



Legislature, Inslee clash, but to what purpose?

News analysis: Both parties display an eagerness to try the same tactics on the issues, as if expecting different results.

By John Stang

March 09, 2014.

Gov. Jay Inslee and the Legislature's Democrats and Republicans are like the generals of World War I. They repeatedly order doomed frontal attacks on well-entrenched foes. Result: lots of casualties with no real gains.

From the left come continual assaults on the same tax breaks. Each attempt is guaranteed defeat by the Senate Majority Coalition Caucus — the 24-Republican-two-Democrat alliance that controls that Senate. Inslee and the Democrats recycle the same bills over and over, as if assuming the Republicans will magically change their minds without getting anything in return.

From the right, Republicans and the Majority Coalition engage in similar tactics as they face the financial pressures created by a 2012 Washington Supreme Court order to improve teacher-student ratios in Grades K-3. They stick to a position that they are immune to a Supreme Court ruling. Or they propose finding the money for schools by slashing the other expenses in the state budget, meaning mostly social services. All the while, they know the House Democrats will never go along.

No one has tried to change tactics. No one has publicly tried to split the differences on the big stuff. No obvious horse-trading is taking place. Both sides frequently take all-or-nothing stances with their opponents. Excuses for inaction spark more passion and creativity than attempts to compromise. Posturing for the home crowd — each party's core of voters — has run amok.

The results: A 60-day legislative session is almost over with lots of saber-rattling and no real progress on Olympia's two most-important issues — the court's McCleary ruling on education and passing a package of highway, bridge and ferry improvements.

With the end of the session scheduled for Thursday, here's where we are on those two issues.

The McCleary swamp: "McCleary" is the name for the 2012 Washington Supreme Court ruling that the state is not meeting its constitutional obligations to provide a "basic education" for Washington's kids. A key part says Washington must drastically improve the teacher-to-student ratios in grades K-3. In other words, the state has to help schools hire more elementary teachers and build the additional classrooms for them to use. The price tag for the McCleary work from 2013- to 2019 is an extra \$4 billion to \$4.5 billion. So far, roughly \$1 billion has been raised for 2013-2015. And that does not include additional cash needed to revive long-dormant teachers' cost-of-living raises, which voters approved.

Republicans and especially the Senate Majority Coalition have refused to seriously approach the \$4 billion price tag matter. They want to change administrative procedures in education, but have balked at even speculating how to raise the money for the extra elementary teachers. Returning to the World War I generals analogy, they want to change staff procedures instead of getting more soldiers onto the battlefield. The coalition has talked more about ignoring the Supreme Court ruling than how to find \$3 billion to \$3.5 billion still needed for 2015-2019.

Last week, Senate Republican Leader Mark Schoesler, R-Ritzville, said there is no chance in the Senate for Democrats' bills to close tax breaks and enact a tax on electronic cigarettes to pay for the McCleary upgrades and teachers' cost-of-living raises. However, he could not say how else the coalition would raise at least \$1.5 billion needed for 2015-2017. The Supreme Court has set a deadline of April 30 for the Legislature to come up with a plan. The Republicans have had at least one-and-a-half years to ponder that question.

"Maybe it's human nature to ignore a problem and think it'll go away," Inslee said Thursday.

Late last week, the coalition's lead budget writer, Sen. Andy Hill, R-Redmond, revived a bill that he introduced in March 2013 to funnel more money to schools. That bill did not move in 2013 and no action has been on it so far this legislative session. But the bill is now scheduled for a Senate Ways & Means Committee hearing Monday -- four days before the session ends. That bill would allocate two-thirds of new state revenue growth to education. As of Sunday, no financial analysis had been provided for the bill.

Meanwhile, the Democrats want to close or dramatically change tax breaks for five oil refineries, out-of-state residents being exempted from Washington's sales tax, bottled water and a B&O tax for drug resellers. Those closures and a tax on electronic cigarettes are moving to a floor vote in the House — also only days prior to the end of this session.

The Democrats have shown no imagination or finesse in trying to get those measures through the Senate. They seem to hope the Republicans will change their fundamental stances -- without any Democratic appeal to GOP values. Nor do the Democrats seem to create any incentives for moderates in the Majority Coalition to work with them.

Indeed, Senate Democrats passed up a chance to forge some ties with the Majority Coalition's moderates when the GOP's teacher-evaluation bill came up for a floor Senate vote recently. The bill is needed for the state to continue receiving \$40 million a year in federal aid to help poorly performing schools. But the coalition's conservatives voted against it, mad at the caucus' moderates for breaking ranks earlier to pass the DREAM Act allowing college aid for high school graduate whose parents are undocumented immigrants. Democrats, instead of coming up with enough votes to approve the teacher-evaluation bill, let it go down to defeat.

The Senate Democrats have a huge amount of political capital with the Washington Education Association, which opposes the bill. The Democrats could have told their political ally, whom they have greatly supported, to take one for the team.

