

June 22, 2023

Washington Public Disclosure Commission meeting in Spokane

Good morning gentlemen and ladies of this commission. Thank you for serving the citizens of Washington in helping our state government of, for, and by the people bring accountability for the taxpayers.

And thank you to the staff of the Public Disclosure Commission who in addition to their other numerous daily responsibilities have made today's "on the road" meeting here in Spokane possible and more accessible for citizens on this side of the Cascades.

I have been a keen observer of local and state government as a now-retired newspaper reporter of 38-years- experience, and now current member of the Kennewick City Council since January 2014.

We are here because of two school districts recently found to have violated the Revised Code of Washington in spending public funds in winning local elections to obtain more public money for their respective districts.

I filed the complaint to the PDC last February on the Kennewick School District, which resulted in a \$600 civil penalty that will or has been paid out of taxpayer funds. This pales against the \$71.5 million levy the voters approved. It's hardly a deterrent.

KSD Superintendent Traci Pierce says the district did not know they violated the RCW 42.17a.555 that allows public money to be spend to "inform" voters about district programs and operations, but not to use that money to influence or promote a bond or levy measure.

But the PDC sent a warning letter to KSD on May 16, 2019, re Case 48008, stating:

"PDC staff is reminding you about the importance of not using public facilities to directly or indirectly promote or oppose any ballot propositions." This should be construed to include use of public funds controlled by the KSD.

I awaiting a response to a public record request before the KSD to discover exactly how much money was spent on that Feb. 14 election, but am unofficially informed that it was \$100,000 give, or take.

That comes to just over \$43 per vote for the winning margin of 2,299 votes.

The Tri-City Herald, in an editorial June 16, 2023, was sympathetic to the KSD. Two prior elections to win voter approval failed in 2022. It was a crisis, and what else could the district do, the Herald sympathized.

The answer is provided in RCW. Just do what all the rest of us do: call for a citizens committee to organize, raise funds, register with the PDC and report campaign activity about monies obtained and spent without involving ANY taxpayer resources.

KSD's six-figure expenditure is shocking and should not be rewarded with a modification of the RCW that opens the taxpayers' purse without their knowledge. Anyone who has tried to challenge a

public agency in the legal arena, knows that a public agency that has unlimited access to that “purse” and slim odds to beat “city hall.” Same can be said in an election showdown.

I caution: do not make it easier for special districts to dip into the purse to promote ballot issues. The results of KSD’s taking taxpayers’ money is obvious. They were all in, went for broke – literally – and won. But also broke the law in doing so.

It is telling that district funds carried the election, while the properly registered Kennewick Citizens Bond and Levy Committee had a minimal role in that election. Why, probably because that could raise only \$13,586 and spent \$9,495.

Far less than the KSD taxpayer funds expended. At \$43 per winning vote, KSD outspent that highest-spending LD8 candidate in the November 2020 by 69 percent per vote. There is no way private citizen money can keep pace with public agency taxpayer with a tight hold on its use as now provided in RCW42.17A.555.

I urge you to not open the door wider.

What is needed is clarifying language in the RCW to better define what is allowed and not allowed.

Thank you.

John Trumbo