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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](mailto:pdc@pdc.wa.gov) • Website: [www.pdc.wa.gov](http://www.pdc.wa.gov)

**Public Disclosure Commission Statement of Understanding**

**Washington State Board of Registration for Professional Engineers and Land Surveyors**

**PDC Case 67383**

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 BORPELS:

Failed to timely file an Agency Lobbying Expense Report (L-5 report) disclosing lobbying activities of employees and board members of BORPELS, a separate board that at the time was affiliated with the Department of Licensing for providing certain administrative purposes, undertaken during the first two quarters of the calendar year 2019, in violation of RCW 42.17A.635.

On December 20, 2019, BORPELS electronically filed two L-5 reports for the first and second quarters of 2019, disclosing \$1,447.65 in agency public funds were expended between January 1 through June 30, 2019 for public agency lobbying activities in support of House Bill 1176, Senate Bill 5443, and meeting with the Governor's Office for the HB 1176 bill signing. The two late filed L-5 reports filed by BORPELS disclosed the following:

- 2019 First Quarter of 2019, January 1 through March 31, 2019: The L-5 report for the first quarter of the 2019 Legislative Session disclosed that BORPELS spent a total of \$829.99 in public agency funds that included \$270.01 for Ken Fuller, BORPELS Executive Director, for the time he spent meeting with Legislators or testifying in support of HB 1176 and SB 5443. In addition, four BORPELS Board members, James Wengler, Aaron Blaisdell, Ivan VanDeWege, and Marjorie Lund, met with Legislators or testified in support of HB 1176 and SB 5443 during the first quarter of 2019. The total per diem and travel reimbursements costs for the BORPELS Board members public agency lobbying activities was \$559.98.

The L-5 report for the first quarter of 2019 was required to have been filed by BORPELS no later than April 30, 2019 and the information was filed 234 days late.

- Second Quarter of 2019, April 1 through June 30, 2019: The L-5 report for the second quarter of the 2019 Legislative Session disclosed that BORPELS spent a total of \$617.66 in public agency funds, that included \$260.42 for Mr. Fuller for the time he spent testifying before the House Appropriations committee and meeting with Governors Staff for HB 1176 bill. Mr. Fuller attributed an additional \$225 in travel costs for him to return early from a conference in Boise to attend the HB 1176 bill signing. In addition, Mr. VanDeWege, a BORPELS Board member, was reimbursed \$132.24 for his per diem and travel costs to meet with the Governor's staff for the HB 1176 bill signing.

The L-5 report for the second quarter of 2019 was required to have been filed by BORPELS no later than July 31, 2019 and the information was filed 142 days late.

BORPELS 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, BORPELS is 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 two acknowledged violations of RCW 42.17A.635 by BORPELS for failing to timely file two L-5 reports, in accordance with the Penalty Schedule and factors adopted by the Commission for Brief Enforcement Hearings set forth in WAC 390-37-143.

BORPELS understands that by completing this Statement of Understanding, BORPELS is acknowledging violations of Chapter 42.17A RCW and Title 390 WAC as set forth above and waiving its right to a hearing in this matter.

BORPELS further understands that this will resolve the issue of failing to timely file the two L-5 reports.

s/  T.E.  
Electronically signed Ken Fuller, BORPELS Executive Director

April 10, 2020  
Date Signed

Board of Registration Professional Engineers and Land Surveyors (BORPELS)

Statement of Understanding

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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**