



TWIO

This Week In Olympia

March 26, 2021

IN THIS ISSUE:

- This Week in Review
- Budgets Released
- AEA
- Pensions/Health Benefits
- Useful Links
- Bill Watch



About TWIO

This Week in Olympia (TWIO) is published by WASA in support of our members and members of our partners in WASBO, WSPA, and AEA.

TWIO is emailed each Friday during the Legislative Session and archived on WASA's website at <https://wasa-oly.org/WASA/TWIO>.



This Week in Review

Legislators spent the majority of their time in legislative committees this week again as they blitzed through stacks of remaining bills in an effort to hear and adopt priority legislation. As the session reaches the final month (today is Day 75 of the 105-day Regular Session), we are in the home stretch, wherein the final set of **“cut-off” deadlines** arrive. Today, March 26, is the final day for bills to pass from their opposite house policy committees in order to remain alive. Next Friday, April 2, is the opposite house fiscal committee cut-off; bills from the opposite house with fiscal implications must be passed out of budget committees by this date to stay alive. Then the last cut-off deadline before the ultimate cut-off date—that is *Sine Die*, the last day of the session—arrives on Sunday, April 11. All House bills must be passed by the Senate and all Senate bills must be passed by the House by this date (5:00 p.m.), in order to remain alive. As always, budget bills and bills tagged as “Necessary to Implement the Budget” (NTIB) are exempt from these deadlines and will continue to remain alive throughout the course of the session.

Between April 11 and *Sine Die*, April 25, legislators will: negotiate final, compromise two-year and supplemental budgets (Operating, Capital Construction, and Transportation); reconcile differences in bills between the two houses; and adopt necessary budget-related legislation (those NTIB bills). Most of the legislative action will be in the House and Senate Chambers or their respective closed-door political caucuses (of course, both occurring remotely) as the two houses work through their “Concurrence” and “Dispute” Calendars. Remember, for a bill to become law, it must be adopted in the exact same form in both the House and Senate (and then be signed by the governor). We will walk through this reconciliation process in a later issue of *TWIO*.

Following below is a list of many of the bills of interest heard and/or adopted this week:

- **HB 1085**—Requires: school districts to provide individual health plans (IHPs) for students with epilepsy or other seizure disorders; and WSSDA to adopt a model policy that school districts may use to implement IHP requirements. The bill was heard in the Senate Early Learning & K–12 Education Committee on Monday, adopted by the Committee on Wednesday, and awaits action by the full Senate.
- **HB 1113**—Modifying current truancy provisions. The bill was adopted by the Senate Early Learning & K–12 Education Committee on Wednesday and awaits action by the full Senate.

This Week in Olympia:

Week 11, March 22–26, 2021

continued

WASA Legislative Report Podcast



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- **HB 1176**—Limits the ability of a school district to withhold the grades and transcript of a student who is responsible for damaging or losing property. The bill was adopted by the Senate Early Learning & K–12 Education Committee on Monday and awaits action by the full Senate.
- **HB 1213**—Known as the Fair Start for Kids Act, this is a comprehensive early learning bill that, among other things, expands eligibility and decreases co-payments in the Working Connections Child Care Program and expands eligibility in the Early Childhood Education and Assistance Program. The bill was heard in the Senate Early Learning & K–12 Education Committee on Monday, adopted by the Committee on Wednesday, and has been referred to the Senate Ways & Means Committee—where it awaits a public hearing and adoption. This bill’s Senate companion, **SB 5237**, was heard Monday in the House Children, Youth & Families Committee and adopted on Wednesday. The Senate bill has not yet been rereferred; however, it is expected to move to the House Appropriations Committee for a hearing and adoption.
- **HB 1214**—Creates a category of safety and security staff for public schools and specifies requirements for staff agreements, data collection, and training. The bill was adopted by the Senate Early Learning & K–12 Education Committee on Monday and awaits action by the full Senate.
- **HB 1342**—Eliminates lunch co-pays for students in pre-kindergarten through twelfth grade who qualify for reduced-price lunches. The bill was heard in the Senate Ways & Means Committee on Monday, adopted yesterday, and awaits action by the full Senate.
- **HB 1356**—Prohibits the inappropriate use of Native American names, symbols, or images as public-school mascots, logos, or team names. The bill was heard in the Senate Ways & Means Committee on Monday, adopted yesterday, and awaits action by the full Senate.
- **HB 1373**—Requires public schools to post behavioral health information including contact information for organizations specializing in suicide prevention or crisis intervention; depression, anxiety, or counseling; eating disorders; and substance abuse on their website and social media websites. The bill was heard in the Senate Early Learning & K–12 Education Committee on Monday, adopted by the Committee on Wednesday, and now awaits action by the full Senate.
- **HB 1426**—Specifies minimum continuing education requirements for administrator and teacher certificate renewals that focus on equity-based school and classroom practices. The bill was adopted by the Senate Early Learning & K–12 Education Committee on Monday and awaits action by the full Senate.
- **HB 1484**—Repeals provisions directing the operation and use of the first responder building mapping information system for schools. The bill was adopted by the Senate Early Learning & K–12 Education Committee on Monday and awaits action by the full Senate.
- **SB 5044**—Adds equity, diversity, inclusion, and anti-racism to existing cultural competency training and professional development programs for school board directors, district staff, and school staff; and requires school districts to prioritize one of three state-funded Professional Learning Days to focus first on these topics. The bill was adopted by the House Education Committee today and awaits action by the full House.
- **SB 5181**—Provides school districts in low-income communities with flexibility in financing their facilities by authorizing school districts to create partnerships and limited liability companies, and enter into leases, loans, and other agreements with public or private entities for the purpose of financing school facilities through federal tax credit programs. The bill was heard two weeks ago in the

