

## **Comment On Inflationary Adjustments to Reporting Thresholds, Contribution Limits**

I am writing to support the agency's proposal to increase statutory thresholds to account for inflation.

I would urge the agency to round up each threshold to the nearest \$50 or \$100 mark so that the thresholds are easier to remember.

I also support increasing the \$100 threshold for when we are required to provide the donor's employer and occupation information. The notice published in the Washington State Register proposes an increase to \$120, which is a grossly inaccurate figure for increasing this threshold to account for inflation. If this threshold were truly increased to account for inflation since it was last adopted/adjusted, it would be well over \$200. We receive virtually no contributions between \$100 and \$120, so this proposed increase would do absolutely nothing for us.

However, increasing this threshold is not the only change that should be made to WAC 390-16-034.

This WAC requires us to provide the address of the donor's employer. The word "address" is almost always interpreted to mean street address, as well as city, state, and zip. However, in ORCA, there is no way for us to include the street address for a person's employer.

This is actually one area of the law where staff's misinterpretation of statutory language actually cuts in the favor of filers. It would be a tremendous burden to try to get donors to disclose the actual full address of their employers.

I would request that the Commission consider removing the requirement that we have to provide any geographic information relating to the employer at all. At the very least, the rule should be updated to reflect the actual information that is being requested of us and that we're actually able to provide via the agency's software.

Most states don't require the disclosure of where the employer is physically located. I also know that the FEC also does not require this.

This information, unlike the name of the employer and the person's occupation, is of no real value to voters. This is especially the case because the agency has never made it clear to us what we should report as the city and state of the employer. Should it be the where the employee physically goes to work? Or should it be where the national headquarters of the company is located? Or the city/state of the PO box listed on the company's articles of incorporation? If a person is self-employed, should we report the location of their home, or their office (if any)?

Trying to comply with PDC requirements can often feel like death by 1000 cuts. If the agency would be willing to consider removing even one minor requirement that doesn't meaningfully serve the public's interest, it would make a huge difference to us.

If the agency does not file a new notice in the Washington State Register to address this issue at the January Regular Meeting, I intend to file a new APA Rulemaking Petition to bring it before the Commission.

Best,

Conner Edwards  
Campaign Treasurer

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### Questions To Ask Agency Staff

1. Historically, the PDC has adjusted contribution limits every 2 to 3 years, but today the contribution limit has not been adjusted since 2016. **Why has it taken seven years for the agency to adjust the contribution limit to account for inflation?**
2. The PDC first obtained the ability to adjust all statutory thresholds to account for inflation in 2019. Some of these thresholds had not been adjusted to account for inflation for decades, some of the thresholds had never been adjusted to account for inflation. This caused serious burdens for those of us in the regulated community, which agency staff knew about. **Why did the agency wait three years to start the long overdue process of adjusting statutory thresholds to account for inflation?**
3. **If the Commission so desired, could they eliminate the mini-reporting option consistent with their authority granted in RCW 42.17A.110 (8) as opposed to increasing it from \$5000 to \$7500?**
4. For all of the other thresholds, staff have looked into when they were last adopted/adjusted, applied an inflationary index, and come up with a number that would account for inflation since the time the threshold was last adjusted. For the \$100 threshold for when contributors must provide their employer and occupation information, staff have not done this. **Why haven't agency staff looked into when the \$100 threshold for when contributors must provide their employer and occupation information was last adopted/adjusted, applied an inflationary index, and come up with a number that would account for inflation since the time the threshold was last adopted/adjusted?** If staff had done this, the adjustment number would be over \$200 as opposed to the \$120 they listed in the state register notice.
5. Staff have interpreted the word "address" in WAC 390-16-034 to mean only "city and state" and not the full street address; however, in every other section they interpret "address" to mean a full street address. **How did they reach that interpretation for this particular WAC?**