



**State of Washington  
PUBLIC DISCLOSURE COMMISSION**

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MINUTES – Regular Meeting

Evergreen Plaza Building, Room 206  
711 Capitol Way South  
Olympia, Washington

9:30 a.m.

January 22, 2015

COMMISSION MEMBERS PRESENT

Grant Degginger, Chair  
Katrina Asay, Vice Chair  
Amit Ranade, Member  
Anne Levinson, Member  
John Bridges, Member

STAFF PRESENT

Andrea McNamara Doyle, Executive Director  
Tony Perkins, Acting Assistant Director  
Lori Anderson, Communications & Training Officer  
Kurt Young, Compliance Officer  
Callie Castillo, Assistant Attorney General  
Linda Dalton, Sr. Assistant Attorney General

The regular meeting of the Public Disclosure Commission was called to order by Commission Chair Grant Degginger at 9:30 a.m. in the Evergreen Plaza Building, Room 206 Olympia, Washington.

Opening Comments

Commissioner Degginger called the meeting to order.

Citizens Comments/Concerns

No comments or concerns were expressed.

Commissioner Comments/Concerns

Commissioner Degginger welcomed new Commissioners Anne Levinson and John Bridges. He noted how nice it was to once again have a full five member Commission.

Commissioner Levinson stated that it was great to be part of the Commission and that she appreciated the welcome and training she has received from staff. She offered a brief summary of her professional and public service background.

Commissioner Bridges gave a brief summary of his professional background.

Minutes

**December 4, 2014 Regular  
Commission Meeting**

Moved by Commissioner Ranade, seconded by Commissioner Asay for discussion purposes.

Commissioner Asay stated that she recalled that she voted “no” on a motion at the December meeting that was not reflected in the minutes. The Chair deferred further consideration of the motion to allow staff to identify, and correct the error.

Commissioner Ranade and Asay withdrew the motion.

**Motion 15-002**

Moved by Commissioner Ranade, seconded by

Commissioner Asay that:

**The Commission adopt the regular minutes of January 9, 2015 special meeting.**

The motion passed.

**Informational Matters**

COGEL Report

Andrea McNamara Doyle and Tony Perkins reported on their recent attendance at the annual 2014 Council On Governmental Ethic Laws held in Pittsburgh, PA.

Ms. Doyle reported that there was representation from both the regulated community and the regulators. The conference also included participants from Canada and Australia.

The conference itself included over 330 participants and offered various tracks over a three-day period highlighting campaign finance, ethics, and open government elections and lobbying.

Tony Perkins reported on his first time attending COGEL. He stated how impressed he was with the amount of information being exchanged as well as the practical assistance and moral support.

Collections of Penalties

Kurt Young presented a summary of the outstanding penalties owed to the PDC and the current collections process used. The Commission discussed the need to consider increasing the threshold for when to engage the services of the Attorney General to reduce penalties to judgment.

Commissioner Levinson suggested that Staff explore the possibility of creating linkages with other state agencies to improve collection efforts, and Commissioner Asay noted that the procedures for discharging old, uncollectable debt should be updated.

Staff will continue its efforts to update penalty collection processes and procedures and report back to the Commission at a future meeting.

SAO Audits

Andrea McNamara Doyle provided an update on the status of the State Auditors Office routine accountability audit of the PDC.

She reported that the scope of the audit was broader than other small agency audits were expected to be, and the audit expense was not included or listed in the scheduled audits that the Auditors office, Legislature, and the Office of Financial Management typically consult on in order to provide the appropriate funding. Therefore

there was no funding allocated to the PDC for the audit.

She noted that the SAO entrance conference covered the scope and methodology of the audit. The auditor's office was sensitive to the PDC budget situation and agreed to scale the audit back to the same scope used for all other small agencies.

After this initial meeting Ms. Doyle was contacted by the Auditors office and was informed that the approach to audit is being reconsidered and may possibly be transferred to the performance audit section of the SAO. A performance audit is not charged to an agency directly. They are paid for out of separate funds from the Auditors office.

The PDC is awaiting further information from the SAO.

Presentation of Professional Staff Lists

Andrea McNamara Doyle presented the 2015 professional staff lists showing what employees of the House, Senate, Governor's Office, and Office of Financial Management will be required to file personal financial affairs statements. She informed the Commission that the lists will be made available on the PDC website for the benefit of the public.

**Advisory Matters**

Fact sheet guidance regarding RCW 42.17A.555 (use of public facilities)

Tony Perkins discussed the guidance that will be posted to the PDC website for reference regarding RCW 42.17A.555 (use of public facilities).

Mr. Perkins provided a summary and brief background of the information to the Commission.

He stated that over the years PDC staff have invited requests for review of local government and special purpose district ballot proposition fact sheets. It takes a lot of staff time to perform these types of reviews and staff has noticed that many customers are often repeat customers that have received the guidance already.

The new guidance document is intended to be the first step of review for those needing a refresher on the requirements and to lessen the amount of hours that staff will need to spend reviewing the individual ballot fact sheets.

He stated that staff will remain available to assist with questions as always.

