



**Bob Ferguson**  
**ATTORNEY GENERAL OF WASHINGTON**

Licensing & Administrative Law Division  
800 Fifth Avenue • Suite 2000 • MS TB-14 • Seattle WA 98104-3188 • (206) 464-7676

October 30, 2019

Public Disclosure Commission  
711 Capitol Way S., #206  
P.O. Box 40908  
Olympia, WA 98504-0908

*Sent via email only to [pdcc@pdcc.wa.gov](mailto:pdcc@pdcc.wa.gov)*

Public Disclosure Commission:

Thank you for the extension to submit this response, which is on behalf of Respondents James Wengler (Case No. 58006), Doug Hendrickson (Case No. 58005), Marjorie Lund (Case No. 58004), Aaron Blaisdell (Case No. 58003), Ivan VanDeWege (Case No. 58001), Nirmala Gnanapragasam (Case No. 58000), and Ken Fuller (Case No. 57847). Please place this response in each complaint file. The complaints were each filed by Cody Hart, and are summarized by Public Disclosure Commission staff as alleging violations of RCW 42.17A.635 for indirectly lobbying the legislature outside of authorized channels and .640 for failure to report a grass roots lobbying campaign. Each complaint attached the same 83 pages of various records.

Respondents Wengler, Hendrickson, Lund, Blaisdell, VanDeWege, and Gnanapragasam are members of the Board of Registration for Professional Engineers and Land Surveyors (BORPELS) and are collectively referred to herein as BORPELS members. The BORPELS members serve only part time on the board and do not receive a salary. Rather, under RCW 43.03.240, they receive up to \$50 for each day during which they attend an official meeting or perform prescribed duties approved by the BORPELS chair, and BORPELS prorates this \$50 payment based on an eight-hour day. BORPELS members are not issued state email addresses nor equipment. BORPELS members can claim reimbursement for certain expenses. (Here, some did not. And those that did were authorized to do so, as further described below.)

Respondent Fuller is the Executive Director of BORPELS. During the 2019 legislative session, he used an email address and equipment of the Department of Licensing (DOL), and his salary was paid by DOL, but he was likely a BORPELS employee. Up through this legislative session, BORPELS relied on DOL to carry out administrative and other functions, and BORPELS received its funding through appropriations made to DOL. But DOL did not have control over staff assigned to assist BORPELS in carrying out its functions, including the BORPELS Executive Director position. *See Formal AGO Op. 1986 No. 14.*

## ATTORNEY GENERAL OF WASHINGTON

October 30, 2019

Page 2

As evidenced by the discussion in the AGO opinion and the attachments to the complaints, there has long been ambiguity in the relationship between BORPELS and DOL. The complaints generally allege impropriety in actions taken to support legislation in 2019 that aimed to resolve that ambiguity and clarify BORPELS's operations and processes. House Bill 1176 was ultimately passed by the Legislature and signed by the Governor.

### **Communications with Legislators**

RCW 42.17A.635(2) generally provides that public funds may not be used directly or indirectly for lobbying. "However, this does not prevent officers or employees of an agency from communicating with a member of the legislature on the request of that member; or communicating to the legislature, through the proper official channels, requests for legislative action or appropriations that are deemed necessary for the efficient conduct of the public business or actually made in the proper performance of their official duties." RCW 42.17A.635(2). Moreover, RCW 42.17A.635(3) provides that "[a]ny agency . . . may expend public funds for lobbying, but such lobbying activity shall be limited to (a) providing information or communicating on matters pertaining to official agency business to any elected official or officer or employee of any agency or (b) advocating the official position or interests of the agency to any elected official or officer or employee of any agency."

No BORPELS members nor its Executive Director violated provisions on direct lobbying.

