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**FILED**

JAN 29 2016

Superior Court  
Linda Myhre Enlow  
Thurston County Clerk

**STATE OF WASHINGTON  
THURSTON COUNTY SUPERIOR COURT**

STATE OF WASHINGTON,  
WASHINGTON STATE PUBLIC  
DISCLOSURE COMMISSION,

Plaintiff,

v.

WASHINGTON STATE LABOR  
COUNCIL,

Defendant.

NO. 16-2-00484-34  
SUMMONS

THE STATE OF WASHINGTON SENDS GREETINGS TO:

**WASHINGTON STATE LABOR COUNCIL**

A lawsuit has been started against you in the Thurston County Superior Court by the plaintiff above named. Plaintiff's claim is stated in the written complaint, a copy of which is served upon you with this summons.

In order to defend against this lawsuit, you must respond to the complaint by stating your defense(s) in writing, and serve a copy upon the undersigned attorney for the plaintiff within 60 days after service of this summons, excluding the day of service, or a default judgment may be entered against you without notice. If you serve a notice of appearance on the undersigned attorney, you are entitled to notice before a default judgment may be entered.

You may demand that the plaintiff file this lawsuit with the court. If you do so, the demand must be in writing and must be served upon the plaintiff. Within 14 days after you

1 serve the demand, the plaintiff must file this lawsuit with the court, or the service on you of  
2 this summons and complaint will be void.

3 If you wish to seek the advice of an attorney in this matter, you should do so promptly  
4 so that your written response, if any, may be served on time.

5 This summons is issued pursuant to Rule 4 of the Superior Court Civil Rules of the  
6 State of Washington.

7 DATED this 29th day of January, 2016.

8 ROBERT W. FERGUSON  
9 Attorney General

10   
11 LINDA A. DALTON, WSBA No. 15467  
12 Senior Assistant Attorney General  
13 CHAD STANDIFER, WSBA No. 29724  
14 Assistant Attorney General  
15 Attorneys for Plaintiff State of Washington  
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STATE OF WASHINGTON,

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WASHINGTON STATE LABOR  
COUNCIL,

Defendant.

NO.

16-2-00484-34

COMPLAINT FOR CIVIL  
PENALTIES AND FOR INJUNCTIVE  
RELIEF FOR VIOLATIONS OF  
RCW 42.17/RCW 42.17A

**I. NATURE OF ACTION**

The State of Washington (State) brings this action to enforce the state's campaign finance disclosure law, RCW 42.17A and its predecessor, RCW 42.17<sup>1</sup>. The State alleges that Defendant WASHINGTON STATE LABOR COUNCIL (WSLC) violated provisions of RCW 42.17 and RCW 42.17A by failing to timely and properly report in-kind and/or monetary contributions made by WSLC to political committees in Washington. The State seeks relief under RCW 42.17A.750 and .765, including penalties, costs and fees, and injunctive relief.

<sup>1</sup> The State's campaign finance disclosure laws, formerly located at RCW 42.17, were recodified effective January 2012 to RCW 42.17A. The alleged violations span time where both statutes were in effect; for clarity purposes, the State will refer to the current version of each statute when setting out its alleged statutory violations.

1 **II. PARTIES**

2 1.1 Plaintiff is the State of Washington. Acting through the Washington State  
3 Public Disclosure Commission, Attorney General, or local prosecuting attorney, the State  
4 enforces the state campaign finance disclosure laws contained in RCW 42.17A and  
5 RCW 42.17.

6 1.2 Defendant WASHINGTON STATE LABOR COUNCIL (WSLC) is the state  
7 federation of the American Federation of Labor and Congress of Industrial Organizations  
8 (AFL-CIO), a national trade union center. WSLC is a membership organization made up of  
9 union locals and councils representing approximately 400,000 union members in Washington  
10 State.

11 **III. JURISDICTION AND VENUE**

12 2.1 This Court has subject matter jurisdiction over the Defendant, in accordance  
13 with RCW 42.17A. The Attorney General has authority to bring this action pursuant to  
14 RCW 42.17A.765.

15 2.2 Defendant's actions which form the basis for the violations alleged below  
16 occurred in whole or in part, in Thurston County, Washington.

