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**This Sine Die special edition is the last TWIO of the 2017 Regular Session. A special edition TWIO will be released following the end of the Special Session. TWIO is posted on WASA's website at [www.wasa-oly.org/TWIO](http://www.wasa-oly.org/TWIO).**

NOTE: WASA staff is currently preparing our annual End of Session report. It will contain full details of the 2017–19 Operating Budget and the 2017–19 Capital Budget, along with a comprehensive review of any adopted Education Funding Plan and the many education-related bills the Legislature addressed this session. It will be emailed to all TWIO subscribers as soon as it is completed.

## Special Edition: Sine Die

The 2017 Regular Session concluded yesterday in perhaps the most anticlimactic fashion possible. Knowing the Legislature would be unable to adopt a 2017–19 Operating Budget—or a required Education Funding Plan to comply with the Supreme Court's *McCleary* decision—by yesterday's 105-day deadline, Governor Inslee announced this past Thursday he would be calling the Legislature back for a [Special Session](#), beginning today, April 24, at 10:00 am. Legislators worked until Friday (with some unexpected excitement in the Senate—more on that below), but took Saturday off, and most legislators stayed away for yesterday's *Sine Die* ceremony. The House and Senate convened late Sunday morning, rolled through a series of messages (including a few late-arriving bill introductions—more on that below, too), and quickly adopted the necessary resolutions to close the 2017 Regular Session and adjourn *Sine Die*. The few legislators who were present were out the door by noon.

Special Sessions are limited to 30 days, although the Legislature may adjourn any time before that deadline. Additional 30-day sessions may be called if necessary—which many Olympia-observers are assuming will be the case. During the Special Session(s), the obvious focus will be to negotiate a final, compromise two-year Operating Budget, including an Education Funding Plan, and a final, compromise two-year Capital Construction Budget; however, multiple additional issues are expected to be on the table. High on the assumed priority list are: a solution to adverse effects of the [Hirst decision](#) (a 2016 Supreme Court decision regarding water rights); action to secure Internet Privacy ([HB 2200](#) or [SB 5919](#)); and relief to citizens negatively impacted by the adoption of Sound Transit 3. On the education front, several issues are expected to continue to be debated, including: the potential de-link or delay of assessments from high school graduation requirements ([HB 1046](#), [SB 5639](#), [SB 5891](#)); strategies to expand the supply of the educator workforce (including a fleshed-out version of [HB 1827](#)); and revisions to professional certification (including [HB 1341](#)).

### Budget Negotiations

As the Legislature transitions from the Regular Session to the (first) Special Session, budget negotiations continue to be non-existent. Senate Republicans continue to stand firm with their position of refusing to negotiate on a compromise budget until the House has a “complete” budget proposal. They continue to criticize the House for adopting a “spending” plan with no way to pay for their budget. House Democrats are also standing firm on their position—that is, they are refusing to adopt their proposed revenue package until a budget is completed, so they will know how much

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additional revenue is needed to fund the budget. They maintain it is pointless to vote on tax measures until there is a mutually agreeable budget on the table.

While Senate Republicans continue to oppose tax increases, it did not keep them from advancing tax legislation in the waning hours of Floor action on Friday. In somewhat of a surprise move, Senate Republicans moved [SB 5111](#) to the Senate Floor. SB 5111 is the request legislation from Governor Inslee to implement a new Capital Gains tax. This was attempted twice earlier in the Session, but the move was blocked by Senate Democrats. On Friday, Democrats protested the move again and tried to stop the bill from being brought to the Floor by using procedural maneuvers. The effort to block the bill took over four hours as Senators waited for a ruling from the Lt. Governor, but ultimately failed. As the tax bill moved to the Floor, the first order of business was to amend the bill. Senator John Braun (R-Chehalis) introduced a striking amendment which overlaid the language from the House Democrat's tax package ([HB 2186](#)) onto SB 5111. The striking amendment was adopted and as the new bill moved to Third Reading and Final Passage, the discussion veered from the merits (or concerns) of the issue to a more broad debate about whether the state needed additional revenues. Eventually the debate slid into a lot of finger-pointing and blaming the other side for forcing a Special Session. Senate Majority Leader Mark Schoesler (R-Ritzville), said in a speech the move was needed to “find out how many votes are here for those taxes” introduced by Democrats. Democrats called the move a “political stunt,” and Senator Marko Liias (D-Lynnwood) said his members would not vote for “taxes for taxes sake” without an agreed upon budget to accompany them. Senate Republicans, who were never going to support the bill, essentially admitted they were trying to make a point (with one journalist saying it was “sort of a single-digit salute to House Democrats”), but Democrats decided to make their own point—and voted against the bill. In the end, SB 5111 was defeated with a vote of 0–48.

