



March 26, 2010

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

Dear Ms. Lynch:

On March 10, 2010 the McGinn for Mayor Committee (the "Committee") filed a C-3 reporting a deposit of \$8,440 made on December 9, 2009. Early on March 11, 2010, you contacted our office to report that you had inadvertently failed to report this deposit in January.

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 January 11, 2010. The report was not filed until March 10, fifty-eight days late, and is subject to a \$580 penalty.

In determining a suitable penalty, I took into account the significant amount of the contributions that went unreported, as well as the public scrutiny that these post-victory contributions sometimes attract. (See, for example "The McGinn Late Train" at <http://www.publicola.net/2009/12/09/the-mcginn-late-train/>.) Despite the fact no election is imminent, I am imposing a \$300 penalty.

RIGHT TO APPEAL

You may appeal this decision by submitting by 4:00 p.m., Friday, April 9, 2010, a written request for appeal. The Administrative Rules governing the appeal process can be found on the Commission's website at www.seattle.gov/ethics/home/rules.htm.

ACTION TO TAKE

Deliver to the Commission office a check in the amount of \$300 payable to the City of Seattle, or an appeal, no later than 4:00 PM on Friday, April 9, 2010. If you have not yet done so, please also immediately file an amended C-4 for January to reflect the additional \$8,440 in contributions.



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CONCLUSION

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. A delay in reporting inhibits this purpose and prevents the opportunity for scrutiny, to which the public is entitled.

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