

THE SPOKESMAN-REVIEW

January 10, 2016

Washington legislative session expected to be shorter, focused on education

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The Spokesman-Review

Tags: 2016 Washington Legislature Ann Rivers carbon pollution Charter Schools Department of Corrections education funding Jay Inslee Mike Padden prison releases teacher raises Troy Kelley



Washington Sen. Ann Rivers, R-La Center, second from left, a member of the Senate Early Learning and K-12 Education Committee, speaks during the education funding panel of the Associated Press Legislative Preview on Thursday in Olympia.

The 2016 session starts Monday. For ways to follow it from Spokane, visit

Spin Control

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OLYMPIA – Expectations for the 2016 session of the Washington Legislature are low.

It may be 60 days of planning to make plans, discussing options for public schools and tweaking the last 15 months of the state's two-year budget.

That would be more modest than the accomplishments of the 2015 session, which lasted a historic 176 days. Last year the Legislature budgeted an unprecedented \$38.2 billion for state services and salaries; cut college tuition; merged the recreational and medical marijuana systems; and approved a transportation package with a gasoline tax increase – something once regarded as less likely than capturing a unicorn on Capitol grounds.

"This year is the year of education," Sen. Ann Rivers, R-Vancouver, said Thursday. "Last year was the year of pot ... and transportation."

Under a \$100,000-per-day penalty from the state Supreme Court, legislators will try to devise a plan to improve the way the state pays for its top constitutional duty: the adequate funding of public schools.

Gov. Jay Inslee wants lawmakers to spend more state money for teachers' salaries. Charter school supporters will be seeking a way to get money from the state budget that the Supreme Court will accept as constitutional.

Legislators may also take up carbon pollution, the state's uneven economy, a scandal in the Department of Corrections and a conflict with federal law that says the state's

standard driver's licenses will be inadequate for plane travel – in a couple of years, thanks to an extension.

They'll need bipartisan solutions because Democrats hold a one-vote majority in the House and Republicans control the Senate by two votes, thanks to a coalition. They'll be under pressure to wrap up on time, because this is an election year and no legislator or state elected official can accept campaign money while the Legislature is in session, although any challenger who does not hold one of those seats can.

Public schools

Since 2012, a state Supreme Court ruling has hung over lawmakers: that the state is shirking its constitutional mandate to make education its paramount duty. Lawmakers responded with more money – some \$2.7 billion over the last three years – but a significant problem remains. Many school districts use money from their property tax levy to pay part of their teachers' salaries, something the court has said is a state responsibility as a component of basic education.

Last year, the court grew tired of lawmakers' delays in fixing that component and slapped the state with a \$100,000-a-day fine for contempt. But only the Legislature can appropriate money for the fine, or set up a special fund into which the money can go. It declined to come back into special session to address the contempt citation and has not reached consensus on how to handle it as the new session starts.

The levy system is complicated, and districts with low property values are at a disadvantage. Defining what part of a teacher's salary is for basic education and what is a result of add-ons for extra duties is also complicated and varies among the districts.

A special bipartisan panel of legislators held hearings around the state and recently proposed establishing an Education Funding Task Force to review data and recommend a plan to the 2017 Legislature. Sen. Christine Rolfes, D-Bainbridge Island, described the effort as a mix of conservative and progressive values. But there's no guarantee the 2017 Legislature, which will change in the fall elections, will adopt the plan.

In the meantime, Gov. Jay Inslee is pushing for \$100 million from closed tax exemptions to provide salaries for all teachers, with the biggest percentage increases going to those early in their careers, and mentoring programs to keep young teachers in the profession.

The state had more than 3,800 classrooms without full-time teachers when the school year started, which the governor called “an acute problem across the state.”

Charter schools

The state Supreme Court also ruled last year that the way a voters initiative set up charter schools unconstitutionally taps state funds, because most of those schools aren’t directly controlled by elected school boards. But that ruling was issued after nine charter schools were up and running for the 2015-16 school year, with an estimated 1,300 students in their classrooms.

Legislators who support charter schools as innovative systems free of certain mandates want to find a constitutional way to get them state money. Those who oppose them say there are other alternative education possibilities already on the books to fill that need.

Prison release scandal

The state Department of Corrections revealed in late 2015 that it had released hundreds of inmates before they had served their sentences because of a computer programming error. Even worse, some department officials had known about the error, but repeatedly delayed fixing it for reasons that still haven’t been explained. So far eight felonies and two deaths – one in Spokane last May – have been linked to inmates who were incorrectly released early.

Inslee, who calls the problems “absolutely maddening and totally mind-boggling,” has hired two former federal prosecutors for an independent investigation. Lawmakers plan their own investigation, with the Senate Law and Justice Committee, headed by Mike Padden, R-Spokane Valley, planning a hearing the first week of the session.

Carbon pollution

An initiative to impose a carbon emissions tax on fossil fuels will almost certainly have enough valid signatures to be sent to the Legislature, but Republicans are opposed and Senate Democratic Leader Sharon Nelson is concerned about a possible \$400 million hit to the state budget. Legislators could ignore it, which would send it to voters in November, or propose an alternative that would share the ballot.

Inslee also has ordered the Department of Ecology to develop new rules under the state Clean Air Act that would require the state’s largest sources of carbon dioxide to cut their

emissions. Some Senate Republicans say that will force manufacturers out of the state and have vowed to block those rules. Inslee said if they don't like the rules they'll have to amend the Clean Air Act.

Real ID

The federal government is ordering the state to comply with a law that requires a driver's license or state-issued ID to note proof of citizenship or legal residence. That identification would be used for certain things like plane travel or returning to the country from Canada or Mexico.

Currently, Washington has a two-tiered system in which a more expensive "enhanced" license or ID card shows citizenship or legal residency, but standard driver's licenses and ID cards don't. Those standard forms of ID are held by some 6 million.

The state got several extensions on a deadline to implement Real ID, but the Legislature didn't pass a law last year and the Department of Homeland Security is refusing another extension. On Friday, the department said residents of states that don't meet the law will need another form of ID, like a passport, for domestic air travel after Jan. 22, 2018.

Impeachment

State Auditor Troy Kelley is scheduled for trial in March on federal charges that include money laundering and tax evasion from a business he ran before he was elected. Last year, amid calls for his resignation, he put himself on unpaid leave and turned the office over to an assistant. In November, a bipartisan group of House members proposed a resolution to impeach him, not for the criminal charges he faces but for abandoning his duties. They wanted a vote early in the session that could send the case to the Senate for an impeachment trial.

Kelley returned to his job the next day. Opponents say the charge still sticks for the seven months he was gone, but legislative leaders recently seemed lukewarm about taking up the limited time in the session with an impeachment proceeding, and repeated their calls for Kelley simply to resign.

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