This Week in Olympia:
Week 11, March 22–26, 2021
continued

- House Education Committee and was tentatively scheduled for executive action today; however, it was not acted upon. The bill is technically dead.
- **[SB 5184](#)**—Requires public schools to establish a contact in each elementary, middle, and high school building to coordinate services and resources for students in foster care; and requires existing school district foster care liaisons to train the building points of contact. The bill was adopted by the House Education Committee on Tuesday and awaits action by the full House.
 - **[SB 5202](#)**—Requires school districts to establish a depreciation subfund within their general fund; and allows districts to annually deposit up to two percent of their general fund into the depreciation subfund for emergency facility needs and preventative maintenance. The bill was adopted by the House Education Committee on Tuesday and awaits action by the full House.
 - **[SB 5242](#)**—Requires OSPI to: establish a grant program for supporting media literacy and digital citizenship; and convene two regional conferences on the subject of media literacy and digital citizenship. The bill was adopted by the House Education Committee yesterday. It has not yet been rereferred; however, it is expected to move to the House Appropriations Committee for hearing and adoption.
 - **[SB 5249](#)**—Requires the Mastery-Based Learning Work Group to develop a profile of a high school graduate; and directs the SBE to develop recommendations relating to the profile of a graduate and to perform a survey on graduation pathways. The bill was adopted by the House Education Committee on Tuesday. The bill was referred to the House Appropriations Committee; it has not yet been scheduled for a public hearing.
 - **[SB 5265](#)**—Requires OSPI to administer a Bridge Year pilot program, allowing students in the Classes of 2021 and 2022 an additional year to take courses at the student’s high school, an institution of higher education, or a combination. It would also allow Bridge Year students to participate in Running Start and take College in the High School courses. The bill was adopted by the House Education Committee today. It will likely be rereferred to the House appropriations Committee for hearing adoption.
 - **[SB 5299](#)**—Allowing a student to substitute an approved computer science course for a third-year math or science credit for graduation purposes. The bill was adopted by the House Education Committee yesterday and awaits action by the full House.

Budgets Released

“Budget Season” has arrived in Olympia. The update of the state’s [quarterly Revenue Forecast](#) (in March during long sessions; in February during short sessions) usually triggers the release of legislative budget proposals; the first legislative budget proposals are normally unveiled Monday or Tuesday of the following week. In the traditional process, one house releases a budget, hears and adopts it in Committee, then debates and adopts it on the Floor, followed by the other house’s budget being unveiled the following week, running through the same journey through Committee and Floor action. In this session, wherein nothing is “normal,” budgets were released much differently than in the past. First, budgets were released a few days late (mostly because budget-writers continued to have questions about how (and how much) they could appropriate the billions of dollars in federal COVID relief funds) and on top of that, all six budgets were released almost simultaneously.

Each biennium, the Senate and House alternate as the body to initiate the legislative budget process. It is the Senate’s “turn” in the 67th Legislative Session; however, this week it was hard to determine who was “first.” On Monday, both houses released their

This Week in Olympia:
Week 11, March 22–26, 2021

continued

dueling 2021–23 Transportation Budget proposals (along with 2021 Supplemental plans), then proceeded straight to public hearings in their respective Transportation Committees.

On Wednesday, the House jumped in front of the Senate, releasing its 2021–23 Capital Construction Budget (and 2021 Supplemental Capital Budget)—with little fanfare. House budget-writers declined to hold a traditional press conference. The bill and accompanying documents just showed up unceremoniously on the Legislature’s [budget website](#), followed shortly after by a Caucus press release. This early release came even though there are no plans for a public hearing until Monday, March 29. An executive session has been scheduled for Wednesday, March 31.

Yesterday, Senate budget-writers released both their 2021–23 Operating Budget and their 2021–23 Capital Budget (along with 2021 Supplemental plans for both budgets). Shortly after, the Capital Budget received a public hearing in the Senate Ways & Means Committee, with plans to move it to executive action tomorrow morning. Later this afternoon, they are scheduled to hold a public hearing on the Operating Budget proposal, with scheduled executive action on Monday, March 29.