As further detailed below, some BORPELS members communicated directly with legislators by meeting with them, or by emailing them or communicating with them via portals on the legislators' websites—all in their capacity as BORPELS members. Respondent Hendrickson did not communicate with any legislators concerning the matters alleged; he was asked to do so, but he ultimately did not contact any legislators. The BORPELS Executive Director, in his capacity as such, met with and emailed legislators directly. These communications, which took place throughout the 2019 legislative session, and which related to pending legislation affecting BORPELS (i.e., Senate Bill 5443, House Bill 1176), were through proper official channels. The communications requested legislative action—i.e., passage of legislation desired by BORPELS. Enactment of this legislation was deemed necessary for efficient conduct of public business. A key reason for BORPELS's support for the legislation was to clarify BORPELS's authority over various matters, including staffing and budget—as the past relationship with DOL was "somewhat confusing and inefficient," as emails attached to the complaints described. *See, e.g.,* complaints, pg. 33. The communications with legislators were also in the proper performance of official duties. The BORPELS members did so in their capacities as BORPELS members, and the BORPELS Executive Director acted because he was generally directed by BORPELS—by motion in an open public meeting—to work on supporting the legislation. Specifically, minutes from a December 2018 BORPELS meeting include that BORPELS would "pursue to the appropriate measures to establish itself as an independent state agency separate from the DOL.

ATTORNEY GENERAL OF WASHINGTON

October 30, 2019

Page 3

This will include but not be limited to . . . making appropriate RCW changes . . . The above activities will move forward to effect the changes required in the 2019 legislative session.” The meeting minutes are attached hereto. Hence, the activities of all Respondents concerning contacts to legislators were authorized under RCW 42.17A.635(2).

The Respondents’ direct communications with legislators additionally meet the exception criteria in RCW 42.17A.635(3). There were limited agency funds expended on direct lobbying of legislators, as follows:

- Respondent Wengler sent emails to 13 legislators urging their support of SB 5443, using his personal computer and private email account, at no cost to the State. And, he testified before a legislative committee one day in February, charging his per diem to BORPELS for preparation and testimony, totaling \$62.50, and his mileage, for \$157.76.
- Respondent Hendrickson did not communicate with any legislators in this matter and as such did not incur associated costs to the State.
- Respondent Blaisdell sent emails to three legislators urging their support of SB 5443, using his personal computer and private email account, at no cost to the State. And, he testified before legislative committees in February and March on three days, charging his per diem to BORPELS for a total of \$75 in February, and \$50 in March for preparation and testimony, and his mileage in February, for \$38.28.
- Respondent VanDeWege sent emails to five legislators urging their support of SB 5443 and similarly indicated support through web portals for members of the House of Representatives, using his personal computer and private email account, at no cost to the State. And, he testified before a legislative committee for one day in February, charging his mileage to BORPELS, for \$126.44, and met with the Governor’s staff in May before the bill was signed, charging his mileage to BORPELS, for \$132.24.
- Respondent Lund called staff for two legislators, urging support of SB 5443, using her personal phone, at no cost to the State. And, she testified before a legislative committee for one day in March, charging her per diem to BORPELS for preparation and testimony, for a total of \$50.
- Respondent Gnanapragasam sent emails to six legislators in March urging their support of SB 5443, using her personal computer and private email account, for which time she reported per diem and received \$15.63.
- Respondent Fuller did not charge any relevant expenses to the State. In February-March, he met on two or three days in-person with Sen. Kevin VanDeWege; on one of those days he also met in-person with Rep. Amy Walen; and he testified on three days at committee hearings on SB 5443 and HB 1176. The only thing that could potentially be viewed as a public expense in connection with his limited direct communication with legislators is his salary, which was paid for his performance of the full range of duties associated with being the BORPELS Executive Director, including education, outreach, licensing, regulatory enforcement, policy and rule development, staffing and budget issues, and more.

## ATTORNEY GENERAL OF WASHINGTON

October 30, 2019

Page 4

But these limited expenditures are lawful under RCW 42.17A.635(3)—i.e., “[a]ny agency . . . may expend public funds for lobbying”—because the communications were: (a) to provide information on matters pertaining to official agency business; and (b) to advocate the official position or interests of BORPELS. The legislation clearly pertained to BORPELS business. And support for the legislation was BORPELS’s official position, as confirmed by majority vote in an open public meeting. Either (a) or (b) makes the Respondents’ direct lobbying conduct lawful under the statute, including when public funds are expended. Both are met here.

In sum, all of the Respondents’ communications directly with legislators were lawful.