**Rule Making**

January – June Rules Update

Lori Anderson reviewed the PDC rule-making plans for the first 6-months of 2015.

Staff will file the rules development agenda by the end of January 2015 with the Code Reviser. She noted that the list, once submitted, is not binding and if additional necessary rule-making arises, staff will be able to proceed with additional filings as well.

Ms. Anderson discussed a requested lobbying rule-making item, which would be to include employer identification numbers (EINs) on the lobbyists registration form (PDC form L-1).

She noted that a request was received from the Washington Nonprofits (WN), via Rick Anderson, Senior Policy Coordinator. Rick Anderson was present at the meeting and explained his request to the Commission.

Mr. Anderson provided a background of the WN for the Commission. He stated that the role of the WN is one of a capacity builder for Non-profits.

After making a public records request from the PDC to get all of the lobbyists' employers information to match against the WN existing database to get a sense of which non-profit organizations that are hiring lobbyists, he realized that he did not have a comprehensive list to compare.

He provided examples of other state agencies that he is working with to match and compare the data used by WN referencing a unique identifier and explained the public value he believes could be realized by collecting this data and making it available with other lobbying information

Lori Anderson noted that any new identification requirement would apply not just to the non-profits, it would apply to all lobbyist employers and it is possible that not all lobbyists and lobbyist employers have EINs.

Ms. Anderson noted that using EIN's could help the Commission's data collection as well. Staff will continue to research some of the issues raised by the proposal and bring the findings to the Commission.

Ms. Anderson continued her discussion with rule making related to enforcement of contribution limits that had been deferred from the January meeting. She explained the background of the 1994 Policy Statement and why

Preliminary Discussion – Applying Limits to Contributions Made to Affiliated Committees and Necessary Updates to the 1994 Policy Statement

staff believes it may be appropriate to update it into an interpretive statement or rule.

**Commissioner Training**

Public Agency Lobbying

Tony Perkins presented an overview of the section of law addressing the restrictions on public agencies that engage in lobbying.

**Legislative and Budget Report**

Andrea McNamara Doyle updated and supplemented the memo she provided Commissioners with the mailed meeting materials.

Ms. Doyle highlighted items PDC is involved with this session. She reported on meetings with committee members and will continue setting up future meetings as needed.

The PDC agency request legislation has been introduced both in the House and Senate. SB 5308 & HB 1397 (the F1 bill) and SB 5309 (the efficiencies bill). She is continuing to work on obtaining signatures in the House for the companion bill to SB 5309.

Ms. Doyle stated that the Senate Committee plans to hold confirmation hearings for the remaining PDC Commissioners that need to have the confirmation hearing. The gubernatorial appointments have been formally introduced and assigned confirmation numbers, 9006 - Commissioner Asay, 9017-Commissioner Bridges, 9035- Commissioner Degginger, and 9087- Commissioner Levinson.

Ms. Doyle explained the PDC bill tracker tool which is used to identify and track bills that are of interest or related to the PDC. She provided a status update of other PDC related bills.

Ms. Doyle invited the Commission, to register an official position on any bills of interest or concern or to identify the bills which they would like Ms. Doyle to convey any comments or messages about.

Ms. Doyle provided a brief summary of the items included in Governor Inslee's budget proposal for the PDC.

**Staff Reports**

Chief Information Officer

Compliance and Outreach

No additional information was presented at the meeting.

Tony Perkins reported on the activities of the Compliance and the Outreach divisions since the last Commission meeting.

Lobbyist registration assistance is a large focus for the

Filer Assistance Specialists at this time.

Compliance and enforcement has hired a new Investigator to assist with the workload. William Lemp will start with the PDC on February 2, 2015. He has a combined 16 years of experience in investigative work.

Mr. Perkins reviewed the new complaints and provided a status update of existing investigations.

Executive Director

Andrea McNamara Doyle reported on the water damage that occurred in the PDC office suites in December.

The repair work required the offices to be closed for one day and staff to be out of the building. She has submitted a request for rent credit for the time the offices were closed and not useable.

Minutes

**Motion 15-003**

Chair Degginger returned to the deferred agenda item related to the minutes of the December 4 regular meeting.

Staff identified the error and suggested the minutes corrected with the following revision to Motion 14 -153:

- The Commission adopt revised proposal to WAC 390-20-020, and WAC 390-20-020A. The motion passed a vote of 3 to 1, with Commissioner Asay voting no.

Moved by Commissioner Asay, seconded by Commissioner Ranade that:

The Commission adopt the regular minutes of December 4, 2014 Regular meeting as revised.

The motion passed.

**Enforcement**

At the request of the Respondent New Majority (Reagan Fund) PAC, the enforcement matter of PDC Case No. 15-038 was continued to the February 2015 Regular Commission meeting.

**Executive Session**

The Commission went into Executive Session at 11:51 a.m. to discuss pending and potential litigation with legal counsel for approximately 1 hour. Due to no action being anticipated following Executive Session, and no other agenda items the regular meeting will adjourn the meeting at 12:00 p.m.

**Adjournment**

The meeting adjourned at 12:00 p.m. Executive Session concluded at approximately 1:00 p.m.

**Approved by the Commission on February 26, 2015.**