

JAN 15 2015



Public Disclosure Commission

WASHINGTON STATE PUBLIC DISCLOSURE COMMISSION COMPLAINT FORM

(See instructions on the last page.)

Description of Complaint

1. RESPONDENT:

Identify who you are filing a complaint against and provide all contact information you have for them. Give names and titles, if any, for individuals, and the full name of any organization. Please note that the PDC does not enforce federal campaign finance laws or local ordinances.

Example #1: Joe Public, Mayor of My Town,

123 Main Street, Your Town, State, Phone: 555-123-4567, Email: unknown

Example #2: The Political Action Group (instead of P.A.G.), 123 Main Street, Your Town, State,

Phone: 555-123-4567, Email: pag@pag.org, Website: www.PAGwashington.org

Sarah Laslett, director, Washington State Labor Education and Research Center.

South Seattle College Georgetown Campus

6737 Corson Ave S, Building B Room 106, Seattle, WA 98108

(206) 934-6671, <http://georgetown.southseattle.edu/LERC/>

2. ALLEGED VIOLATIONS:

Explain how and when you believe the people/entities you are filing a complaint against violated RCW 42.17/RCW 42.17A or Title 390 WAC. Be as detailed as possible about dates, times, places and acts. If you can, cite which specific laws or rules you believe were violated. Attach additional pages if needed. (Note that the RCW 42.17 citation applies to conduct before 2012 and the RCW 42.17A citation applies to conduct on or after January 1, 2012.)

See attachment A.

Evidence and Witnesses

3. EVIDENCE:

List the documents or other evidence you have that support your complaint, if any, and attach copies to this form. If you do not have copies, provide any information you have about where you believe the documents or evidence can be found and how to obtain it. Attach additional pages if needed.

Example: Emails between Joe public and Candidate X, attached OR

Joe Public has emails from Candidate X which describe an illegal campaign donation, and Joe Public's phone number is 555-123-4567.

See attachments B through O.

4. WITNESSES:

List the names and contact information, if known, of any witnesses or other persons who have knowledge of facts that support your complaint. Attach additional pages if needed.

Example: Jane Public was present when Candidate X spoke to me about the illegal contribution. Jane Public's address is 123 Main Street, Your Town, USA 12345, and her phone number is 555-123-4567.

Certification

In signing this complaint:

- I have provided all information, documents and other evidence of which I am aware;
- If I become aware of additional information, documents or evidence related to my complaint, I will promptly provide it to the PDC; and,
- I am providing the PDC current information on how to contact me, and will promptly update that information if it changes.
- Unless otherwise noted, I agree that PDC may use email instead of U.S. mail for all written correspondence about this complaint.

E-mail address: mnelsen@myfreedomfoundation.com

Your name (print or type): Maxford Nelsen

Street address: 2403 Pacific Ave. SE

City, state and zip code: Olympia, WA, 98501

Telephone number (including area code): (360) 956-3482

Oath

Required for complaints against elected officials or candidates for elective office:

I certify (or declare) under penalty of perjury under the laws of the State of Washington that this complaint is complete, true and correct to the best of my knowledge and belief.*

Your signature _____

Date signed _____

Place signed (city and county)

City County

Attachments

Check here if you are attaching copies of documentary evidence or extra pages explaining your complaint.

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Attachment A:
Alleged Violations

1/13/15

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Public Disclosure Commission
P.O. BOX 40908
Olympia, WA
98504

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Director Doyle and PDC Staff,

Per the explanation and documentation below, I would like to bring to your attention a violation of Washington State's campaign finance laws by staff at South Seattle College.

Background:

Sarah Laslett is the director of the Washington State Labor Education and Research Center [LERC], based at South Seattle College's Georgetown campus. LERC is partially taxpayer funded, receiving about \$160,000 from the state each year.

Did Laslett Engage in Lobbying?

RCW 42.17A.005[30] defines lobbying, in part, as "attempting to influence the passage or defeat of any legislation by the legislature of the state of Washington."

Documents obtained by the Freedom Foundation under the state Public Records Act indicate that Laslett, in her official capacity as LERC's director, repeatedly met with state legislators and officials in the governor's office between September 2013 and January 2014 to advocate for increased state funding for LERC.

Specifically, Laslett wanted legislators to include and approve a specific proviso in the higher education budget for the State Board for Community and Technical Colleges. According to a Jan. 15, 2014, email [see Attachment B] from LERC staff, the text of the budget proviso read:

\$350,000 of the general fund -- state appropriation for fiscal year 2015 is provided solely for a statewide labor education program to be implemented by the Washington state labor and education research center at south Seattle community college. This funding will fill a gap in existing workforce education programs by supporting development of labor and employment law curriculum, supporting education about

workplace rights and responsibilities, and enhancing leadership and communication skills among working Washingtonians attending community and technical colleges.

A summary of Laslett's lobbying activity as indicated by the documents from the records requests is provided below.