17 2.3 Venue is proper in this Court pursuant to RCW 4.12.

18 **IV. FACTUAL ALLEGATIONS**

19 3.1 Pursuant to RCW 42.17A.630(2), employers of lobbyists registered in  
20 Washington must file a monthly political contribution report with the Public Disclosure  
21 Commission (Commission) when they make one or more contributions, including in-kind and  
22 monetary contributions, during one calendar month totaling more than \$110 (or more than  
23 \$100 prior to December 2014) to a candidate for state or local office, an elected state or local  
24 official, an officer or employee of any public agency, or a political committee. This report is  
25 entitled "Employer of Lobbyist Monthly Political Contribution Report" and is designated by  
26

1 the Commission as form L3c, pursuant to WAC 390-20-111. In lieu of this filing, a lobbyist  
2 may report such contributions made by his or her employer on the lobbyist's report, form L2.

3 3.2 State law also requires registered political committees to report contributions  
4 received and expenditures made by the committee. Included in those disclosures, political  
5 committees must disclose the value of services furnished to the committee for less than fair  
6 market value as an "in-kind" contribution. This is required pursuant to  
7 RCW 42.17A.005(13)(a)(i) and (c).

8 3.3 WSLC has two affiliated political committees, namely, Washington State Labor  
9 Council AFL-CIO DIME PAC (DIME PAC) and Washington State Labor Council AFL-CIO  
10 PPP Committee (PPP Committee), who are registered with the Public Disclosure Commission.  
11 Each committee has chosen the "full reporting" option for its committee, meaning they report  
12 all contributions to and expenditures from each committee on a schedule set by the Public  
13 Disclosure Commission. Each is also designated on their registration forms as continuing  
14 committees.

15 3.4 A review of WSLC's limited number of form L3c reports of lobbyist employer  
16 contributions identifies in-kind contributions of WSLC staff time and supplies to support PPP  
17 Committee's activities and certain cash contributions to Washington political committees.

18 3.5 While WSLC did disclose some in-kind contributions to PPP Committee on its  
19 Form L3c, it did not do so consistently. WSLC is required to disclose the value of all services  
20 performed by WSLC staff on any political committee's behalf on lobbying disclosure reports  
21 filed either by WSLC or on its behalf by its registered lobbyist, in accordance with state  
22 disclosure requirements.

23 3.6 DIME PAC and PPP Committee reported receipt of cash contributions from  
24 Defendant WSLC since January 2011. DIME PAC reported receiving \$22,224 in monetary  
25 contributions. PPP Committee reporting receiving \$56,877 in monetary contributions.  
26 Additional registered Washington political committees reported receiving \$54,244 from WSLC

1 in cash contributions. WSLC did not report these monetary contributions on its lobbyist  
2 employer reports, either Forms L3c or L3, or through its registered lobbyists on a Form L2.

3 3.7 WSLC failed to report in accordance with RCW 42.17A.630(2) the value of  
4 these cash contributions made. To the extent such contributions exceeded \$100 in any month  
5 during the period January 1, 2011 through December 2014, and \$110 from January 1, 2015 to  
6 the date of this complaint, WSLC should have reported them as monetary contributions in  
7 either its registered lobbyists' L-2 reports, or its own L-3 or L-3c reports, depending on the  
8 timing of its contributions.

9 **V. CLAIMS**

10 Plaintiff re-alleges and incorporates by reference all the factual allegations contained in  
11 the preceding paragraphs, and based on those allegations, makes the following claims:

12 4.1 First Claim: Plaintiff reasserts the factual allegations made above and further  
13 asserts that Defendant WSLC, in violation of RCW 42.17A.630(2), failed to report its  
14 monetary and in-kind contributions, aggregating more than \$100 in a calendar month until  
15 December 2014 and afterward \$110, to Washington political committees.

16 **VI. REQUEST FOR RELIEF**

17 WHEREFORE, Plaintiff requests the following relief as provided by statute:

18 5.1 For such remedies as the court may deem appropriate under RCW 42.17A.750,  
19 including but not limited to imposition of a civil penalty, all to be determined at trial;

20 5.2 For all costs of investigation and trial, including reasonable attorneys' fees, as  
21 authorized by RCW 42.17A.765(5);

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