

**Re: PDC - Saturn, Andrew: Alleged violation of RCW 42.17A.335(1)(a) by making a false statement of material fact about a candidate for public office. (EY 18 Sep 18)**

[Andrew Saturn](#) reported 11 days ago (Fri, 12 Oct at 12:38 PM) via Email

To: pdc@pdc.wa.gov

This is my response to Mr. Joe Hyer's claim that I made "false" claims when I said the PUD commissioners (*not* my opponent specifically) make more than full-time staffers.

In addition to being a blatant abuse of the PDC, Mr. Hyer is making totally incorrect statements about hours worked, salary, take-home pay, etc, of commissioners, citing outdated figures from before the State Office of Financial Management made their yearly cost of living increase. Mr. Hyer also neglected to include per-diem pay. Additionally, my statement is not about my opponent, but rather *the office of Thurston County PUD Commissioner itself*. I also never once claimed the Thurston County Public Utility District was violating state or federal minimum wage laws—Mr. Hyer invented this claim himself by using his own strange math. My literature used a very conservative estimate for commissioner pay. If we used a liberal estimate, the situation is far worse...

Per the Thurston PUD website ([www.thurstonpud.com](http://www.thurstonpud.com)), the commissioners have two public meetings per month, and the meetings last about 2 hours (according to meeting minutes, 6-8PM). Commissioners often don't even attend the meetings in-person, opting instead to call-in by telephone. Per the State Office of Financial Management's latest 1% cost of living salary adjustments, and the PUD's own 2019 proposed budget (which Mr. Hyer provided), plus per-diem requests (attached, which show commissioners claim on average 4 hours every month, or an additional \$20,000 per year), **a Thurston County PUD Commissioner takes home about \$29,000 per year. Pretty good for a part-time job!**

With the knowledge that PUD meetings don't last an entire work day, we can safely say that **The Current Thurston County PUD Commissioners actually meet for just about 4 entire hours every month, or 48 whole hours in a year. Compare this to a full-time worker who would work about 2,087 hours every year.**

**A PUD Commissioner take-home pay of \$29,000 / 48 hours worked per year = \$604/hr. Again, pretty good for part-time!**

Going by Mr. Hyer's own absurd assumption that the commissioners meet for a full 8 hours every meeting: over the course of two short meetings per month (16 hours per month x 12 months), **this would be 192 hours, and still an absurd \$151/hr, plus the additional monthly \$555.55 per-diem request per commissioner. Minimum wage is \$11.50 per hour.**

I don't know what point Mr. Hyer is trying to make—that we should pay PUD workers less, or PUD commissioners even more? Is Mr. Hyer trying to claim we should abolish the minimum wage, and pay people a poverty wage? My literature is trying to illustrate that we need to pay workers a \$27/hr living wage, not pay the commissioners less, and I'm definitely not saying the PUD is violating minimum wage laws. This is all absurd.

That being said, a comparison like this one is difficult to make. To compare hourly wage to an elected official's yearly salary plus per diem is almost impossible, and completely open to interpretation and opinion. **My point in my literature is that we should be paying workers more. I'm disappointed that Mr. Hyer has chosen this as his argument against my campaign. This further illustrates that my opponent and opponent's supporters are disconnected from workers, and have no policy arguments to make, and are desperately attacking me, now with frivolous PDC complaints.**

But regardless of all of this, Mr. Hyer's complaint is legally invalid and unenforceable. Almost two decades ago, the state supreme court, in *State v. 119 Vote No! Committee*, 135 Wn.2d 618 (1998), found RCW 42.17A.335—the statute Mr. Hyer is requesting you enforce—to be invalid under the First Amendment to the United States Constitution.

It is also worth noting that Mr. Hyer has been working for my opponent's campaign, and organizing my opponent's supporters in spreading lies about me as a candidate and as a private citizen, including that I am "abusive to women," that I "have a criminal record," etc. This coordinated smear campaign would be an actual violation of the same statute he is now trying to claim I am violating, if it weren't invalid and unconstitutional. Mr. Hyer's rumors actually resulted in me being physically assaulted by two campaign staffers for my opponent at the Karen Fraser Picnic on July 23rd, as documented by Tumwater Police in report #182040794. Mr. Hyer has a sign for my opponent in his yard, and is featured in Facebook ads for my opponent. His complaint is clearly politically motivated, and demonstrably being made with malicious intent, and an abuse of the PDC complaint process.

My opponent, Linda Oosterman, has committed actual material violations of RCW (failure to disclose information on a loan, and failure to report a contribution, case #36974), and as of this email, has not reported a single campaign expenses since July—over 3 months ago. Attached is a non-union-printed business card found at a recent candidates forum. My opponent had a large nearly-full box of them, which would be an obviously recent printing expense in excess of \$50. There are no reported expenses for "business cards" or "printing" in my opponents PDC reports at all (see attached). While I have no interest in filing a PDC complaint against my opponent, perhaps Mr. Hyer should consider spending his time helping my opponent comply with *enforceable* PDC laws.

Please dismiss Mr. Hyer's complaint with no action.

Thank you.

Andrew Saturn  
[www.votesaturn.com](http://www.votesaturn.com)

On Fri, Oct 12, 2018 at 9:38 AM PDC Support <[pdcc@pdcc.wa.gov](mailto:pdcc@pdcc.wa.gov)> wrote:  
Hello Andrew Saturn,

The Public Disclosure Commission received three (3) complaints from Joe Hyer, which have been assigned PDC Case Number 41577. The Complaints alleges the following:

- Allegation: Alleged violations of RCW 42.17A.335(1)(a) by making false statements of material fact about a candidate for public office (Linda Oosterman).

Please review the attached complaint and provide your response by **October 26,2018**.

For more information about the enforcement process, please see our [Enforcement Guide](#).

