

Truth in Taxation

May 10, 2005

Hon. Sam Reed, Secretary
Office of Secretary of State
Legislative Building
Olympia, Washington 98504

Re: Request for Prompt Acceptance or Rejection of Gas-Tax and Bond Referenda

Honorable Secretary Reed:

Attached please find proposed referenda to allow state voters to decide whether to (1) increase our state's gas taxes in 2006, 2007 and 2008 and (2) add to huge debt already owed by state taxpayers, still further, by bonding against thereby-inflated gas taxes, along with a copy of correspondence directed to Hon. Christine Gregoire, last week, requesting a partial veto to check a pretextual emergency clause from insulating tax hikes after 2005.


Truth in Taxation hereby requests that your office either promptly accept the two proposed referenda, assign a number to each and transmit both to Hon. Rob McKenna for fulfillment of his office's duties or else, no-later-than May 17th, refuse to do so in writing.

As you know, in *Maleng v. King County Corrections Guild*, the Washington State Supreme Court recently established a substantially broader scope for powers **reserved** by citizens to create initiatives and referenda -- as our state's ultimate source of sovereign power -- than it had judicially acknowledged, previously, and this **unanimous decision** also squarely notes that, in "a proper case," central "distinctions" in earlier decisional law "might be subject to reexamination" (thus inviting, effectively, an appropriate challenge).

As you also likely know, our state's Supreme Court inserted the word "or," by *fiat* act, into Article II, Section 1 of the Washington State Constitution, in 1915, which is now repeatedly denying **all** voters, as our state's final legislative authority, a review of pivotal questions as to raising taxes and establishing acceptable levels of debt. Therefore, major reasons strongly suggest that members of our Supreme Court will withdraw its *ultra vires* amendment of our state constitution without any lawful authority, **previously**, were you to reject these two referenda, and, hence, prompt action by you is respectfully requested.

To facilitate timeliness, this letter is being provided to General McKenna as well.

Respectfully yours,



Will Knedlik

Hon. Rob McKenna, Attorney General

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Truth in Taxation

May 4, 2005

Hon. Christine Gregoire, Governor
Legislative Building
Olympia, Washington 98504

Re: Request for partial veto of emergency clause applied pretextually to gas-tax increases

Honorable Governor Gregoire:

As a Democrat, I take **no** pleasure in reading Tim Eyman's claim made in the *Everett Herald* that our party's House-and-Senate leaders, working with you as Governor, have reportedly achieved, together, "the most anti-taxpayer, anti-citizen-participation legislative session in state history."

One pivotal charge being advanced by Mr. Eyman across our state, in support of this latest attack, needs to be given the lie by you immediately -- **lest it be proven essentially correct** -- despite his characterization of the 105-day session as "the taxpayers' worst nightmare" being inaccurate both as to taxing-and-spending restraint in your proposals and in the Democratic legislative majorities' disposals, and also as to worse legislative histories recently, and despite quite hyperbolic sketches of his self-asserted "low points," in keeping with all-too-much political rhetoric in our state today.

Simply put, Mr. Eyman is buttressing his major averments that Democratic leadership acted "like Alice in Wonderland, where up was down and down was up," and that "voters were stiffed and taxpayers got shafted," with this not-irrelevant contention: "Our state Constitution guarantees the citizens the right to question any law passed by Olympia. But Gregoire and the Democrats have sabotaged the Constitution and ended the referendum process. Gregoire and the Democrats have insulated their destructive decisions by simply declaring them 'emergencies,' protecting them from citizen referendum. Republicans consistently forced votes on stripping away the emergency status on these laws, but Gregoire and the Democrats defeated these efforts each and every time."

While Mr. Eyman's positing of a "right to question any law" by each citizen is patently incorrect, if his reference is simply to the constitutionally reserved powers of referendum, he is undeniably right that legislative exploitation of an "emergency" declaration to keep taxpayers from voting on three future gas-tax increases, scheduled to be added more-than 14, 26 and 38 months hereafter, not only **twists the English language into knots** but, of still-more urgency today, **distorts limits on citizen referenda from real conditions emergent**, under the Washington State Constitution, seen through the looking glass that most voters utilize to judge political honesty (and increasingly find wanting) and, thus, **forces public trust further down a rabbit hole** (opened November 2nd).

Since striking this highly questionable "emergency" clause, used to shield gas taxes to be piled on our tax burdens in 2006, 2007 and 2008, could do more to start restoring faith in state government than anything else that you can do, in 2005, please **veto** it promptly for this quintessential reason.

Respectfully yours,

Will Knedlik

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