### **Communications with Agencies**

As to Respondents’ communications with others besides legislators, some Respondents engaged in communications with employees of other agencies. This is not unlawful, as “[a]ny agency . . . may expend public funds for lobbying, but such lobbying activity shall be limited to (a) providing information or communicating on matters pertaining to official agency business to any . . . employee of any agency or (b) advocating the official position or interest of the agency to any . . . employee of any agency,” RCW 42.17A.635(3), and “requests, recommendations, or other communication between or within state agencies or between or within local agencies” are exempted from lobbying for purposes of reporting, under RCW 42.17A.635(5)(d)(iv). All Respondents’ communications were to provide information or advocacy for official agency business, as explained above.

### **Communication with Stakeholders**

As to Respondents’ communications with members of the public, RCW 42.17A.635(2) provides in part: “Unless authorized by subsection (3) of this section or otherwise expressly authorized by law, no public funds may be used . . . indirectly for lobbying.” Without waiving other defenses (should it become necessary), to the extent that any communications to targeted stakeholder organizations or members of the professional engineering, land surveying, and on-site wastewater designing licensee communities urging their support of legislation can be viewed as prohibited conduct if at public cost, this is still not a violation as to the Respondent BORPELS members here because there generally was no proof of such conduct in the complaints, and for any emails that were sent by BORPELS members to stakeholders in the community, they did not involve any use of public funds. Again, the BORPELS members were not paid salaries, and they used private email accounts and their personal equipment and time for any such communications. Only Respondent Fuller, the BORPELS Executive Director, sent relevant emails to stakeholders, among other recipients, on State time and using State equipment.

To the extent that the Public Disclosure Commission is concerned about any conduct here, it should take into account the relevant circumstances, including that: all actions were taken openly

## ATTORNEY GENERAL OF WASHINGTON

October 30, 2019

Page 5

and in good faith; there is no systematic or ongoing problem; there is no material impact on the public from any impermissible indirect conduct since the direct lobbying of legislators was clearly lawful; the Respondents have no experience with lobbying law and procedures; the Respondents' activity in question was minimal (or in some cases, nonexistent); no unlawful contributions are even at issue here; and the Respondents derive no personal benefit from the legislation at issue as it instead clarifies BORPELS's operations. *See* RCW 42.17A.750(1)(d).

As further evidence of Respondent Fuller's good faith, in particular, the complaint documents reveal that: a) he sought information and guidance from Tod Ayers, a DOL human resources employee, concerning his role in the legislative process (*see* complaint, pg. 35); and, b) the plan for soliciting others' support and actions was suggested to him by Cliff Webster (*see, e.g.,* complaint, pgs. 2, 25), a prominent lobbyist, *see* <https://www.carneylaw.com/team/clifford-a-webster/>. A purpose of the campaign disclosure laws is to prevent secrecy or misleading the public or legislators. Nothing was secretive or misleading here.

### **Alleged Failure to Report Grass Roots Lobbying**

RCW 42.17A.640 imposes certain filing obligations for sponsors of grass roots lobbying campaigns. The Public Disclosure Commission's website explains that grass roots lobbying involves a program addressed to the "general public," a substantial portion of which is intended, designed, or calculated primarily to influence state legislation, and it gives examples of typical expenditures associated with such campaigns. They include: "newspaper advertisements to support proposed legislation, hiring a person to organize public meetings in order to influence action on issues being considered by the legislature, creating or maintaining website, purchasing e-mail lists, or hiring someone to conduct other online activities, and hiring signature gatherers to circulate petitions for an initiative to the legislature." *See*

<https://www.pdc.wa.gov/learn/publications/lobbyist-instructions/grass-roots-lobbying>.

Importantly, this criteria is not met here, and nothing in the examples resembles the present facts. No Respondent "present[ed] a [grass roots lobbying] program to the public" within the meaning of RCW 42.17A.640. This should end the inquiry on this issue.