1. In LERC's July 2, 2013, email newsletter [see Attachment C], labor educator Cheryl Coney railed against the Senate Majority Caucus for not supporting increased funding for LERC:

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The bad news is that, in the eleventh hour of the second special legislative session, the Washington State senate majority removed restorative funding for the Labor Center and first-time funding for the Labor Archive at the UW from the state budget. Let's be clear, folks, this was budget dust - a total allocation of \$400,000 over two years for both organizations in an overall state budget of more than \$30 billion. Had it passed, the additional funds would have almost restored the budget we had up until 2009. It was supported by the House. It was supported by the Governor. It was supported by the Washington State Labor Council. It survived the regular session, the first special session, and 99% of the second special session and then it was yanked out at the last minute. And so, on we go, with about \$160,000 per year in public funding. But we're not giving up. LABOR EDUCATION SHOULD BE PUBLICLY AND ADEQUATELY FUNDED, especially in Washington State which has the 4th highest union density in the U.S... What better investment could there be? The Washington State Labor Education and Research Center is the only organization of its kind in the state but has been consistently underfunded within our public higher education system. This senatorial sleight of hand is only the most recent in a long string of such actions.

2. In a Sept. 12, 2013, email [see Attachment D] to state Sen. Bob Hasegawa, Laslett notes that she had "thought more about what our proviso ask should be for 2014-15 and also had good conversations with Larry Brown [IAM 751] and [state Sen.] Steve Conway about it."
3. A document [see Attachment E] summarizing the Sept. 14, 2013, meeting of LERC's advisory board in greater detail summarizes comments made by Laslett:

I have begun mapping the legislature to see who represents community

colleges in their district. We each need to find people who we can talk to and plant a seed.

4. The meeting minutes [see Attachment F] from the Sept. 14, 2013, meeting of LERC advisory committee indicate that Laslett informed the committee:

A proviso for the Labor Center will be put in to the supplementary budget. The 2014-2015 goal is to increase the Center's funding to ~\$468,000 for that year [a proviso ask of \$300,000] and then, assuming we're successful, increase the ask to one million dollars per year in the 2015-2017 biennium.

5. In a Sept. 19, 2013, email [see Attachment G] to Jeff Johnson and Lynne Dodson of the Washington State Labor Council and Larry Brown of IAM 751, Laslett outlined her plan to meet with state Sens. David Frockt and Andy Billig, as well as Reps. Pat Sullivan and Chris Reykdal to push for increased LERC funding. Laslett also takes responsibility for keeping Conway, Hasegawa and Sen. Maralyn Chase "in the loop" and for working with Hasegawa to "have proviso language revised to reflect a total \$500k allocation." Laslett also requested they "Also follow up w/Ad Comm members to make sure the proviso is on the radar of their lobbyists and ask them to make it a standard part of their talking point during the session."

6. In a Sept. 25, 2013, email [see Attachment H] from Laslett to Reykdal, who sits on LERC's advisory committee, Laslett wrote:

I am very appreciative of all of your time and effort in support of the Labor Center and of me. We need to pull out all the stops this time to get new legislative funding. We've been stuck with too little funding for too long. It's time to grow!

7. In a Sept. 25, 2013, email [see Attachment I] to Hasegawa, Conway, Chase and Reykdal, Laslett gives specific details about the budget proviso for increased LERC funding:

After consulting with folks at the WSLC, it seems like a good strategy to make the request for \$337,132 in the 14-15 supplementary budget. Added to our current \$162,868, that would bring us up to \$500,000. Then in 15-17 we can ask for the total amount to be doubled to 1 million each year. Can you reach out to Claire Hesselholt and ask her to revise the proviso with this new number? Once the proviso has been drafted, I'm not sure what the process is for having

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it introduced. This is why I'm writing to all of the legislators who are on our Advisory Committee – Steve, Maralyn, & Chris - along with Bob. In addition to the four of you, our first outreach to other legislators about the proviso will be to David Frokt, Andy Billig & Tim Ormsby, Pat Sullivan & Frank Chopp. Any thoughts you might have about how best to have this proviso introduced would be much appreciated.

8. In an Oct. 13, 2013, email [see Attachment J] from Laslett to the LERC advisory board, Laslett notes that she met that day with Reykdal, who supported increased funding for LERC and helped her formulate a strategy for proceeding. According to Laslett, Reykdal suggested cloaking the proviso in educational, pro-business terms so that it wouldn't come across "as only a labor agenda" and could earn some Republican support.

According to Laslett's email, Reykdal suggested she talk to Reps. Frockt, Sullivan, Chopp, Sells, Harper, Seaquist, Bergquist, Hudgins and Manweller, as well as to Sen. Holmquist-Newbry.

Laslett also notes that "our new Labor Educator [Lisa Pau] is going to meet with Sells on Fri so I will send a letter with her."

Lastly, Laslett notes that, when she told Reykdal "that we had support in the governor's office he emphasized that it was important for Inslee to put this in his supplemental budget."