The gamesmanship did not end there. Immediately after the defeat of SB 5111, another tax bill was brought to the Floor. [SB 5113](#), another Gov. Inslee request bill, would increase the state's Business & Occupations tax (while also increasing the filing threshold and increasing a small business tax credit). Similar debate ensued... with a similar result. SB 5113 was defeated with a vote of 0–48.

Shortly after this theater, legislators showed they can work together and adopted the Conference Committee report on a final 2017–19 Transportation Budget ([SB 5096](#)), with no dissenting votes. But don't assume the show is over. At the start of the Special Session, rather than wiping the slate clean and starting fresh, this same debate will be right back on the table. Late arriving legislation, [SB 5929](#), will be heard in the Senate Ways & Means Committee on Wednesday, April 26, at 3:00 p.m. SB 5929, sponsored by Senator Dino Rossi (R-Sammamish), is a carbon copy of the House Democrat's tax package, HB 2186. So, the gamesmanship that played out last Friday will be renewed this Wednesday. The intent, obviously, is to continue to call out the Democrats and embarrass them. And they are in a no-win situation. They can vote against the bill and Republicans will say, “See—we knew these taxes didn't have support.” Or they can support the bill, which will never be able to achieve a majority vote, and Republicans will use the vote against them in future campaigns. Presumably, if the bill moves to Executive Session, Democrats will take the same action they took on the Floor on Friday and vote against the bill. However, there is a possibility the Committee could simply move the bill to the Floor “with no recommendation.” This is the action that was taken to get SB 5111 and SB 5113 to the Floor. If that happens be prepared for “deja vu all over again.”

Sen. Rossi has publicly stated he sponsored SB 5929, which he calls “the biggest tax increase in Washington state history,” to “demonstrate to the world that votes [on taxes] aren't there,” arguing that “then maybe we can get that nonsense off the

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table and really get down to some negotiations.” When asked if he was just playing games, Rossi responded, “It’s just being straight forward and honest about it.”

### **Education Funding Plans**

It is difficult to find many positives about the last several weeks of the session and the start of a new session; however, members of the Education Funding Task Force (EFTF), a bi-cameral, bi-partisan group of legislators, continue to regularly meet. As we have noted before, we are not privy to their conversations and EFTF members have been very tight-lipped about their activities; however, there have been indications that they are making progress. They apparently are slowly wading through individual pieces of a final Education Funding Plan. While it appears they have not come to agreement on many of those pieces of the puzzle, word is that they are at least coming closer to having a common understanding of the issues that need to be addressed.

We continue to use the [Education Funding Recommendations](#) developed by the Local Funding Workgroup as a baseline for conversations about the key issues that will be (or at least should be) addressed in any, final Education Funding Plan. WASA has honed our messaging on these recommendations and has developed a list of [Essential Ingredients of a McCleary Solution](#). We encourage you to utilize these tools as you continue to meet with your local legislators.

### **Advocacy Activities**

School administrators have an excellent opportunity to continue to contact legislators. Many legislators will have little to do during the Special Session—and if there is a “rolling recess” like most Olympia observers believe will occur, most legislators will be in their home districts. You can continue to call, write or e-mail your policymakers; however, if they return home, you are encouraged to take the time to try and meet with them in-district. Without the crush of the day-to-day activities in Olympia, legislators may be able to give you more attention than three minutes in passing.

As you begin to develop budgets, let legislators know what your district is facing, especially if they do not complete a state budget anytime soon. What impact will that have on your district and your decision-making? Additionally, continue to let your legislators know the projected impacts of their Education Funding Plans. Utilize the tools above ([Local Funding Workgroup Education Funding Recommendations](#) and [WASA’s Essential Ingredients of a McCleary Solution](#)) to help develop your message in concert with other education leaders across the state. Do not be overwhelmed by these recommendations—and don’t overwhelm your legislators. Remember to focus on just a few of the key issues that would especially impact your district—and “tell your story.” Explain to your legislators what the impacts of adopting—or not adopting—a particular recommendation will be to your district.



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