However, to the extent that the Public Disclosure Commission would consider the additional clauses of RCW 42.17A.640 here, obligations for reporting by sponsors of grass roots lobbying campaigns apply only to persons who have made expenditures "exceeding one thousand dollars in the aggregate within any three-month period or exceeding five hundred dollars in the aggregate within any one-month period" intended, designed, or calculated primarily to influence legislation. RCW 42.17A.640(1). As described above, the total costs with respect to BORPELS members' conduct are \$475.61 for February, \$100 for March, and \$132.24 for May, which are well under the one-month and three-month limits. And, these costs were incurred to reimburse BORPELS members for their time and travel for direct lobbying of legislators, which is permissible under these facts; the costs were not for a grass roots lobbying campaign, nor an alleged conspiracy to conduct one. To the extent that Respondent Fuller's salary could be viewed

# ATTORNEY GENERAL OF WASHINGTON

October 30, 2019

Page 6

as an expenditure in excess of the limits, his salary was not paid “primarily to influence legislation” within the meaning of RCW 42.17A.640, but instead was for his performance of the full range of duties associated with being the BORPELS Executive Director, including education, outreach, licensing, regulatory enforcement, policy and rule development, staffing and budget issues, and more. No expenditure here is at all similar to what the Public Disclosure Commission’s website refers to as typical for a grass roots lobbying campaign. The Respondents did not violate RCW 42.17A.640.

## **Supplemental Complaint re: Respondent Fuller**

On October 28, 2019, the complainant submitted additional narrative in follow-up to the complaint against Respondent Fuller. The supplemental narrative alleges wrongdoing in connection with a professional organization’s support for proposed legislation. Yet, the quotes referenced do not establish the facts alleged (i.e., an agreement that an on-site designer should be appointed to serve on BORPELS, in exchange for the organization’s support, and that the Governor somehow also agreed). There was no such agreement, and the statutes would not allow it. RCW 18.43.030 provides in relevant part that BORPELS shall consist of seven members, and: “Five members of the board shall be registered professional engineers licensed under the provisions of this chapter. Two members shall be registered professional land surveyors licensed under this chapter.” The complainant’s supplemental allegation is unfounded and unworthy of further consideration by the Public Disclosure Commission.

The supplemental narrative also references the BORPELS members, claiming that the legislative proposals “personally benefited each board member and allows control of agency funds previously not available to them and in doing so, also provides the Governor more control since he appoints the Board.” Yet, BORPELS has long been an independent agency but relied upon DOL for certain administrative and other functions, including assistance with management of BORPELS’s budget, which BORPELS under the newly enacted legislation will be responsible for on its own. The law change provides BORPELS with more direct control of its agency funds, but this does not amount to personal benefit for BORPELS members or the BORPELS Executive Director because the BORPELS funds are for agency purposes. Further, concerning the allegation of Governor control, the Governor had appointment authority for BORPELS members under both the prior and new law. *See* RCW 18.43.030. The attempt to buttress the complaints against the BORPELS members is unavailing and unworthy of further consideration.

## **CONCLUSION**

The complaints against the Respondent BORPELS members should be dismissed with no further action. The same should be true of the complaint against Respondent Fuller, or, at worst, the complaint should be otherwise resolved without imposition of penalties and without warranting further time spent on investigation of the matter.

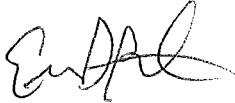
ATTORNEY GENERAL OF WASHINGTON

October 30, 2019

Page 7

I am happy to provide further information required by the Public Disclosure Commission for its consideration of the complaints. Thank you for your consideration of the matters.

Sincerely,

A handwritten signature in black ink, appearing to read "Eric D. Peterson". The signature is fluid and cursive, with the first name "Eric" and last name "Peterson" clearly distinguishable.

ERIC D. PETERSON

Senior Assistant Attorney General

Licensing and Administrative Law Division

Encl.: Minutes from Dec. 6, 2018, BORPELS Special Meeting



STATE OF WASHINGTON  
**BOARD OF REGISTRATION FOR  
PROFESSIONAL ENGINEERS AND LAND SURVEYORS**  
SPECIAL BOARD MEETING MINUTES

**DATE:** December 6, 2018

**TIME:** 8:00 a.m.

**LOCATION:** Radisson Hotel SeaTac Airport  
18118 International Blvd.  
Seattle, WA 98188

**BOARD MEMBERS**

James Wengler, PLS, CFedS, Chair  
Ivan VanDeWege, PE, Vice Chair  
Stephen Shrope, PE, SE  
Nirmala Gnanapragasam, Ph.D, PE  
Doug Hendrickson, PE  
Marjorie Lund, PE, SE  
Aaron Blaisdell, PLS

