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Public Disclosure Commission



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: pdc@pdc.wa.gov • Website: www.pdc.wa.gov

Public Disclosure Commission Statement of Understanding

Ken Fuller, Executive Director Washington State Board of Registration

for Professional Engineers and Land Surveyors; PDC Case 57847

I, Ken Fuller, as Executive Director of the Washington State Board of Registration
(Printed Name of Officer) for Professional Engineers and Land Surveyors (BORPELS), hereby
acknowledge that I:

Used BORPELS computer, state email address on state time to engage in an indirect lobbying campaign during the 2019 Legislative Session, in violation of RCW 42.17A.635. Between March 11 through April 22, 2019, I sent out emails using my BORPELS computer and state email address on state time to individuals and organizations outside the normal BORPELS communication channels.

Some of those emails I sent contained "calls to action" and indirect lobbying appeals to contact legislators directly by email or telephone, or urging their members to contact legislators by email or telephone to support House Bill 1176, Senate Bill 5443, and to contact the Governor's Office and urge his signing of HB 1176, in violation of RCW 42.17A.635. The recipients included a statewide member association, at least three Chief Land Surveyors for three cities in Washington State, an Associate Professor for the University of Washington, and several land surveyors or land surveying companies.

The emails provided the names of all House members of the Consumer Protection and Business Committee, the telephone numbers, and an email hyperlink, and the content of some of the email messages included the following:

- "...we could use a few personal emails to the committee requesting it to be voted out and onto the floor."

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Main body of handwritten text, appearing to be a list or a series of notes.

Handwritten signature or name in the middle right section.

Text block below the signature, possibly a date or a short note.

Text block in the lower middle section, continuing the notes or list.

Text block in the lower section, possibly a concluding note or a separate entry.

Text block near the bottom of the page, possibly a date or a final note.

Text block at the very bottom of the page, possibly a footer or a final signature.

- “If we could get 30 or so professionals to send personal emails and phone calls to the chair Steve Kirby and a few emails to each of the committee members stressing the importance of this legislation it would be very helpful...”
- “the point of my email is that we would like to have the full committee (13 members) vote positive on moving this out to the floor which may allow us to bypass the appropriations committee.”
- “Would you all be able to ask a few of your select Designers, Engineer’s Land Surveyors if they would send out a email requesting support of SB 5443?”

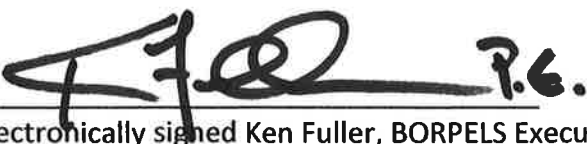
I would like to avoid the time and expense resulting from a Brief Adjudicative Proceeding (Brief Enforcement Hearing) being scheduled by Public Disclosure Commission (PDC) staff.

Therefore, in lieu of PDC staff scheduling a Brief Enforcement Hearing, I am completing this Statement of Understanding, and enclosing a check or money order in the amount of \$150 as a penalty payment to resolve this matter.

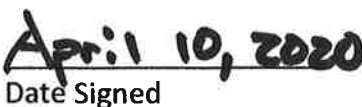
The \$150 penalty being assessed is for the acknowledged violations of RCW 42.17A.635 by me for using BORPELS facilities to engage in an indirect lobbying campaign during the 2019 Legislative Session. The \$150 penalty is in accordance with the Penalty Schedule and factors adopted by the Commission for Brief Enforcement Hearings set forth in WAC 390-37-143.

I understand that by completing this Statement of Understanding, I am acknowledging violations of Chapter 42.17A RCW and Title 390 WAC as set forth above, and I am waiving my right to a hearing in this matter.

I further understand that this will resolve the issue of using BORPELS computer, state email address, and on state time to engage in an indirect lobbying campaign.

s/  P.G.

Electronically signed Ken Fuller, BORPELS Executive Director


Date Signed

Please make your check or money order payable to the “**Washington State Treasurer**” and be sure to include the PDC Case number in the memorandum field, and mail or deliver this Statement of Understanding along with your payment to:

Public Disclosure Commission
P.O. Box 40908
Olympia, WA 98504-0908

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35 [Signature]

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