

## **RESOLUTION URGING EFFECTIVE REMEDIATION OF ILLEGAL CAMPAIGN TACTICS BY GROCERY MANUFACTURERS ASSOCIATION**

**Whereas** Washington Attorney General Bob Ferguson, on October 16, 2013, on behalf of the people of the State of Washington, filed a complaint for civil penalties and injunctive relief against the Grocery Manufacturers Association (“GMA”), alleging violations of RCW 42.17A in connection with the 2013 campaign regarding Washington Initiative 522, a ballot measure that would have required labeling of genetically engineered foods and seed products in this state; and

**Whereas** *State v. Grocery Manufacturers Association* is now pending in Thurston County Superior Court, and the complaint, as amended Nov. 20, 2013, alleges that during the aforesaid campaign, the true source(s) of approximately \$11 million in campaign contributions received and made by GMA for use in opposition to Initiative 522 were concealed in violation of RCW 42.17A; and

**Whereas** the complaint makes clear that the challenged contributions by and through GMA were expressly intended to defeat Initiative 522, and that concealment of their true sources was a tactic intended to hide the identities of those sources for political advantage; and

**Whereas**, of the 1,753,068 ballots cast on Initiative 522 during the voting process that culminated on November 5, 2013, a shift of less than 1.1% – from potential “Yes” votes to actual “No” votes – would have made the difference between passage or failure of the measure, it may reasonably be inferred that GMA’s violations of RCW 42.17A in connection with \$11 million in campaign spending probably affected the outcome; and

**Whereas** the Washington Attorney General, in protecting the voting public from violations of RCW 42.17A, is authorized to seek any appropriate civil remedy, including but not limited to those specified in RCW 42.17A.750; and

**Whereas** the complaint in *State v. Grocery Manufacturers Association* seeks various forms of relief authorized by RCW 42.17A, expressly including “such additional and further relief as the Court deems appropriate”; and

**Whereas** RCW 42.17A.750(1)(a) specifically authorizes the court, whenever a political committee’s violation of any provision of RCW 42.17A has “probably affected the outcome of [an] election,” to void the result of that election and order a new election to be held within 60 days; and

**Whereas** the foregoing remedy is expressly “intended [to] be imposed freely in all appropriate cases to protect the right of the electorate to an informed and knowledgeable vote” [RCW 42.17A.750(1)(a)];

**Therefore, be it resolved** that we urge Attorney General Ferguson to ask the court to (a) void the result of the 2013 public vote on Initiative 522, and (b) order a new vote, with the costs to be borne by the Grocery Manufacturers Association; and

**Be it further resolved** that copies of this resolution be sent to Attorney General Ferguson, and also to our state senators and state representatives, with a request that they join in urging the Attorney General to take such action.

*Adopted January 8, 2014, by the 32<sup>nd</sup> District Democrats*