**STAFF MEMBERS**

Ken Fuller, PE, Executive Director  
Jennifer Lingle, Administrative Assistant  
Jill Short, Investigations & Compliance Manager  
Elizabeth Lagerberg, AAG Advisor  
Meg McCann, Deputy Director  
Jennifer Clawson, Assistant Director  
Sieng Bonham, Budget Manager  
Beau Perschbacher, Policy and Legislative Director  
Rick Storvick, Board Staff  
Sarah Pittman, Board Staff  
Vonna Rakestraw, Board Staff

**GUESTS**

Tom Barger, PLS, LSAW

## **OPEN SESSION**

### **1. Call to Order 8:00 a.m.**

#### **1.1. Introductions**

Board members, staff, and guests introduced themselves.

#### **1.2. Approval of Order of Agenda**

Recommendation to amend agenda to add 4.2.4 2018-08-0007-00ENG, 4.2.5 2018-05-0007-00ENG, and 4.2.6 2018-08-0013-00ENG.

MOTION: Mr. Blaisdell made a MOTION to accept the agenda as amended. Mr. VanDeWege seconded the MOTION and it passed.

#### **1.3. Approval of Draft Minutes: October 18, 2018**

MOTION: Mr. Hendrickson made a MOTION to approve the October 18, 2018 minutes. Ms. Lund seconded the MOTION; and it passed.

#### **1.4. Review Communication**

None.

#### **1.5. Public Comment Opportunity**

None.

### **2. Interagency Relations**

#### **2.1. DOL Budget & Legislation Process**

Ms. Bonham gave a presentation to the Board that included breakdowns for the Engineer and Land Surveyor budget for the current biennium. Justin Leppa, Budget Forecasting Officer, will attend the next board meeting to give more details to the board.

Ms. Clawson let the Board know that DOL is committed with sharing information and authority the Board needs. DOL is currently working on time studies and performance measures on how staff's time is spent. DOL is wanting to work with the Board on what is needed in the position description for the Executive Director.

Mr. Perschbacher gave a legislation update on the RCW 18.43 suggested language changes on Professional Engineer requirements.

Ms. McCann re-introduced herself to Board as her new position with DOL as Deputy Director. She also let the Board know that DOL is in process of changing the Mission Statement to more of a Purpose State and to focus more on why we do what we do. She also agreed with Ms. Clawson on doing a better job working with the Board.

MOTION: Mr. VanDeWege made a MOTION that the board finds the language in bill Z-0047.3/19 third draft acceptable. Ms. Gnanapragasam seconded the motion and it passed unanimously.

Action Item: Ms. Bonham will e-mail the presentation to the Board.

## 2.2. Interagency agreement BORPELS plan forward

Mr. Fuller gave an update on the ongoing team meetings with DOL's executive group, Mr. Wengler, Ms. Gnananapragasam, and Mr. VanDeWege. He mentioned the team is discussing two options; One, remaining under DOL's agency umbrella with an interagency agreement requiring certain authority over the budget and staffing; and, secondly, pursuing legislative action to amended RCW's 18.43, 18.210 and 18.235, which will allow BORPELS to establish itself as a small agency. Mr. Fuller stated he is working with DOL on the possible language and action on the first option and DOL has agreed to at least remain neutral on the legislative option. Mr. Fuller committed to completing the BORPLES "ask" letter by the end of the week and transmitting it to Jennifer Clawson and DOL for their review and proposal. DOL has committed to a response and proposal by the end of the year.

MOTION: Mr. VanDeWege made a MOTION to eliminate confusion in authority, and establish control and accountability over; the engineers account (the 024 account), BORPELS staff, and the Executive Director's position, the BORPELS will pursue the appropriate measures to establish itself as an independent state agency separate from the DOL. This will include but not be limited to acquiring an agency number and making appropriate RCW changes. The budget and HR functions for the Executive Director will be administered by DES Small Agency Financial Services. A contract or interagency agreement will be established with DOL to provide licensing, investigation, and administrative functions. The above activities will move forward to effect the changes required in the 2019 legislative session; however, if the Director of DOL provides a solution to issues previously raised by BORPELS by December 31, 2018, and the solution is approved by the BORPELS, BORPELS will cease the pursuit of a separate state agency at this time. Ms. Lund seconded the motion and it passed.

