City of Seattle

Ethics and Elections Commission

November 16, 2009

Peggy Lynch, Treasurer
McGinn for Mayor
PO Box 70643
Seattle, WA 98127

Dear Ms. Lynch:

On November 3, 2009, you contacted our office to report that you had failed to report a deposit made on October 15. Later that day you filed an amended 7-day pre-General C-4 and a new C-3 to report the $4,198 in contributions deposited on October 15.

A major purpose of the Seattle Elections Code is to give the public timely access to information regarding all contributions and expenditures made supporting or opposing City candidates. No voter should cast a ballot in the absence of complete and accurate campaign finance disclosure.

LATE FILING PENALTIES

The Seattle Elections Code requires that all contributions be timely reported. The Elections Code authorizes me to assess penalties of $10 for each day a report is late filed and $50 per day within seven days before and including Election Day. You were required to file the C-3 reporting this deposit no later than October 19. The report was not filed until November 3, fourteen days late and is subject to a $420 penalty.

While we sometimes reduce fines when campaigns self-report, I have decided to impose the maximum penalty permitted under SMC 2.04.300 in light of the fact that these reports were not filed until the final hours of voting.

RIGHT TO APPEAL

You may appeal the Executive Director's assessments to the Commission by **4:00 PM, Monday, November 30, 2009**, pursuant to Administrative Rule 4, which provides in relevant part:

> A. Upon the written request of a party aggrieved by the Executive Director's decision to dismiss a complaint, or to impose late-filing penalties under SMC 2.04.330, the action may be reviewed by the Commission.
>
> ...

700 Fifth Avenue, Suite 4010, PO Box 94729, Seattle, WA 98124-4729
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An equal employment opportunity, affirmative action employer. Accommodations for people with disabilities provided upon request.

C. An appeal of late-filing penalties shall be served at the Commission's office no later than 14 days after the date of mailing the decision of which review is sought.
D. A request for review shall state the grounds therefor, and shall be no longer than twelve 8-1/2" x 11" double-spaced pages in length with margins of at least 1" on every side, and no more than 12 characters per inch.

ACTION TO TAKE

Deliver to the Commission office a check in the amount of $420, payable to the City of Seattle, or an appeal, no later than 4:00 PM on Monday, November 30, 2009.

If you have any questions, please call me at 684-8577.

Very truly yours,

Wayne Barnett
Executive Director

cc: Seattle Ethics and Elections Commission
Doug Ellis, Public Disclosure Commission