

# Legislative Ethics Board

**BOARD MEMBERS:**  
SHONTRANA GATES-WERTMAN  
SEN. CHRIS GILDON  
REP. DAVID HACKNEY  
TOM HOEMANN  
LARRY HOFF  
STEVE O'BAN  
SEN. JAMIE PEDERSEN  
PAM TAJIMA PRAEGER  
REP. MIKE STEELE



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## LEGISLATIVE ETHICS BOARD MINUTES March 11, 2024

Present were: Tom Hoemann, Chair; Pam Tajima Praeger, Vice-Chair (virtual); Sen. Jamie Pedersen; Sen. Chris Gildon(virtual); Rep. David Hackney(virtual); Larry Hoff; Shontrana Gates-Wertman (virtual); Rep. Mike Steele (virtual); Jennifer Strus, Board Counsel; Jeannie Gorrell, Senate Counsel; Suchi Sharma, Senate Counsel (virtual); Ohad Lowy, House Counsel

The chair called the meeting to order at 10:05 am.

The minutes for the January 19, 2024 Board meeting were approved.

The Board reviewed a Contract Disclosure form submitted by Sen. Noel Frame. She was seeking approval of a no-bid contract between her employer, BDS Planning & Urban Design and the state Office of Equity. The contract is for \$30,000. After a discussion, the Board approved the contract.

In its discussion of this contract disclosure, the Board determined that it would be helpful for members and staff to know what factors the Board reviews when deciding whether to approve a contract between a legislator and a state agency. Board counsel will draft an Advisory Opinion outlining the factors considered by the Board. The draft will be discussed at the Board's next meeting.

Board counsel raised an issue that has recently arisen: does the gift statute apply to gifts given to legislative staff by legislators. The ethics advisers have previously opined that because the gift statute was designed to deal with situations in which gifts are expected to influence the receiver, the gift statute and its \$50 limit would not apply to gifts from legislators to staff. The Board in discussing the issue expressed concern about not having a limit on the amount spent on a gift if the gift statute did not apply and the differential in amount spent on a gift depending on the wealth of the legislator. There was also some discussion that staff in decision making positions could be influenced by gifts made to them by legislators. The Board also discussed whether a statutory change should be requested. Board counsel is to work with the ethics advisers to recommend a solution to the Board at the next meeting. No decision by the Board was made on how to proceed – any decision made in the future would be applied prospectively.

The Board moved on to discuss the draft Advisory Opinion 2023-No.3 requested by House Counsel. Board counsel summarized the draft opinion. There was some discussion about the section regarding resolutions and whether they should be adopted rather than introduced in order to create a legislative  
Legislative Ethics Board  
Meeting Minutes  
March 11, 2024

nexus. Sen. Pedersen offered to work with Board counsel to work on the language in that section. The Board will discuss the Advisory Opinion and the new language at the next meeting.

Board counsel will review the former advisory opinions interpreting RCW 42.52.120 and recommend which opinions should be retained and which opinions or portions of opinions should be retired.

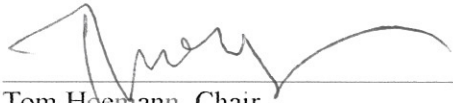
The Board discussed the meeting dates for April and May and selected April 22, 2024 from 10 to noon and May 21, 2024 from 10 to noon as the next two meeting dates.

There was no public testimony.

The public portion of the meeting was adjourned at 11:30 a.m.

The Board then moved into executive session to discuss pending complaints.

The executive session was adjourned at 11:46 am.



Tom Hoemann, Chair

Date:

4/22/24