



PUBLIC DISCLOSURE COMMISSION

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TO: Members, Public Disclosure Commission
FROM: Lori Anderson, Communications & Training Officer
DATE: April 21, 2016
SUBJECT: Public Hearing on Proposed WAC 390-17-019 – April 28, 2016 Meeting

Agenda Item

On April 28, the Commission is scheduled to hold a public hearing on proposed WAC 390-17-019 to address contribution limits to affiliated committees.

Proposal

Proposed WAC 390-17-019 Contribution Limits to Affiliated Committees captures the Commission's long-standing approach for applying a contributor's limit to contributions given to multiple committees created or controlled by a recipient who is subject to contribution limits. The proposal also explains which committees are affiliated for the purpose of receiving contributions.

After contribution limits were enacted by Initiative 134 in 1992, the Commission determined that multiple political committees established, maintained, or controlled by a person subject to limits were affiliated for the purpose of receiving contributions from a single source. The policy has become accepted practice and setting it in rule prevents the circumvention of limits through contributions made to various committees controlled by a person subject to limits.

Commission Action

Staff requests the Commission adopt the proposed rule. Adopted rules take effect 31 days after they are filed with the Code Reviser.

Attached: Proposed WAC 390-17-019

NEW SECTION

WAC 390-17-019 Contribution limits to affiliated committees.

(1) **Intent.** The public disclosure commission enforces campaign contribution limits and other provisions of chapter 42.17A RCW. The commission finds that persons subject to contribution limits may establish, maintain, or control multiple political committees. This rule sets out which committees, excluding ballot measure committees, are affiliated for the purpose of receiving contributions.

(2) Persons subject to contribution limits may not circumvent those limits through contributions made to the various committees controlled by that person.

(3) The following committees are affiliated for purposes of this rule:

(a) The authorized committee of a candidate subject to contribution limits set out in RCW 42.17A.405 or 42.17A.410 and any other political committee established, maintained, or controlled primarily by that candidate are affiliated for the purpose of receiving contributions.

(b) A caucus campaign committee and any other political committee established, maintained, or controlled primarily by the same legislative caucus as a whole or the officers of that caucus are affiliated for the purpose of receiving contributions.

(4) As used in this rule, the terms "established, maintained, or controlled" means the ability to direct or participate, other than through a vote as a member, in the governance of another entity through provisions of constitution, bylaws, contract or other formal or informal procedure.