

# Local lawmakers have choice words for court ruling

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Washington State Senator Judy Warnick and Rep. Tom Dent sit down to an interview at the Daily Record office, Tuesday, Sept. 15, 2015. Included by phone was Rep. Matt Manweller.



Secretary of State's office

Rep. Matt Manweller of Ellensburg hands in an initiative that would require state Supreme Court justices to recuse themselves if they've received large campaign contributions from those involved in cases before the court.

District 13 state legislators didn't mince words Tuesday about a state Supreme Court order last month fining the state \$100,000 a day for its lack of progress toward fully funding basic education in the state.

State Sen. Judy Warnick and Rep. Tom Dent, both R-Moses Lake, stopped by the Daily Record's office on Tuesday to discuss this year's legislative session, education and other issues. State Rep. Matt Manweller, R-Ellensburg, joined in by phone from Olympia.

District 13 covers Kittitas and Lincoln counties, along with a portion of Grant and Yakima counties.

The Supreme Court's fines followed the 2012 McCleary decision, when the court ruled the state is failing to meet its constitutional duty to fund K-12 education. The lawsuit against the state was brought by a coalition of school districts, parents, teachers and education groups.

Earlier this year, the Legislature approved what it called a \$1.3 billion down payment toward fully paying the cost of basic education.

Warnick said the Legislature's actions will be felt in a positive way in local classrooms through lower class sizes in grades K-3. She said the Legislature does have a plan to fully fund education, and she was "livid" when she heard about the sanctions.

Manweller said there's a range of reaction to the Supreme Court's actions in the Legislature, from some legislators who cheered the court's actions, to irritation, to those who think an "activist court crossed the rubicon by fining citizens \$100,000 a day."

Manweller, who has called for the impeachment of the justices in the past, said he falls in the far end of the spectrum.

"I don't represent the majority, but my group is growing," he said. "Behind closed doors, when the mics aren't on, Democrats are just as upset, but less vocal."

Gov. Jay Inslee has said he'll call a special session in mid November to discuss education funding if a bipartisan group of lawmakers working on education funding can reach consensus. If no action is taken before the regularly scheduled legislative session that begins Jan. 11, the state would end up paying about \$15 million in sanctions.

Dent said the fine is ludicrous, especially given only the Legislature has the authority to create a special education account as dictated by the court.

"There's no doubt the Supreme Court has overstepped their bounds," he said.

Manweller said the most recent order from the court didn't have an opinion on school levy equalization, but did mention the fact the state needed to fund school construction, something he said hasn't come up before.

“They keep moving the goalpost. The levies — they didn’t say anything this time, and it was the No. 1 criticism last time,” he said.

Warnick and Dent both said they will advocate on behalf of smaller school districts if discussion veers toward consolidation. Warnick said class sizes are usually smaller at smaller districts.

“Larger districts feel they will lose something with a levy swap,” she said.

### **Charter schools**

Inslee has said the bipartisan education workgroup won’t be discussing charter schools. Late last week, the state Supreme Court said that charter schools, which voters approved in 2012, do not qualify as “common” schools under Washington’s Constitution and cannot receive public funding intended for those traditional public schools. The state’s nine charter schools plan to stay open this school year.

“It was so egregious, so patently beyond the letter of the law,” Manweller said about the ruling.

Manweller entered the fray on Tuesday by filing an initiative that would require state Supreme Court justices to recuse themselves if they’ve received large campaign contributions from those involved in cases before the court.

Under the proposed measure, a justice would be required to step down from hearing a case if his or her campaign received a donation of \$1,000 or more within the past six years from any person or entity that is part of the case. Several justices received campaign donations from the teachers union, which was part of the lawsuit against the law.

### **Higher education**

While much of the Legislature’s attention focused on K-12 education this year, District 13 legislators pointed to efforts to lower college tuition in the state as a success. Manweller said the decision could save each Central student \$1,900 a year, and close to \$8,000 over four years, not including interest saved on student loans.

The cut was a reaction to massive tuition increases from 2007 to 2012, he said, when “the Legislature had balanced the budget on the backs of students.”

Warnick said the move was aimed at middle class families, and was a caucus priority throughout the session.

“It’s precedent setting,” she said. “It’s not been done in any other state.”