## 3. Committee Reports

### 3.1. Exam/Qualifications Committee

Ms. Lund delivered the committee's report.

Reviewed the following:

- WAC 196-26A-040 & WAC 196-30-030
  - Specified board information requested
  - Attest to reading Chapter 58.09 RCW & WAC 332-130
  - Add 5yr expired requirement

- If expired 5 or more years a renewal application must be submitted and will be required to retake the law exam and obtain a passing score.
- Adding professional development hours (PDH) for PLS & On site to 15 hours

Ms. Rakestraw and Mr. Fuller provided a report on the status of the R3 upgrade and the psychometrician.

Recommend approval of the On-Site cut score of 65/100 which resulted in 8 passing.

Recommending PLS 2hr exam only be given 2 times a year, until new exam is created

Staff & committee members are working on amending the On Site law review exam

MOTION: Mr. Shrope made a MOTION to accept the Exam/Qualifications Committee report. Mr. Blaisdell seconded the MOTION; and it passed.

### 3.2. Practice Committee

Mr. Blaisdell delivered the committee's report.

**Total complaints received since the last meeting: 11**

3 - Engineering Complaints

3 - Surveying Complaints

2 - Unlicensed Engineering Complaint

1 - Unlicensed Surveying Complaint

2 - Corporation Complaints

There are currently 3 individuals on compliance monitoring (Leigh McIntire, OS; Edward Snyder, PLS; and Bruce Studeman, PLS). All three individuals are currently in compliance with the terms of their board orders. Mr. Studeman has met the terms of his order and will be removed from compliance monitoring.

MOTION: Mr. VanDeWege made a MOTION to accept the Practice Committee report. Mr. Hendrickson seconded the MOTION; and it passed.

### 3.3. Surveying Committee

Mr. Hendrickson delivered the committee report.

Discussion was held regarding:

- Bellingham Technical College review. No further contact since October meeting, the school is presently clarifying contact hours of students with licensed Land Surveyors
- A land surveyor for Renton Tech was struck by a vehicle in October/November and other persons are working course content delivery at this time.
- Yakima Valley Community College is starting up a survey curriculum.
- Exam question development: On feedback from Danis in question development, this committee recommends that board members refrain from positioning as question writers and remain in a position of vetting and approval.
- Monument Letter issuance: Status report indicates that of approximately 20,000 electronic versions issued roughly 10% bounced back as undeliverable and about 30 generated questions of verification of validity of source (questioning if spam mail).
  - Email addresses to be deployed to listserv.
  - Discussion of a letter from the County Road Administration Board and a follow on meeting regarding a MOU with the counties and DNR for working around the specific requirements of the Monument recovery process. Further discussion and action in the future with the DNR taking lead.
- New issuance of RCW 64.90
  - Dealing with common ownership interest.
  - Conditions appear to allow Land Surveyor licenses to record maps without seals and signatures required by survey law.
  - Basal issue of acceptance by counties of such maps as recorded surveys.

### **3.4. Executive Committee**

Mr. Wengler delivered the committee report.

Discussion was made regarding:

- Budget.
- Interagency Agreement.

### **3.5. Outreach Education Task Force**

Ms. Lund delivered the report.

Discussion was made regarding:

- Goals
  - Finance for next biennium
  - Mission
- Looking at 3 different groups
  - Licensing track
  - Current stakeholders
  - Public

**EXECUTIVE SESSION:** Mr. Wengler, Board Chair, announced the purpose and an estimated 20 minutes for Executive Session. At the conclusion of the 20 minutes the Board took a break, and reconvened open session.

## **OPEN SESSION RECONVENES**

### **4. Disciplinary Activity**

#### **4.1. New Board Orders**

No business.

