

 <p>PUBLIC DISCLOSURE COMMISSION 711 CAPITOL WAY RM 206 PO BOX 40908 OLYMPIA WA 98504-0908 (360) 753-1111 Toll Free 1-877-801-2828</p>	<h1 style="margin:0;">Candidate Registration</h1>	<h1 style="margin:0;">C1</h1> <p>(1/2008)</p>	100414159 07-08-2011
Candidate's Name (Give candidate's full name.) BENJAMIN D MESSINGER		Telephone Number 509-987-5566	
Candidate's Committee Name (Do not abbreviate.) COMMITTEE TO ELECT STEWARDS FOR KENNEWICK SCHOOLS		Fax Number	
Mailing Address 111 E 45TH AVE		Candidate's E-Mail Address BEN.MESSINGER@GMAIL.COM	
City KENNEWICK	County BENTON	Zip + 4 99337	Campaign E-Mail Address ben.messinger@gmail.com
1. What office are you running for? SCHOOL DIRECTOR		Legislative District, County or City KENNEWICK SD 017	Position No. 3
		Do you now hold this office? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
2. Political party (if partisan office) NON PARTISAN		3. Date of general or special election 11-08-2011	
4. How much do you plan to spend during your entire election campaign, including the primary and general elections? Based on that estimate, choose one of the reporting options below. If no box is checked you are obligated to use Option II, Full Reporting. See instruction manuals for information about reports required and changing reporting options.			
<input checked="" type="checkbox"/> Option I MINI REPORTING: In addition to my filing fee of \$0, I will raise and spend no more than \$5,000, including any charges for inclusion in state and local voters pamphlets. I will not accept more than \$500 in the aggregate from any contributor except myself.			
<input type="checkbox"/> Option II FULL REPORTING: I will use the Full Reporting system. I will file the frequent, detailed campaign reports required by law.			
5. Treasurer's Name and Address. Does treasurer perform <u>only</u> ministerial functions? Yes ___ No <u>X</u> . See WAC 390-05-243 and next page for details. List deputy treasurers on attached sheet.		Daytime Telephone Number	
BENJAMIN D MESSINGER 111 E 45TH AVE, KENNEWICK WA 99337		509-987-5566	
6. Persons who perform only ministerial functions on your behalf <u>and</u> on behalf of other candidates or political committees. List name, title and address of these persons. See WAC 390-05-243 and next page for details. <input type="checkbox"/> Continued on attached sheet.			
7. Committee Officers and other persons who authorize expenditures or make decisions on your behalf. List name, title and address. See next page for definition of "officer." <input type="checkbox"/> Continued on attached sheet.			
8. Campaign Bank or Depository COMMUNITY 1ST BANK	Branch KENNEWICK	City KENNEWICK	
9. Related or Affiliated Political Committees. List name, address and relationship. <input type="checkbox"/> Continued on attached sheet.			
10. Campaign books must be open to the public by appointment between 8 a.m. and 8 p.m. during the eight days before the election, except Saturdays, Sundays, and legal holidays. In the space below, provide contact information for scheduling an appointment and the address where the inspection will take place. It is not acceptable to provide a post office box or an out-of-area address.			
Street Address, Room Number, City where campaign books will be available for inspection 1141 N EDISON, KENNEWICK In order to make an appointment, contact the campaign at (telephone, fax, e-mail): 509-735-7507 BEN.MESSINGER@GMAIL.COM			
11. CERTIFICATION: I certify that this report is true, complete and correct to the best of my knowledge.			
Candidate's Signature BENJAMIN D MESSINGER		Date 07-08-2011	



Public Disclosure Commission

**WASHINGTON STATE PUBLIC DISCLOSURE COMMISSION
COMPLAINT FORM**

(See instructions on the last page.)

Description of Complaint

1. RESPONDENT:

Identify who you are filing a complaint against and provide all contact information you have for them. Give names and titles, if any, for individuals, and the full name of any organization. Please note that the PDC does not enforce federal campaign finance laws or local ordinances.

Example #1: Joe Public, Mayor of My Town,

123 Main Street, Your Town, State, Phone: 555-123-4567, Email: unknown

Example #2: The Political Action Group (instead of P.A.G.), 123 Main Street, Your Town, State,

Phone: 555-123-4567, Email: pag@pag.org

Brian Brooks, 503 S. McKinley St. Kennewick, WA 99336, 509-783-0861,

brianbrooks59@msn.com, Ben Messinger, 111 E. 45th Ave, Kennewick, WA 99337, 509-

987-5566, ben.messinger@gmail.com, Ron Mabry, 2525 S. Irving St., Kennewick, WA,

99338, 509-308-2698, carlvr509@yahoo.com, candidates for school director KSD 017

2. ALLEGED VIOLATIONS:

Explain how and when you believe the people/entities you are filing a complaint against violated RCW 42.17 or Title 390 WAC. Be as detailed as possible about dates, times, places and acts. If you can, cite which specific laws or rules you believe were violated. Attach additional pages if needed.

