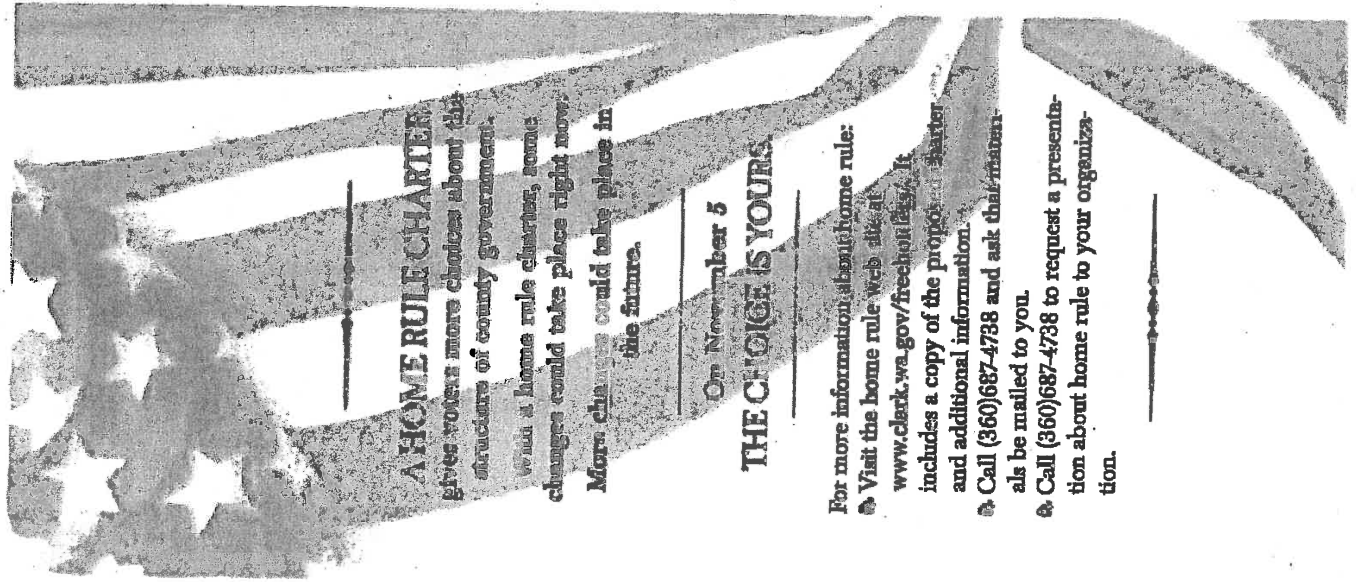
**Sound Transit District Boundary**  
The area inside the Sound Transit District boundary shows the portions of King, Snohomish and Pierce counties where the Mass Transit Expansion Proposal taxes would be collected and the projects built.



# EXHIBIT 8



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### A HOME RULE CHARTER

gives voters more choices about the structure of county government.

With a home rule charter, some changes could take place right now.

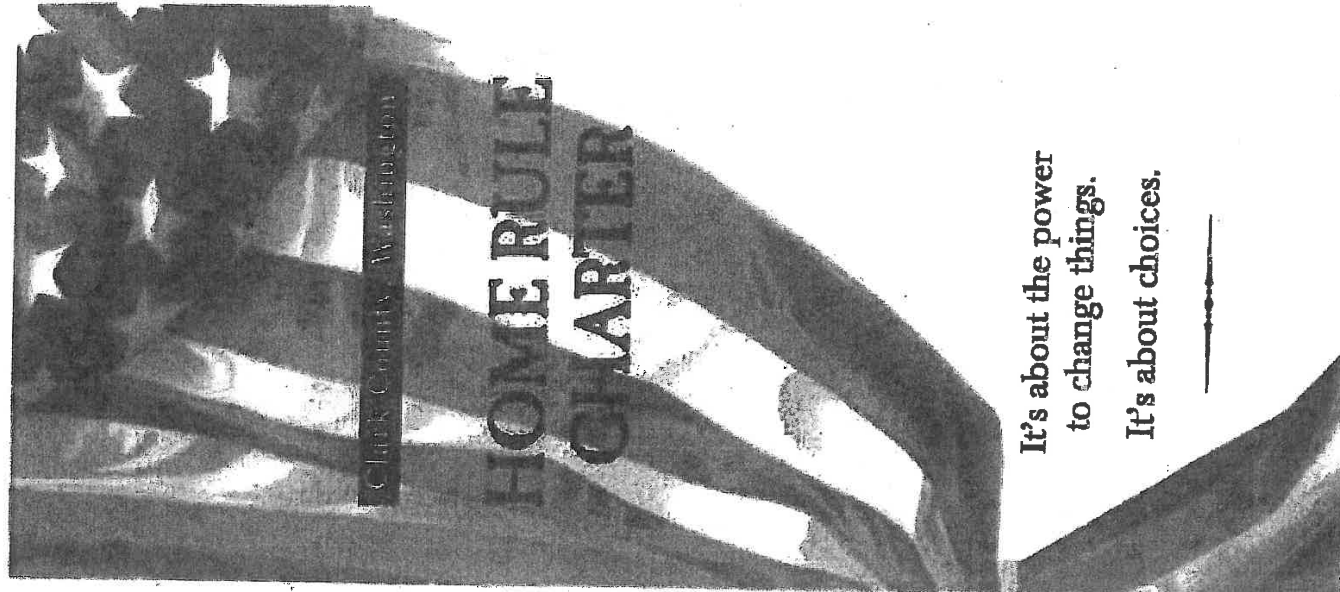
More changes could take place in the future.

