

Legislative Ethics Board

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LEGISLATIVE ETHICS BOARD MINUTES April 22, 2024

Present were: Tom Hoemann, Chair; Pam Tajima Praeger, Vice-Chair; Sen. Jamie Pedersen; Sen. Chris Gildon; 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 (virtual)

The chair called the meeting to order at 10:04 am.

The minutes for the March 11, 2024 Board meeting were approved.

The Board reviewed an Employment Disclosure form submitted by OPR staff, Saranda Ross. She has offered to take photographs of OFM staff. She submitted this disclosure in the event OFM hires her to take the photos. After a discussion, the Board approved the contract.

The Board discussed the changes made to the draft of Advisory Opinion 2023 – No. 3 that incorporate the discussion at the last board meeting. Sen. Pedersen moved approval of the draft with the corrections; Pam Praeger seconded the motion. The motion passed unanimously.

Board counsel reported on the meeting with the ethics advisers to discuss various options to deal with the question about whether legislators may provide gifts to staff. The advisers suggested three options: Amend RCW 42.52.150 to state that gifts by legislators to staff are not presumed to influence; issue an advisory opinion that it is the Board's interpretation of the gift statutes that gifts from legislators to staff are not the issue the statute was designed to address; or amend RCW 42.52.101(9) adding to the list of what are not considered gifts tokens of appreciation provided by legislators to staff.

The Board, after discussion, decided that it preferred the option to amend RCW 42.52.150. In the suggested drafting of such an amendment the Board discussed adding the term "unsolicited" to modify the term "gift." The Board also discussed whether it should recommend that the \$50 gift limit be increased to \$100 in keeping with inflation since this amount was originally chosen thirty years ago.

Until and unless the legislature acts, it is the Board's opinion that gifts from legislators to staff are considered gifts and are subject to the \$50 limit. Board counsel will draft an ethics alert to that effect to be discussed at the next meeting of the Board.

The Board also recommended that Board counsel and the ethics advisers meet to discuss other areas of the Ethics Act that should be amended.


There was no public testimony.

The public portion of the meeting was adjourned at 10:31 am.

The next meeting of the Board is May 21, 2024.

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

The executive session was adjourned at 11:58 am.



Tom Hoemann, Chair

Date: 5/21/24