



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

November 7, 2019

Delivered electronically to votechan03@gmail.com

Subject: Complaint filed by Nicholas Gullickson, PDC Case 59380

Dear David Chan:

Below is a copy of an electronic letter sent to Nicholas Gullickson concerning a complaint filed with the Public Disclosure Commission (PDC).

As noted in the letter to Nicholas Gullickson, the PDC has dismissed this matter in accordance with RCW 42.17A.755(1) and will not conduct a more formal investigation into these allegations or take further enforcement action in this matter.

If you have questions, contact Alice Fiman at (360) 586-4746, toll-free at 1-877-601-2828, or by e-mail at pdcc@pdcc.wa.gov.

Sincerely,

/s

Alice Fiman
Compliance Officer

Endorsed by,

/s

Barbara Sandahl
Deputy Director
For Peter Lavallee
Executive Director



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November 7, 2019

Delivered electronically to Nicholas Gullickson at nichg425@gmail.com

Subject: Complaint regarding David Chan, PDC Case 59380

Dear Nicholas Gullickson:

The Public Disclosure Commission (PDC) has completed its review of the complaint you filed October 27, 2019. The complaint alleged David Chan, a 2019 Candidate for South Snohomish Fire and Rescue Regional Fire Authority Fire Commissioner Position 4, may have violated RCW 42.17A.555 by using fire district facilities to assist his and another candidate's campaign, by campaigning in his official uniform supplied with taxpayer funds. You provided photos of Chan waving campaign signs in a shirt with the South Snohomish Fire and Rescue Regional Fire Authority Fire logo.

PDC staff reviewed the allegations; the applicable statutes, rules, and reporting requirements, and the response provided by David Chan, to determine whether the record supports a finding of one or more violations.

Based on staff's review, we found the following:

- David Chan was first elected to the South Snohomish Fire and Rescue Regional Fire Authority Fire Commission in November 2005, then reelected in 2011 and 2017. His current term expires in 2019.
- David Chan was a candidate for re-election in 2019. He submitted a Candidate Registration with the PDC on May 28, 2019.
- In response to the allegation, Chan stated "South Snohomish County Regional Fire Authority (RFA) Fire Commissioners are elected officials. We do not have official uniform. RFA does provide some shirts that have each of commissioner's name embroidered on it. Each of the commissioner pick his or her color. Base on the direction from legal counsel, I have purchased my "Own Uniform". I am not using taxpayer funded money to campaign."
- In the response, Chan provided the purchase order and check he used to pay for the shirt worn in the photographs provided in the complaint.

- PDC guidance (PDC Interpretation 04-02) for local government agencies in election campaigns states the use of self-purchased uniforms is permitted to support a campaign.

Based on these findings staff has determined, in this instance, the alleged use of public facilities of South Snohomish Fire and Rescue to assist David Chan's re-election campaign and the campaign of another candidate, does not amount to a violation warranting further investigation.

Based on this information, the PDC finds that no further action is warranted and has dismissed this matter in accordance with RCW 42.17A.755(1).

If you have questions, contact Alice Fiman at 1-360-586-4746 or toll-free at 1-877-601- 2828, or by e-mail pdcc@pdcc.wa.gov.

Sincerely,

/s

Alice Fiman
Compliance Officer

Endorsed by,

/s

Barbara Sandahl
Deputy Director
For Peter Lavalley
Executive Director