If you have any questions, please reply to this email.

Thank you,

**Tabatha Blacksmith**  
**Compliance Coordinator**  
**360.586.8929**



To respond, please reply to this email.

Washington Public Disclosure Commission  
<http://www.pdc.wa.gov>  
1.360.753.1111

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*Washington State law established email as the PDC's official means of communication as of June 7th, 2018 (RCW 42.17A.055). Filers have a duty to amend their reports within 10 days of any material changes, such as new e-mail addresses. Please ensure your e-mail address is up to date.*

On Fri, 12 Oct at 8:57 AM , Saturn <[saturn@votesaturn.com](mailto:saturn@votesaturn.com)> wrote:

- Allegation: Alleged violations of RCW 42.17A.335(1)(a) by making false statements of material fact about a candidate for public office (Linda Oosterman).

<b>RECIPIENT</b>	<b>DATE</b>	<b>DESCRIPTION</b>	<b>AMOUNT</b>	<b>REPORT</b>
OFFICE MAX	07/21/2018	OFFICE SUPPLIES	\$70.33	C4
VARADIAN MARK	07/17/2018	MARK VARADIAN,WEB HOSTING	\$112.50	C4
EXPRESS SIGNS	07/17/2018	EXPRESS SIGNS,SIGNS	\$417.62	C4
CAPITOL CITY PRESS	07/17/2018	REMIT ENVELOPES	\$360.27	C4
VENTO PHOTO	07/17/2018	PHOTO	\$152.32	C4
THURSTON COUNTY AUDITOR	05/15/2018	FILING FEE	\$198.00	C4

**Re-Elect**

# **Linda *Oosterman***



**Thurston PUD Commissioner, district 1**

**[www.reelectoosterman.com](http://www.reelectoosterman.com)**

**360-888-0911**



Payroll  
Pay Type Register



User: julieparker  
 Printed: 09/12/2018 - 9:25AM  
 Check Date Range: 01/06/2018 to 09/12/2018  
 Period Date Range: All  
 Batch Info: All  
 Pay Types: CM

Employee	Pay Type	Description	Hours	Amount
<b>C004</b>	<b>Stearns, Christopher L</b>			
	CM	COMMISSIONERS ME	38.50	4,480.00
			<hr/>	<hr/>
		<b>Employee Total</b>	38.50	4,480.00
<b>C006</b>	<b>Oosterman, Linda L</b>			
	CM	COMMISSIONERS ME	44.00	5,100.00
			<hr/>	<hr/>
		<b>Employee Total</b>	44.00	5,100.00
<b>C007</b>	<b>Olsen, Russell E</b>			
	CM	COMMISSIONERS ME	29.00	3,390.00
			<hr/>	<hr/>
		<b>Employee Total</b>	29.00	3,390.00
			<hr/>	<hr/>
		<b>Report Total</b>	111.50	12,970.00
			<hr/>	<hr/>

Payroll  
Pay Type Register



User: julieparker  
 Printed: 09/12/2018 - 9:22AM  
 Check Date Range: 01/06/2017 to 01/05/2018  
 Period Date Range: All  
 Batch Info: All  
 Pay Types: CM

Employee	Pay Type	Description	Hours	Amount
<b>C004</b>	<b>Stearns, Christopher L</b>			
	CM	COMMISSIONERS ME	63.25	7,210.50
			<hr/>	<hr/>
		<b>Employee Total</b>	63.25	7,210.50
<b>C006</b>	<b>Oosterman, Linda L</b>			
	CM	COMMISSIONERS ME	63.00	7,182.00
			<hr/>	<hr/>
		<b>Employee Total</b>	63.00	7,182.00
<b>C007</b>	<b>Olsen, Russell E</b>			
	CM	COMMISSIONERS ME	43.50	4,959.00
			<hr/>	<hr/>
		<b>Employee Total</b>	43.50	4,959.00
			<hr/>	<hr/>
		<b>Report Total</b>	169.75	19,351.50
			<hr/>	<hr/>

[Andrew Saturn](#) replied 10 days ago (Sat, 13 Oct at 1:12 AM)

to : pdc@pdc.wa.gov

Two additional things I forgot to mention:

Joe Hyer requested in his complaint "we request you fine Mr. Saturn" (see attached) - who is "we"? Mr. Hyer submitted the complaint in his own name, and declared under penalty of perjury (see attached) that his complaint was being submitted by him, not for someone else (such as my opponent, Linda Oosterman).

And interestingly, the budget attached by Mr. Hyer (which alone shows his numbers are incorrect) is not the 2018 budget, but actually the draft 2019 budget, **which is not available to the public at this time** (see attached screenshots of the PUD website). **Where did Mr. Hyer get this unpublished draft 2019 PUD budget?**

These two items combined demonstrate a preponderance of evidence that Mr. Hyer may be working either with a current PUD Commissioner (such as my opponent, Linda Oosterman) or someone who has access to these documents (such as a member of the financial or executive management team at the PUD). Seeing as the staff at the PUD have no stake in the outcome of the PUD election, and Joe Hyer is an admitted supporter and consultant to my opponent and her campaign, it is likely that my opponent, Linda Oosterman, actually wrote this complaint, and/or pressured Joe Hyer to submit it for her.

I don't want the PUD to waste any further time on this, but perhaps Mr. Hyer has opened up a can of worms here by filing a complaint on behalf of somebody else?

Thanks,

Andrew Saturn

[www.votesaturn.com](http://www.votesaturn.com)

**We** request you fine Mr. Saturn an appropriate amount, and require him to post corrected information.

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## Budget Summary

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## **Complaint Certification:**

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

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## Financial Information

2017 **Audited** Financial Statement will be available later this year.

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[2016 Audited Financial Statement](#)

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