



**State of Washington
PUBLIC DISCLOSURE COMMISSION**

711 Capitol Way Rm. 206, PO Box 40908 • Olympia, Washington 98504-0908
(360) 753-1111 • FAX (360) 753-1112

Toll Free 1-877-601-2828 • E-mail: pdcc@pdcc.wa.gov • Website: www.pdca.wa.gov

MINUTES – Special Meeting

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

2:15 p.m.

September 21, 2015

COMMISSION MEMBERS PRESENT

(participated via conference call)

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

COMMISSION MEMBER ABSENT

Amit Ranade, Member

STAFF PRESENT

(in-person or via conference call)

Fred Kiga, Interim Executive Director
Tony Perkins, Director of Compliance
Philip Stutzman, Sr. Compliance Officer
Kurt Young, Compliance Officer
Linda Dalton, Sr. Assistant Attorney General
Jana Greer, Executive Assistant

The special meeting of the Public Disclosure Commission was called to order by Commission Chair Asay at 2:20 p.m. in the Evergreen Plaza Building, Room 206 Olympia, Washington.

Opening Comments

Commissioner Asay called the meeting to order at 2:20 p.m.

Executive Director Appointment

Executive Session

The Commission went into executive session at 2:21 p.m. to discuss qualifications of applicants for public employment.

Action to follow executive session.

The Commission returned to the public session at 2:30 p.m.

Motion 15-0091

Moved by Commissioner Levinson, seconded by Commissioner Bridges that:

The Commission offer the position of Executive Director of the Public Disclosure Commission to candidate F and delegate negotiation of salary and start date to Interim Executive Director Fred Kiga.

The motion passed unanimously.

Motion 15-0092

Moved by Commissioner Levinson, seconded by Commissioner Bridges that:

The Commission, in order to provide for the continued assistance of the Interim Executive

Director during the transition period, approve Interim Executive Director Fred Kiga to continue to work with the Commission for the month of October.

The number of hours and specifics will be dependent upon the start date of the incoming Executive Director and the time necessary for a smooth transition.

The motion passed unanimously.

Commissioner Degginger joined the meeting at 2:35 p.m.

Enforcement

Report to Commission re:

PDC Case No. 15-070 SEIU 775 NW et al.

Phil Stutzman presented the executive summary, staff analysis, findings, conclusions, and recommendations regarding PDC Case No. SEIU 775 NW et al, a 45-Day Citizen Action Complaint filed on July 22, 2015 by James G. Abernathy and David M.S. Dewhirst of the Freedom Foundation against Service Employees International Union Healthcare 775NW (SEIU 775) and David Rolf, Adam Glickman, and Sterling Harders in their respective capacities as President, Secretary-Treasurer, and Vice President of SEIU 775.

Mr. Stutzman reviewed staff findings of the alleged violations of RCW 42.17A.205, .235, and .240 for failing to register and report as a political committee, RCW 42.17A.270 for failing to process and report earmarked contributions, RCW 42.17A.255 and .260 for failing to file special reports of independent expenditures, RCW 42.17A.305 for failing to file special reports of electioneering communications, and RCW 42.17A.630 for failing to file special reports of contributions by a lobbyist employer.

Staff recommended that the Commission recommend to the Attorney General that no further action be taken on the Citizen Action Complaint and that staff continue working with SEIU 775 to determine whether L-3C reports are required for the value of staff time to operate and manage its political committee, SEIU 775 Quality Care Committee.

James Abernathy, legal counsel for Freedom Foundation, was present and addressed the Commission. Mr. Abernathy stated that the Freedom foundation disagreed with the PDC Staff recommendation and felt that it overlooked evidence and information which was cited in the 45-day complaint.

Executive Session

The Commission went into executive session to discuss pending or potential litigation with legal counsel at 3:10 p.m.

Possible action following the executive session.

The Commission return to public session at 3:50 p.m.

Motion 15-0093

Motion

Moved by Commissioner Degginger, seconded by Commissioner Levinson that:

The Commission accept the staff recommendations.

In making its recommendation, the Commission expressed concern that the 45-Day process is unduly constraining because it does not provide adequate time for staff to obtain all relevant information. Commission members emphasized that their recommendation is based on the information and record made available to staff over the course of the 45-Day process, indicating that should additional material information become available, the Commission would evaluate the impact of such on its recommendation.

The motion passed unanimously.

Fred Kiga stated that staff will include this information in its transmittal to the Attorney General Office.

Adjourn

4:00 p.m.

Approved

October 22, 2015