

Draft Amended Rule – WAC 390-16-011
Forms --- Registration statement for political committees

Brief Explanation: ESB 6128 (Chapter 358, Laws of 2007) becomes effective January 1, 2008. The new law amends the definition of “contribution” to include an expenditure made by a person in cooperation, consultation or concert with, or at the request or suggestion of, a candidate, a political committee, “the person or persons named on the candidate’s or committee’s registration form who direct expenditures on behalf of the candidate or committee” or their agents. A political committee’s statement of organization is now to include “the name, address and title of any person who authorizes expenditures or makes decisions on behalf of the candidate or committee.” The statement is also now to include the “name address and title of any person who is paid by or is a volunteer for a candidate or political committee to perform ministerial functions on behalf of two or more candidates or committees.” Under ESB 6128, no expenditures may be made or incurred by any candidate or political committee except on the authority of the candidate “or the person or persons named on the candidate’s or committee’s registration form.”

WAC 390-16-011 provides the registration statement form for political committees [C-1pc]. The draft amended rule implements ESB 6128 to update the form as of January 2008 by requiring a list of persons performing only ministerial functions and a list of persons who authorize expenditures and make decisions for the committee. The form’s instructions are also updated regarding the identification of officers, as proposed in amendments to WAC 390-05-245 (definition of officer).

In addition, under RCW 42.17.370(1) and (8), the Commission is empowered to relieve by rule, certain reporting obligations if a contribution and expenditure dollar threshold is met. The Commission is also empowered in RCW 42.17.370(11) to adjust the reporting dollar threshold. The dollar threshold for “mini campaign finance reporting” is currently set in WAC 390-16-105 at \$3,500 for funds raised and spent, with a \$300 contribution limit, and was last adjusted in 2002. The dollar thresholds are referenced on the C-1pc form.

Therefore, the draft amended rule also identifies on the C-1pc form the proposed adjustments to the mini reporting thresholds. Those reporting threshold adjustments are in proposed amendments to WAC 390-16-105 and if adopted, the C-1pc form will also need to be updated to reflect the new dollar amounts. The proposed adjustments are to increase the thresholds to \$5,000 for funds raised and spent, and to \$500 in contributions in the aggregate accepted from any one contributor.

The draft amended rule is designed to assist candidates, campaigns, and others participating in political campaign activities.

Draft Amended Rule

WAC 390-16-011 Forms--Registration statement for political committees. The official form for providing the statement of organization by political committees for designating a campaign treasurer and depository and for reporting information required to qualify for mini campaign finance reporting is designated "C-1pc," revised ((3/06))1/08. Copies of this form are available at the Commission Office, 711 Capitol Way, Room 206, P.O. Box 40908, Olympia, Washington 98504-0908. Any attachments shall be on 8-1/2" x 11" white paper.

Statutory Citations: RCW 42.17.370, RCW 42.17.020, RCW 42.17.040; Chapter 358, Laws of 2007

Please consult PDC instruction manuals when completing this report.
Reporting requirements are contained in and governed by RCW 42.17 and WAC 390.

Who Must File

Persons, committees, organizations or groups that receive contributions or make expenditures in support of or opposition to: candidates in jurisdictions of 5,000 or more registered voters as of the last general election; statewide ballot issues; or local ballot issues in jurisdictions with 1,000 or more registered voters as of the last general election.

When To File

Within 2 weeks of organizing a committee or first expecting to receive contributions or make expenditures, whichever occurs first. **(Committees that organize within three weeks of an election must file within three business days of forming or of expecting to receive contributions or make expenditures.)**

File an amended C-1pc form within 10 calendar days of any material change to the registration information furnished previously. For single election-year only committees, a material change includes providing or modifying the list of candidates the committee is supporting or opposing.

Continuing political committees using Mini Reporting must also file a C-1pc annually in January. Reports are considered filed as of the postmark date or date hand-delivered to PDC.

Where To File

Send the **original to PDC** at the above address. Send a **copy to County Auditor** (county elections office) of the county in which the committee headquarters is located. If there is no headquarters, send to the County Auditor of the county in which the treasurer resides. Keep a copy as part of the committee's records.

**“Officer” of a Political
Committee – Definition**

Officer of a political committee includes the following persons:

- ~~the treasurer,~~
- any person designated as an officer on the C-1pc registration statement, and
- any person who alone or in conjunction with other persons makes, directs, or authorizes contribution, expenditure, strategic or policy decisions on behalf of the committee. (WAC 390-05-245)

For Instruction Manuals and Reporting Forms or ~~look under~~ click on the “Filer Assistance Resources” menu-category tab on PDC’s Web Site: www.pdc.wa.gov