

BEFORE THE PUBLIC DISCLOSURE COMMISSION  
OF THE STATE OF WASHINGTON

IN THE MATTER OF ENFORCEMENT )  
ACTION AGAINST )

Ted May )

Respondent. )

PDC CASE NO.: 07-040

Notice of Administrative Charges

IT IS ALLEGED as follows:

**I. JURISDICTION**

1. Jurisdiction of this proceeding is based on Chapter 42.17 RCW, the Public Disclosure Act, Chapter 34.05, Administrative Procedure Act, and Title 390 WAC. These charges incorporate the Report of Investigation and all of its exhibits by reference.

**II. ALLEGATIONS**

2. Staff alleges, based on the facts specified in Section III, that Ted May violated RCW 42.17.120 by making two \$1,000 contributions to the 2006 Cherri Rose-Konschu campaign for Grays Harbor County Assessor in such a manner as to conceal the identity of the source of the contributions.

**III. FACTS**

3. On February 1, 2001, Dale Haglund left the Thurston County Assessor's Office, where he was employed as a real estate appraiser, and accepted an appointment to the position of Grays Harbor County Assessor. In September 2001, he ran for election to complete the final year of the unexpired term of the Assessor's position, but lost the election to Ed Prkut. He then returned to the Thurston County Assessor's office where he has been

employed as a real estate appraiser since January 1, 2002. In 2006, when incumbent Ed Prkut decided not to run for re-election, Mr. Haglund again ran for the position of Grays Harbor County Assessor.

4. Cherri Rose-Konschu is a real estate appraiser for the Grays Harbor County Assessor's office. She was a candidate for Grays Harbor County Assessor in the 2006 election. Ms. Rose-Konschu defeated Dale Haglund in the Democratic Primary election held September 19, 2006. There was no Republican challenger in the general election, and Ms. Rose-Konschu was elected as the Grays Harbor County Assessor on November 7, 2006.
5. Ted May was employed for 30 years by the Thurston County Assessor's Office as a Residential Real Estate Appraiser. For the past two years, Mr. May has been employed by the Grays Harbor County Assessor's Office as a Senior Residential Real Estate Appraiser. He resigned his position with the Grays Harbor County Assessor's Office following the September 19, 2006 Primary Election.
6. Claudia Kalles is employed by the Grays Harbor County Assessor's Office as Chief Deputy Assessor. She has been employed by the Assessor's Office for 34 years and has been the Chief Deputy Assessor since November 2001.
7. Ms. Kalles served as the Campaign Manager for the Cherri Rose-Konschu campaign. Ms. Kalles and Ms. Rose-Konschu were the only names listed on the campaign bank account. Campaign contributions were received and deposited by Ms. Kalles who recorded the contributor information in a notebook and gave the relevant information to the treasurer who recorded the information on C-3 reports. Ms. Rose-Konschu signed and mailed all C-3 and C-4 reports to the PDC, disclosing the campaign's contribution and expenditure activities.

**\$1,000 Contribution Made on July 11, 2006**

8. On July 10, 2006, Cherri Rose-Konschu filed a Candidate Registration (PDC form C-1) as a candidate for Grays Harbor County Assessor. On July 11, 2006, Ted May contributed \$1,000 to the Rose-Konschu campaign. He wrote a check in the amount of \$1,000, payable to Claudia Kalles, the Campaign Manager. Mr. May made the check payable to Ms. Kalles because he did not want Ms. Rose-Konschu's name to appear on the check. Ms. Kalles deposited the check in the campaign bank account.
9. Ms. Kalles said she offered to report the \$1,000 contribution in her name because she knew Mr. May wanted to remain anonymous. Mr. May said he did not want Mr. Haglund, who he had worked with at the Thurston County Assessor's Office, to know he had contributed to Ms. Rose-Konschu's campaign because he feared there would be repercussions if Mr. Haglund won the election and knew of his contributions. Mr. May acknowledged asking Ms. Kalles if he could be an anonymous donor when he gave her the \$1,000 check, but said he told Ms. Kalles to show his contribution as anonymous if it was allowable to report his contribution in that manner.
10. Ms. Kalles recorded her name in the contributor notebook and provided the donor information to the treasurer who reported Claudia Kalles as contributing \$1,000 on July 11, 2006. Neither Ms. Kalles nor Mr. May directed the treasurer to correct the reporting of Ms. Kalles as the contributor.

**\$1,000 Contribution Made on July 31, 2006**

11. On July 31, 2006, Ted May made a second \$1,000 contribution to the Rose-Konschu campaign. He again wrote a check in the amount of \$1,000, payable to Claudia Kalles, the Campaign Manager. Ms. Kalles deposited the check in the campaign bank account. Mr. May said he did not discuss with Ms. Kalles how the second contribution would be reported. He said he assumed it would be reported in the same manner as the first

contribution. Mr. May said he did not look at the C-3 reports to see how his contributions had been reported.

12. Ms. Kalles recorded the name of her husband, Ken Kalles, in the contributor notebook and provided the donor information to the treasurer who reported Ken Kalles as contributing \$1,000 on July 31, 2006. Neither Ms. Kalles nor Mr. May directed the treasurer to correct the reporting of Mr. Kalles as the contributor.

#### **IV. RELEVANT LAW**

RCW 42.17.120 prohibits any contribution to be made, and any expenditure to be incurred, directly or indirectly, in a fictitious name, anonymously, or by one person through an agent, relative, or other person in such a manner as to conceal the identity of the source of the contribution or in any other manner so as to effect concealment.

RESPECTFULLY SUBMITTED this 20<sup>th</sup> day of November, 2006.

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Philip E. Stutzman  
Director of Compliance