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McCleary fine going unpaid for now, but state is 'good for it'



BY JORDAN SCHRADER
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State government is leaving a projected \$360 million unspent and unrestricted in this two-year budget cycle, so it can afford to let a \$100,000-a-day tab run for a while.

Especially when it essentially owes the money to itself.

"We're good for it," House budget chairman Ross Hunter said.

Two days of \$100,000 fines passed without payment after the state Supreme Court ordered the penalties Thursday in the McCleary case.

The fines could prod the Legislature into a fourth special session this year to come up with a plan for reversing unconstitutional underfunding of schools. The state is in contempt of court for failing to come up with such a plan, even though lawmakers have boosted budgeted per-student spending by one-third since the high court's original 2012 ruling.

The court called for the penalties to go to a special account to pay for basic education.

State government's legal minds are pondering how that would work.

"Our folks are still trying to figure out the logistics of that," Ralph Thomas, a spokesman for the Office of Financial Management, said Friday afternoon.

Unpaid penalties could stack up for a while if the lawyers decide paying the fines requires approval of the Legislature.

"Clearly, money cannot be moved outside the treasury without the Legislature appropriating it," said Hunter, a Medina Democrat.

But he said figuring out what to do about the fine is "the part I am least worried about."

It ranks below a series of intractable problems on school funding that he and other lawmakers believe need to be solved as part of fully funding schools, including figuring out how to raise as much as \$3.5 billion extra for salaries and what to do about policies on local levies and collective bargaining.

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