

Campaign Committee for No! on 1185
c/o 603 Stewart Ave, Suite 809
Seattle, WA 98104

September 5, 2012

Jennifer Joly, Chair
Washington State Public Disclosure Commission
711 Capitol Way, Room 206
PO Box 40908
Olympia, WA 98504-0908

Dear Ms. Joly:

As opponents of Initiative 1185 sponsored by initiative promoter Tim Eyman, we are writing to express our profound concern at the news story appearing recently: "Presto Change O! Is One Tim Eyman Campaign Secretly Funding Another?" *The Stranger*, Aug. 28, 2012 <http://www.thestranger.com/seattle/presto-change-o/Content?oid=14594759>. The story follows a complaint filed with your Commission on August 20th (amended with additional information on August 28), and provides strong evidence that signature gatherers for another initiative, I-517, were paid for their efforts through one or more schemes in which their compensation originated in funds contributed to I-1185.

Such activity in support of I-517, if conducted without legally required disclosure to the Commission, would constitute a serious violation of law. RCW 42.17A.235; and see RCW 42.17A.442 for reference

All inferences plausibly drawn from media reporting and all related matters raised in the complaint already before the Commission must, in our view, receive the immediate attention of the Commission via a full and prompt investigation.

It is essential to establish what consideration, if any, was received by the signature gatherers of I-517, what the source was of any monetary consideration, and who was personally directly or indirectly complicit in authorizing and arranging a use of I-1185 funds for such purposes, if that use is established. The investigation must embrace the entire signature gathering operation and those responsible for its direction and execution, including signature gathering firms and subcontractors and the sponsor, Mr. Tim Eyman, the I-1185 and I-517 principal. The law provides for serious sanctions if violations are established, as detailed in RCW 42.17A.750.

In our state, both the initiative process and the campaign finance and disclosure requirements are well-established and fundamental aspects of our government. Neither is to be disregarded through unreported transfers between interests. It is critical to get to the bottom of whether arrangements were made to support I-517, and, if so, whether I-1185 funds were involved. If so, all those responsible must be identified and held to account on the basis of a full inquiry by the Commission.

Timeliness is as important as thoroughness in this matter. Voters will begin to vote on I-1185 just a few weeks from now. In deciding to vote for or against the initiative, voters should be fully informed of any untoward purpose to which the resources of the I-1185 campaign have been applied and by what mechanisms and authorizations, especially if campaign finance laws have been breached or ignored.

The protection of campaign finance laws also extends to the contributors of I-1185 funds. By far the largest part of the funds to support I-1185 have been contributed by just a handful of oil companies and industry lobby and trade groups. They (and the public) need to know what happened to their money and whether legal requirements for its stewardship were disregarded. If, however, investigation should show that any of these donors to I-1185 knew or had reason to know that their contributions would be or have been re-purposed to support of I-517, that would be a serious matter requiring the Commission's formal consideration.

The authority and duty of the Commission to conduct an investigation with subpoena power and sworn testimony is unquestioned (RCW 42.17A.110). As the current Attorney General, in his campaign for Governor, has already declared his public support for Initiative 1185 the Commission conducting its investigation with independent counsel as authorized in RCW42.174.130 would protect the appearance of objectivity.

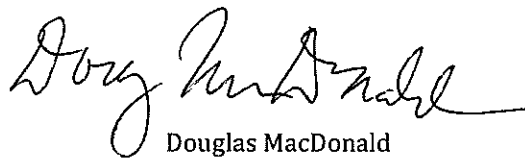
We would appreciate receiving acknowledgement of this letter and being kept informed of the Commission's actions in following up on what may be serious violations of the law.

Sincerely,

Co-Chairs. Campaign Committee for No! on 1185



Reuven Carlyle



Douglas MacDonald

cc: Andrea McNamara Doyle, Executive Director, and Philip E. Stutzman
Director of Compliance, Public Disclosure Commission