9. In a Nov. 20, 2013, email [see Attachment K] to Ted Sturdevant, Inslee's legislative affairs director, and David Schumacher, director of the Office of Financial Management, Laslett notes that she is "in the process of meeting with legislators to educate them about what the Center does, in hopes of increasing our funding" and requests to "meet with one or both" of them "so that Governor Inslee could hear about what we're saying to legislators."
10. In a Nov. 20, 2013, email [see Attachment L] to Inslee's Senior Policy Advisor, Paulette Avalos, Laslett explains that she is:

...following up on Ted Sturdevant's suggestion that I meet with you to discuss what Jeff Johnson & Lynne Dodson from the WSLC and I have been trying to do in conversations with legislators. I don't know if you are familiar with my program but we lost half of our funding in 2009 and moved from The Evergreen

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State College to South Seattle Community College in 2010... I'd love to have some time to tell you about what my vision is for the center in hopes that Governor Inslee can support expanded funding for this program. Let me know if a meeting might be possible.

- 11.** The minutes [see Attachment M] from the Dec. 14, 2013, meeting of LERC's advisory committee include much discussion about LERC's funding strategy. Some highlights include:
- a.** *Sarah has met with many legislative democrats to educate them on the center and push for the funding... Sarah points out that she needs to be able to speak to politicians and staffers one-on-one to really explain what we do and why it's important.*
 - b.** *Sarah asked if the proposal for funding as it stands should be given to Andy Hill; [Sen.] Marilyn [Chase] and [Rep.] Chris [Reykdal] emphasize that it probably shouldn't. He may want to hear about how funding was cut [when LERC was at Evergreen]. The pitch has to emphasize the value of workers to the state economic and seem balanced about educational goals that encompass both the rights of workers and the rights of management.*

- 12.** In a Jan. 30, 2014, email [see Attachment N] to the advisory committee, Laslett notes:

At this point in time I think that getting the additional funding in the supplemental budget is such a long shot that spending time and energy trying to hold the college/district leadership to account is not worth it. My inclination is to let things play out this time around and really push for their active support for the 2015 session. Still, it's frustrating. Holly [Moore, Executive Dean, South Seattle Community College] has been supportive and has offered to go with me to legislator meetings in the future. Also FYI, Andy Hill cancelled my meeting with him on January 21st. I send him the SBCTC resolution. I also sent this to all of the legislators I had met with, along with the proviso language...

Was Laslett's Lobbying Reported to the PDC Under RCW 42.17A.635?

Despite Laslett's lobbying meetings with legislators and executive branch staff, it appears she never registered as a lobbyist with the Public Disclosure Commission.

As a public employee, Laslett likely falls under RCW 42.17A.635, which regulates lobbying by public agencies, officials and staff. Section 5 of the chapter provides, in part:

Each state agency, county, city, town, municipal corporation, quasi-municipal corporation, or special purpose district that expends public funds for lobbying shall file with the commission, except as exempted by [d] of this subsection, quarterly statements...

LERC is based at South Seattle College, which is part of the Seattle Colleges system, which falls under the State Board of Community and Technical Colleges.

LERC, South Seattle College and the Seattle Colleges system did not file any L-5 public agency lobbying reports in 2013 or 2014. The State Board for Community and Technical Colleges [SBCTC] filed L5 reports in both years. But while Marty Brown, Alison Grazzini Smith, Kathy Goebel and Scott Copeland were included on SBCTC's L-5 reports covering the period from September 2013 to March 2014, Laslett was not listed [see Attachment O].

Was Laslett's Lobbying Reported to the PDC Under RCW 42.17A.600?

Just because Laslett's lobbying was not reported by a public agency on an L-5 form does not necessarily mean that it was not properly reported. RCW 41.17A.635[6] permits public agencies to have their employees report lobbying activity under RCW 42.17A.600:

In lieu of reporting under subsection [5] of this section, any county, city, town, municipal corporation, quasi municipal corporation, or special purpose district may determine and so notify the public disclosure commission that elected officials, officers, or employees who, on behalf of any such local agency, engage in lobbying reportable under subsection [5] of this section shall register and report such reportable lobbying in the same manner as a lobbyist who is required to register and report under RCW 42.17A.600 and 42.17A.615. Each such local agency shall report as a lobbyist employer pursuant to RCW 42.17A.630.

However, LERC, South Seattle College, Seattle Colleges and the SBCTC did not register with the PDC as lobbyist employers under RCW 41.17A.630 during the period of Laslett's lobbying.

For her part, Laslett has never personally registered with the PDC as a lobbyist, which appears to violate RCW 42.17A.600[1], which provides, in part:

Before lobbying, or within thirty days after being employed as a lobbyist, whichever occurs first, a lobbyist shall register by filing with the commission a lobbyist registration statement...

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Based on the facts, it appears that Laslett's lobbying efforts to get increased funding for LERC resulted in one of two potential violations of state disclosure laws:

1. As public agencies, LERC, South Seattle College, the Seattle College System or the SBCTC violated their obligation to report Laslett's lobbying under RCW 41.17A.635[5] or,
2. Laslett failed to report as a lobbyist as required by RCW 42.17A.600[1].

Please feel free to contact me if you have any questions or require any added clarification or information regarding this complaint.

Respectfully,



Maxford Nelsen
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mnelsen@myfreedomfoundation.com

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