Transportation trench warfare: The Majority Coalition and Democrats have been butting heads over a transportation revenue package for at least 10 months. The most likely scenarios delay resolution of these talks until December, which will stretch the negotiations to 20 months.

Ironically, passing a transportation package would create jobs. And a December resolution will likely kill jobs in the meantime – but not those of incumbent legislators facing re-election in November. Many of them don't want a gas tax hike on their records.

The Washington State Department of Transportation is poised to cut ferry service and dramatically trim maintenance on highways and bridges because of a lack of money. And the longer the deadlock continues, the more likely it is that delays will occur in overhauling

State Route 520 west of the Lake Washington, finishing the new 520 bridge over the lake, widening Washington's east-west artery of Interstate 90 in the Cascade Mountains, and finishing the Interstate 395/North Spokane Corridor highway project. All this means that the blue and red parts of the state will be hurting.

On Thursday, Inslee said the project schedules and budgets will have to be recalculated if no transportation package is passed this year.

The Majority Coalition — which generally hates any tax increase — has gradually unveiled a \$12.3 billion 10-year proposal with an 11.5-cent-per-gallon gas tax increase. Last May, the House and Senate Democrats announced their \$10.5 billion proposals with a 10.5-cents-per-gallon gas tax increase. The current state gas tax is 37.5 cents a gallon. The coalition package completes some work that the Democratic proposal does not.

The coalition has repeatedly pitched two budget-shifting measures as part of any transportation package. The Majority Coalition wants to get rid of the sales tax on transportation construction materials, which would reduce money to the state's general fund. The coalition also wants to shift the funding of stormwater-runoff projects from gas-tax revenue to a state Ecology Department-related hazardous substances tax. Both measures are deal-breakers for the Democrats, who note that losing this money from the state's general fund will either cut into the McCleary efforts or lead to drastic losses in social services.

Returning to the World War I generals theme, remember that the Democrats keep passing the same tax-break-closure bills that the Republicans easily kill. Now the Majority Coalition is doing the same thing in the opposite direction, pushing those two budget shifts without trying to make any part of them palatable to the Democrats.

Meanwhile, the Majority Coalition has been deliberately slow-walked the political legwork on the package.

To an outside observer, the coalition's lead negotiator Sen. Curtis King, R-Yakima, seems to spend more time bargaining with his caucus partners than with the Democrats. For months, the coalition's leaders constantly put off polling their own caucus members — consistently telling the press that they had no idea where the 24 Republicans and two Democrats actually stood on King's proposal. In February, King said he had 13 out of 26 coalition members supporting his proposal. The coalition has conducted no head count since to see if any more of its members back King's plan.

And coalition leaders have hinted that if King grants too many concessions to the Democrats, his 13 might shrink a bit. That means Democrats face a possible scenario in which they compromise with the coalition and still have the majority of that caucus vote against it, being able to brag on the campaign trail that they fought against a tax hike. Only eight coalition members have publicly supported King's plan and Democrats want to know who the other five are in order to pin them down to a public position. The coalition's leaders won't reveal those names.

On Friday, centrist Democrat Sen. Steve Hobbs of Lake Stevens floated an alternative plan to see if he could loosen up the 10-month logjam. "I crafted this plan to show that the potential for compromise exists on all sides — that includes policy and funding issues," Hobbs wrote to all parties.

A key part of Hobbs package somewhat splits the difference on the two funding-shift impasses. Existing transportation projects would still pay sales tax, but new projects would not -- shifting \$480 million from the general fund. Meanwhile, only \$40 million out of more than \$200 million in targeted Ecology funding would be shifted.

But both sides identified the same deal-breaker in Hobbs' proposal Friday -- the sales tax on transportation construction equipment. Not enough would be shifted for the majority coalition. Too much would be shifted for the Democrats.

Hobbs' proposal is on its way to suffering the same fate as the protagonist in the World War I trench warfare classic *All Quiet At The Western Front* as this session gets ready to end after 60 days full of high-ranking political sound and fury that accomplished next to nothing on the biggest issues: "He fell in October 1918, on a day that was so quiet and still on the whole front, that the army report confined itself to the single sentence: All quiet on the Western Front. He had fallen forward and lay on the earth as though sleeping. Turning him over one saw that he could not have suffered long; his face had an expression of calm, as though almost glad the end had come."

For exclusive coverage of the state government, check out Crosscut's Under the Dome page.

John Stang is a longtime Inland Northwest newspaper reporter who earned a Masters of Communications in Digital Media degree at the University of Washington. He can be reached by writing editor@crosscut.com.

View this story online at: <http://crosscut.com/2014/03/09/under-the-dome/119089/legislature-inslee-specialize-pointless-confrontat/>

© 2014 Crosscut Public Media. All rights reserved.

Printed on March 10, 2014