#### **4.2. Recommended closures**

##### **4.2.1. 2017-11-0010-00ENG**

Mr. Wengler recommended the case be closed.

MOTION: Ms. Lund made a MOTION to accept the case manager's recommendation for closure. Mr. Hendrickson seconded the MOTION, and it passed. Mr. Wengler abstained.

##### **4.2.2. 2017-12-0001-00ENG**

Mr. Wengler recommended the case be closed.

MOTION: Mr. VanDeWege made a MOTION to accept the case manager's recommendation for closure. Mr. Blaisdell seconded the MOTION, and it passed. Mr. Wengler abstained.

##### **4.2.3. 2017-03-0003-00ENG**

Mr. VanDeWege recommended the case be closed.

MOTION: Mr. Hendrickson made a MOTION to accept the case manager's recommendation for closure. Ms. Gnanapragasam seconded the MOTION, and it passed. Mr. VanDeWege abstained.

##### **4.2.4. 2018-08-0007-00ENG**

Mr. Shrope recommended the case be closed.

MOTION: Mr. Blaisdell made a MOTION to accept the case manager's recommendation for closure. Mr. Hendrickson seconded the MOTION, and it passed. Mr. Shrope abstained.

##### **4.2.5. 2018-05-0007-00ENG**

Mr. Blaisdell recommended the case be closed.

MOTION: Ms. Lund made a MOTION to accept the case manager's recommendation for closure. Ms. Gnanapragasam seconded the MOTION, and it passed. Mr. Blaisdell abstained.

**4.2.6. 2018-08-0013-00ENG**

Ms. Gnanapragasam recommended the case be closed.

MOTION: Mr. Hendrickson made a MOTION to accept the case manager's recommendation for closure. Mr. VanDeWege seconded the MOTION, and it passed. Ms. Gnanapragasam abstained.

**3.3. Disciplinary Report**

Packet item only; no action.

**5. New Business**

**5.1. Complaint Response- Quick Response**

Ms. Short gave information on how New Mexico handles their complaint process and what they do to speed up the process.

Action Item: Present steps on how we can expedite cases.

Action Item: Present process on how New Mexico handles complaints at Board Workshop.

**6. Old Business**

**6.1. Review Prior Action Items List**

Ms. Lingle reviewed the master action item list with the Board.

**6.2. Outreach Calendar**

The Board shared upcoming outreach opportunities.

**6.3. <sup>F</sup>DANIS Job Task Analysis Survey Results**

Discussion was made during the Committee meetings.

**7. Executive Director's Report**

**7.1. Program Operations**

- Mr. Fuller informed the Board that he was meeting with new Pro-Tem member Dan Clark on December 17<sup>th</sup>.
- Mr. Fuller gave an update on the data package for the R3 clean-up.
- There have been some DOL staff changes within the Regulatory Boards Section. Amairani Padilla and Troy Lincoln have left the agency. Keith Peterson is the new Investigator.

**7.2. Financial Report**

The Financial Report was reviewed.

**7.3. Travel**

Mr. Fuller and Mr. Shrope will attend the NCEES Regional meeting in Atlanta, GA in February 2019.

Ms. Gnanapragasam, Mr. Wengler, and Mr. Blaisdell showed interest in attending Western Zone in Boise Idaho in May 2019.

**7.4. Other Items**

No business.

**8. Assistant Attorney General's Report**

Ms. Lagerberg gave a brief update on the Shasta McKinnley and Tappel Fishery cases.

**9. Other Business**

**9.1. Any Other Business**

No business.

**9.2. Additional Public Comment**

None.

**9.3. Action Items from this Meeting**

Action items were reviewed and will be added to the master action items list.

**9.4. Agenda Items for Next Meeting**

- DOL Budget Presentation
- Workshop

**10. Adjourn Meeting: 1:33 p.m.**

**Next meeting:** February 5, 2019 11:00 a.m. – Committee Meetings  
February 5, 2019 1:00 p.m. – Workshop  
February 6, 2019 8:00 a.m. – Special Board Meeting  
Radisson Hotel Seattle Tacoma Airport  
18118 International Blvd.  
Seattle, WA 98188

Respectfully Submitted:



Ken Fuller, PE, Executive Director