Based on information from the campaign finance records of the candidates, there has been
a cash contribution of \$250. plus a loan of \$938.98 totaling \$1188.98 from Ty Haberling to
each candidate. These candidates filed for mini reporting on Candidate Registration forms
C1. The requirement that a single contributor donate no more than \$500. in the aggregate
to a candidate has been violated by each school board candidate.

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Evidence and Witnesses

3. EVIDENCE:

List the documents or other evidence you have that support your complaint, if any, and attach copies to this form. If you do not have copies, provide any information you have about where you believe the documents or evidence can be found and how to obtain it. Attach additional pages if needed.

Example: Emails between Joe public and Candidate X, attached OR

Joe Public has emails from Candidate X which describe an illegal campaign donation, and Joe Public's phone number is 555-123-4567.

From my notes taken when reviewing each candidate's financial records I constructed a table. After review and approval by the candidates this table was published on ksdcitizens .org and is also provided in print. On ksdcitizens.org the specific article listing candidate campaign contributions and expenses is titled The Cost to Campaign for Kennewick School Board.

4. WITNESSES:

List the names and contact information, if known, of any witnesses or other persons who have knowledge of facts that support your complaint. Attach additional pages if needed.

Example: Jane Public was present when Candidate X spoke to me about the illegal contribution. Jane Public's address is 123 Main Street, Your Town, USA 12345, and her phone number is 555-123-4567.

I have email communications with each candidate. These communications will be provided electronically and in print.

Certification

In signing this complaint:

- I have provided all information, documents and other evidence of which I am aware;
- If I become aware of additional information, documents or evidence related to my complaint, I will promptly provide it to the PDC; and,
- I am providing the PDC current information on how to contact me, and will promptly update that information if it changes.

Your name (print or type) Tom Staly Jr.

Street address 4932 W. 24th Place

City, state and zip code Kennewick, WA 99338

Telephone number (including area code) 509-735-1446

E-mail address (optional) tstalyjr@charter.net

Oath

Required for complaints against elected officials or candidates for elective office:

I certify (or declare) under penalty of perjury under the laws of the State of Washington that this complaint is complete, true and correct to the best of my knowledge and belief.*

Your signature

Tom C. Staly Jr.

Date signed

12-9-2011

Place signed (city and county)

KENNEWICK, WA

BENTON

City

County

Attachments

Check here if you are attaching copies of documentary evidence or extra pages explaining your complaint.

*RCW 9A.72.040 says that "(1) A person is guilty of false swearing if he makes a false statement which he knows to be false, under an oath required or authorized by law. (2) False swearing is a misdemeanor."

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Public Disclosure Commission

March 26, 2012

Philip E. Stutzman, Director of Compliance
Public Disclosure Commission
711 Capitol Way, Rm. 206
PO Box 40908
Olympia, WA 98504-0908

Subject: Complaint filed by Tom Staley Jr., PDC Case No. 12-164

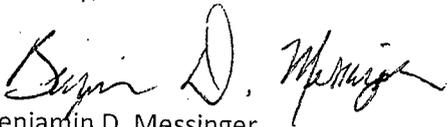
Dear Mr. Stutzman:

Thank you for providing me the opportunity to respond to Mr. Staly's complaint. Throughout my campaign Mr. Haberling assisted me as a campaign volunteer, performing many duties such as posting signs and distributing literature. At the time Mr. Staley reviewed my campaign finance records I had recorded in my books an accounts-payable to Mr. Haberling of \$938.98. Mr. Haberling had incurred this postage expense in the course of his duties as a ministerial campaign aide and was subsequently reimbursed in full. I did not consider this accounts-payable to be a loan or contribution, but rather as a ministerial expense which was reimbursed.

Please note that the financial data included in the complaint was prepared by Mr. Staly. My own records did not classify Mr. Haberling's postage expense as a loan, but as a staff expense accounts-payable.

I deeply regret if I am in error and my actions have been in violation of the RCW and WAC codes identified in Mr. Staly's complaint. It is my intent to comply fully with the law, however this campaign has been my first involvement in a public election and the learning curve has been steep. It is my hope that I am found not to be in violation of the mini-reporting option rules, however if your investigation determines I am in violation I will humbly comply with whatever corrective measures you require.

Sincerely,


Benjamin D. Messinger

Kennewick Schools Director Position 3

PDC Exhibit # 3
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