On November 5

### THE CHOICE IS YOURS

For more information about home rule:

- Visit the home rule web site at [www.clark.wa.gov/freeholdings](http://www.clark.wa.gov/freeholdings). It includes a copy of the proposed charter and additional information.
- Call (360)687-4738 and ask that materials be mailed to you.
- Call (360)687-4738 to request a presentation about home rule to your organization.



Clark County, Washington

# HOME RULE CHARTER

It's about the power to change things.

It's about choices.

Clark County Board of Freeholders  
1804 NE Cedar Drive  
Walle Ground WA 98604

This brochure was developed by the Clark County Board of Freeholders. For questions about information contained in this brochure, please contact Don Gardner, Chair, Board of Freeholders, at (360)687-4738.

11/01 6/01

Debate People

Five county commissioners or three?

**YOUR CHOICE.**

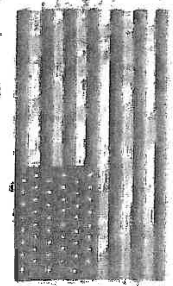
Commissioners elected by geographic districts or countywide?

**YOUR CHOICE.**

Initiative and referendum at the county level?

**YOUR CHOICE.**

These are examples of some of the choices you would have if a home rule charter for Clark County is approved by voters.



**A**n elected board of freeholders—21 of your neighbors from throughout the county—has been working for almost two years to write a home rule charter for Clark County. The charter that they propose will appear on the ballot on November 5, 2002.

**What is a home rule charter?**

A charter is a local constitution. Allowed by state law, it gives voters more local control of the structure of county government.

**What does a home rule charter do?**

Five Washington counties have adopted home rule charters. Each one is slightly different. And that's the point. A charter gives local voters the opportunity to make it fit the needs of their particular community.

**What about the home rule charter proposed for Clark County?**

From the very beginning, voters will have choices. The November ballot will ask whether Clark County should adopt a home rule charter. Then it will offer voters a menu of individual options that would be included if the charter is adopted: whether there should be three county commissioners or five, whether the commissioners should be elected by geographic districts or countywide, and whether there should be initiative and referendum available at the county level.

Each of these will be a separate question. Their outcome will help frame the initial basic changes to county government if voters approve a home rule charter.

**What would the initiative and referendum do?**

Initiative allows the public to pass their own laws at the county level. Referendum allows the public to repeal some actions

taken by the county. Both the initiative and referendum have limitations on the types of topics they could deal with.

**Can the charter be changed?**

Yes. If voters approve a home rule charter for Clark County, other changes could take place in the future.

**How would future changes be made?**

A charter review commission, which would review the charter at set periods of time, could propose amendments. County commissioners could propose changes, too. In addition, if the charter includes the initiative option, citizens could propose charter amendments through the initiative process. Any proposed amendments would be submitted to the voters at the next general election.

**What else should people know about the charter?**

Most county functions are set by state law and cannot be changed, regardless of home rule. For example, a county provides courts and law enforcement, builds roads, assesses property, collects taxes, and conducts elections. With home rule, the structure of county government could change, but the county would continue to carry out those functions. In addition, any county laws enacted through home rule would still have to be legal under the state and federal constitutions; county laws cannot override state or federal laws.

**What's the bottom line?**

The home rule charter could make government more accountable and give the public a greater role in county decisions. Beyond the changes it could make immediately, it allows for further changes over time and more choices for county citizens.