

Legislative Ethics Board

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COMPLAINT 2016 – NO. 3

In Re Pike

DETERMINATION OF NO REASONABLE CAUSE – ORDER OF DISMISAL

April, 2016

1. Nature of the Complaint

The Complaint alleges that Representative Liz Pike (Respondent) spoke at a Vancouver, Washington public meeting of the Washington Fish and Wildlife Commission on January 23, 2016 and urged the Commission to implement policies which would prioritize sports salmon fishing over commercial salmon fishing on the Columbia River. According to the Complaint, and media reports, Respondent referred to her bill which was blocked in a House committee. That bill was represented as a vehicle to place the sports fishing priority in statute and the Respondent advised the Commission that the Commission was the best hope for the Columbia sports fishing industry.

The Complaint alleges a misuse of legislative office based upon Respondent's request to the Commission. No provision of the Ethics Act is cited as authority for this allegation.

This allegation is based, apparently, on the provisions of RCW 42.52.070, which reads as follows:

Special privileges.

Except as required to perform duties within the scope of employment, no state officer or state employee may use his or her position to secure special privileges or exemptions for himself or herself, or his or her spouse, child, parents, or other persons.

2. Conclusion

The Board concludes there is reasonable cause to believe Respondent acted within the scope of her legislative employment. Therefore, there is no reasonable cause to believe she violated the Ethics Act.

3. Determinations of Fact

There is reasonable cause to believe the following facts are among the pertinent facts of the case.

- a. Respondent attended a public meeting of a state commission during which there was a discussion of the commercial and sports fisheries on the Columbia River.
- b. Respondent favored the interests of the sports fishery. During the meeting she referred to a bill she had sponsored and indicated the bill would not pass due to the concerns of the committee chair.
- c. The bill reflected her sports fishery priorities.
- d. Respondent requested the Commission to act in a manner consistent with the intent of her bill.

4. Determinations of Law

Respondent's appearance and testimony before the Commission addressed an issue which was before the Legislature in the form of a bill. Her appearance and testimony constituted an exercise of her discretionary authority and were within the scope of her legislative employment. See, for example, Complaint 2006 – No. 1 – A legislator acted within the scope of legislative employment when he testified at a local school board meeting, voiced opposition to proposed board action, and warned of possible legislative responses if the action was taken.

IT IS HEREBY ORDERED, ADJUDGED AND DECREED there is no reasonable cause to believe Respondent violated the Ethics Act and the complaint is dismissed.


Kenny Pittman, Chair
Date: 5/6/2016