

Carson Flora added a private note (*Mon, 19 Dec 2022 at 11:04 AM*)

Cc: lindseyg@seiu1199nw.org , yokof@seiu1199nw.org

Notified to: "PDC Support" pdcc@pdcc.wa.gov

External Email

Tabatha Blacksmith
Compliance Officer
Washington Public Disclosure Commission

Re: PDC Complaint No. 111442

Dear Tabatha Blacksmith:

I am general counsel for SEIU Healthcare 1199NW, a labor union, and represent Lindsey Grad in her capacity as the Union's lobbyist. Please accept this initial position statement in connection with the above-referenced PDC Complaint. For the reasons set forth herein, we respectfully request that the Complaint be dismissed as it has no basis in law.

The Complaint is based on text messages Ms. Grad sent to a member of the Washington State Redistricting Commission, April Sims, on November 15 and November 16, 2021. In the November 15th text, Ms. Grad offered emotional support to Ms. Sims and appreciation for her leadership on the Commission. Earlier, Ms. Grad had learned that another Commission member had treated Ms. Sims disrespectfully, which prompted her to send the initial text on November 15. On November 16, Ms. Grad sent a text to Ms. Sims congratulating her on completing her Commission appointment.

According to RCW 42.17A.005, "'Lobby' and 'lobbying' each mean **attempting to influence** the passage or defeat of any legislation by the legislature of the state of Washington, or the adoption or rejection of any rule, standard, rate, or other legislative enactment of any state agency under the state administrative procedure act, chapter 34.05 RCW..." (emphasis added).

Ms. Grad's November 15th text to Ms. Sims did not have a purpose of attempting to influence the outcome of the Commission. While Ms. Grad filed a L2 report in November 2021, as she does each month, because Ms. Grad did not believe that her text messages to Ms. Sims on November 15 and 16 were lobbying, she did not report them. Had those text messages been part of an advocacy effort to influence the Commission's decisions, she would have disclosed them with her other lobbying activity on her L2.

Ms. Grad is an experienced lobbyist prepared to continue her best efforts to comply with Washington public disclosure laws. In the case that the Public Disclosure Commission determines that there was an intention to lobby in Ms. Grad's November 15th and 16th text messages, she is prepared to amend her L2 filing to reflect the text message activity.

Thank you for your work on this matter. Please contact me at any time should there be any questions about this position statement. I can be reached at 425-306-2802 or carsonf@seiu1199nw.org.

Sincerely,
Carson Flora

Carson Flora
General Counsel

SEIU Healthcare 1199NW

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