

Bill counters justices on school funding ruling

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Two local legislators are co-sponsoring a controversial bill that would require state Supreme Court justices to identify a political party affiliation when they run for election to the bench.

Reps. Matt Manweller, R-Ellensburg, and David Taylor, R-Moxee, say the bill — which lists 19 legislators from both parties as co-sponsors — is a way of signaling to the state's highest court that it overreached when ordering more funding for public schools.

"The court has acted in an inappropriate and arrogant manner ... we need to send a message," Manweller said in a recent telephone interview.

House Bill 1051 would require all state Supreme Court elections to be partisan; currently, only seven states hold partisan elections for justices.

The bill's language is explicit: "Because the supreme court has decided to act like the legislature and has thus violated the separation of powers, the supreme court should be considered partisan like the legislature," the opening language says.

The bill is in response to the Supreme Court's 2012 McCleary decision, which requires the Legislature to find additional funding to fully support basic K-12 education. And last summer, the court held the Legislature in contempt for not making sufficient progress on the mandate.

Chief sponsor Rep. Richard DeBolt, R-Chehalis, picked up support from mostly Republican colleagues but three Democrats signed on as co-sponsors.

Manweller said he co-sponsored the measure because the justices must learn it is the Legislature's duty to figure out spending — not the court's. He sees the bill as mostly symbolic, though, and doesn't expect it to pass the Democrat-controlled House.

Regardless, tension between the two branches of government is evident, Manweller added. While the stated reasons behind the announcement that Chief Justice Barbara Madsen won't give an annual address to the Legislature are that the event is poorly attended, Manweller said it's not far-fetched to think frustration from both parties with the court over school funding played a role.

Taylor said he supports the measure because it is important to know where the candidates stand on issues, much like the Legislature.

“If they want to act like legislators, they should run campaigns that identify their party affiliations and what they think of the issues,” he said.

The justices reject the idea.

“The judiciary plays a critical role in society through applying the laws and the constitution to resolve disputes,” Madsen said in a statement issued in response to the bill. “Justice must not be influenced by politics when deciding cases that affect Washingtonians.”