



Washington State Executive Ethics Board

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Executive Ethics Board News

Judy Golberg, Chair
Neil Gorrell, Vice-Chair
Evelyn Yenson, Member
Linnaea Jablonski, Member

February 11, 2008

The Executive Ethics Board (Board) met on Friday, February 8, 2008. All members were present. Others attending included Melanie de Leon, Executive Director, Nancy Lewin, Investigator, Ruthann Bryant, Board Secretary, Ted Miller AAG, and Linda Moran, Sr. AAG. Other members of the public also attended.

Enforcement

In lieu of an enforcement hearing, the Board accepted a stipulation from Gael Tarleton, Special Assistant for Global Strategies, University of Washington (UW). The stipulation admits that she used her UW computer system to send out e-mails regarding her candidacy for an elected office. Ms. Tarleton agreed to pay a penalty of \$2,000.

Legislative Matters

During this legislative session, the Board proposed one bill that would amend RCW 42.52.500 to remove the requirement of offering the use of an Administrative Law Judge to respondents who come before the Board in enforcement hearings when the proposed fine is more than \$500. (See HB 2915 and SB 6293) The Executive Director testified in front of both legislative committees during the bill's public hearings. The Senate committee passed the bill to the Rules Committee during their Executive Session. The House committee took no action.

The Board discussed other legislation that either impacted the Ethics Act or the Board itself. These bills include:

- SSB 6570 – Gives the Department of Fish and Wildlife the option of allowing a ranger's family member to conduct a private business in their state-owned housing, i.e., Avon, Tupperware, as long as the commissions adopts a private business activity policy that is approved by the Ethics Board. Bill passed to Rules Committee.
- HB 3292 – Requires the recording of all executive sessions. Bill passed to Rules Committee.
- HB 3134 – Adds a new section to RCW 42.52.160 to allow the selling of merchandise or services under the terms of a contract with an official wellness program of a state agency. Bill passed to Rules Committee.

Other

The Board discussed an agency question regarding speakers for diversity events. The question was posed as: "Can a speaker for a diversity event bring and sell their books/CDs at the event in lieu of receiving a speaking fee?" The Board discussed this question in the context of their latest Advisory

Opinion, 08-01, which stated that Weight Watchers could not sell their merchandise during meetings with state employees in state facilities even though these meetings were part of the agency's wellness program. The Board did not believe that there was any difference in a diversity speaker selling merchandise and Weight Watchers selling merchandise: both were profit seeking entities and both were invited to provide their services to state employees under a state-sanctioned organizational program. Based upon these similarities, the Board voted that Advisory Opinion 08-01 applied to diversity speakers, and it would violate the Ethics Act to allow a diversity speaker to sell merchandise in lieu of payment. These speakers could provide information and/or flyers regarding where to purchase their books/CDs.

Staff News

The Board Staff is revamping their current training course offerings and will be providing a variety of trainings for state agencies in the upcoming months.

The quarterly Newsletter should be coming out in March.

Meeting agendas can be found at www.ethics.wa.gov under "Meetings."

The next meeting of the Executive Ethics Board is scheduled for March 14, 2008.