

# Peter Callaghan: What contempt for the Legislature might look like

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How the Washington Supreme Court would respond to the Legislature's latest filing on compliance with the McCleary school-funding ruling if the justices weren't so polite:

“Do we look stupid? We may have faults individually and collectively, but we're not stupid. We ruled unanimously in January 2012 that the state is in violation of the rights of its children to an amply funded education. We pointed out the words — again — in the state constitution that say education is the state's ‘paramount duty.’

“Yet three times since then you have submitted reports that prove that you think we're issuing talking points rather than orders. You keep telling us you agree, that you are trying but that it is really, really hard.

“Wah, wah. Washington's is the Brooklyn Dodgers of state legislatures. It's always ‘Wait till next year.’

“We ordered you to make steady, real and measurable progress. Those words don't mean sporadic, phony, undefined and regressive. And we didn't say do what the constitution requires ‘unless the political makeup of the Legislature makes it awkward.’

“Rather than listen to you complain about this court's order, let us remind you how accommodating we've been. We let you decide how to define basic education. We let you determine how much all that costs. We let you create the funding formulas and the timelines. **And we gave you six years to do it!**

“And what do we get in return? Amateur treatises on separation of powers and condescending reports explaining to us how the budget works and how statutes are constructed. Oh, and snarky tweets about pounding sand.

“Nice. But unless you are ready to stand before voters this fall and say you don't value education and you think schools haven't been shortchanged for – oh, ever – then do what you promised.

“In conclusion, like just about everybody else in the state, we hold you in contempt (cheap shot, we know, but when someone serves up a fat pitch, you really ought to go ahead and swing).

“What follows is what we call a ‘court order.’ That means it isn’t subject to debate or interpretation or you all sitting around over beers contemplating the meaning of life. It just means you do it, OK?”

“Before the end of 2014, you are ordered to convene in special session and fix the problem. If it helps motivate you, pretend this is Boeing or the Mariners asking. You can even wear ball caps.

“You will add funding that gets the state two-thirds toward the totals that you – not us – came up with for basic education. You will then present a specific plan on how to find the final one-third by 2018.

“Finally, you will grow up and you will quit whining. No one cares.

“If you don’t comply by the time the little ball drops all the way down the pole on New Year’s Eve, we will be forced to get all cranky on your backsides.

“Here’s a taste:

- We will order that no legislator can attend dinner dates with lobbyists. No more dialing for dinner companions from the lobbyist directory.
- Oh, and no per diem. In fact, how about you pay us \$120 a day for having to wait around for you to do what the constitution requires.
- Nothing else gets funded until schools are amply funded. Harsh, we know. But the word ‘paramount’ means first and highest priority. You could look it up.
- You can no longer do all the interesting stuff behind closed doors. Until you comply, the doors to the caucus rooms will be removed and held in escrow.
- The leaders of the Legislature will report to the Thurston County jail for a little R & R, compliments of the taxpayers. We’ll decide who bunks together, but think of House Speaker Frank Chopp and Senate Majority Leader Rodney Tom as roomies. You two really need to talk.
- Did we mention the part about the whining?”

IT IS SO ORDERED,

DATED at Olympia, Washington, this 29th Day of May, 2014

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Read more here: <http://www.thenewstribune.com/2014/05/29/3217004/what-contempt-for-the-legislature.html?sp=/99/296/331/#storylink=cpy>