The final budget proposal, the House’s 2021–23 Operating Budget (and 2021 Supplemental Budget) will be released later this afternoon, with a scheduled public hearing tomorrow morning. It is scheduled for executive action on Monday, March 29.

With the flurry of budgets being released so closely together, it will take some time to fully analyze them. Below are some of the key points of each budget (excepting the House Operating Budget which won’t be unveiled until this *TWIO* is completed). We will produce a more thorough and detailed Special Budget Edition of *TWIO* on Monday.

Transportation Budget

The Transportation Budget provides appropriations for state transportation agencies, road projects, and programs for the 2021–23 fiscal biennium (and the Supplemental Transportation Budget makes necessary adjustments for the remainder of the current biennium). Other than the positive indirect impact provided by safe roads—and a boost to the state’s economy—K–12 education is not greatly affected by this budget. There are, however, some minor funding for education-related issues. More importantly, the Transportation Budget is one of the final puzzle pieces to necessary to wrap up the Legislature’s business—and sometimes can become part of behind-the-scenes horse-trading if key priorities are lacking votes.

Gas tax revenues, even before the pandemic, were in decline—and the latest transportation revenue forecast projected a \$1.1 billion drop in revenues over the next four years. On Monday, Senator Steve Hobbs (D-Lake Stevens) released his proposal, a [Proposed Substitute SB 5165](#). His transportation package includes \$9.4 billion in appropriation authority in the 2021 Supplemental Transportation Budget and \$10.9 billion in appropriation authority in the 2021–23 Transportation Budget. It relies on federal funds and bond proceeds. In order to find additional needed revenues, Hobbs has been negotiating with his Senate colleagues on [SB 5162](#), the so-called “cap and invest” bill that would address climate change by taxing carbon. Most of the revenue would go to transportation. (This is a classic example of that “horse-trading.” An ultimate deal on transportation funding could eventually be tied to pricing carbon to generate revenue.)

The Senate Transportation Budget uses approximately \$1.0 billion from the federal American Rescue Plan (ARP) to fill gaps. \$600 million would be used to backfill pandemic-related revenue losses. The remaining \$400 million would be used for water infrastructure investments to remove salmon culverts. (Washington State lost a federal court case a few years ago which requires the removal of hundreds of fish barriers. The total legal obligation is about \$3.1 billion.) Unfortunately, the US Department of Treasury has not yet issued guidance on the use of ARP funds and there are questions about whether

This Week in Olympia:
Week 11, March 22–26, 2021

continued

“water infrastructure” includes the removal of fish culverts. Another \$143 million from the federal stimulus package adopted December is also slated to go to culvert removal.

For K–12 education, the Senate would provide \$31.7 million for the Safe Routes to Schools program, to fund new projects.

Also, on Monday, Representative Jake Fey (D-Tacoma) released his Transportation Budget, a [Proposed Substitute HB 1135](#). Fey’s transportation package includes \$9.5 billion in appropriation authority in the 2021 Supplemental Transportation Budget and \$10.9 billion in appropriation authority in the 2021–23 Transportation Budget. Given the same fiscal concerns as the Senate budget, the House budget is designed to invest in green transportation initiatives, major construction projects and policy reforms that will boost equity and opportunity.

The House Transportation Budget also utilizes \$1.0 billion from the recently adopted federal American Rescue Plan. Similar to the Senate, a portion of these federal funds are slated to be used to backfill accounts that supported services affected by COVID-19 pandemic-related revenue losses and a portion of the funding will be used to address fish passage barrier removals. Additionally, federal funds would be used to address ferry operating needs. \$726 million would be provided to fully fund fish culvert removal, as proposed by the Department of Transportation, fully complying with the federal injunction (like the Senate, assuming these funds are allowed to be used in this way). Funds would also be provided to complete inventories of culverts for cities and counties.

For K–12 education, the House would provide \$38.3 million for the Safe Routes to Schools program, to fund new projects. Funding would also be provided for a study related to the Washington State Department of Transportation’s role in broadband service expansion efforts. While not specifically related to schools, the state’s effort to expand broadband service—in this case installing broadband infrastructure under or along state highways—will provide more connectivity access to schools and families. A report with findings and recommendations would be due to the Legislature by January 1, 2022.

Capital Budget

As noted above, on Wednesday House Capital Budget Chair Steve Tharinger (D-Port Orchard) and Capital Budget Ranking Minority Member Mike Steele (R-Chelan) “jumped the line” and introduced their collaborative 2021–23 Capital Construction Budget. A [Proposed Substitute to HB 1080](#), includes both the 2021 Supplemental Budget and the 2021–23 Budget. The 2021 Supplemental Budget reduces reappropriations and 2019–21 appropriations by \$35.2 million. The proposal would fund \$5.7 billion in construction projects throughout the state in 2021–23. \$3.55 billion of the total is financed with General Obligation bonds ([PSHB 1081](#)). The remaining \$2.14 billion consists of \$589 million in federal stimulus funds, \$273 million in Model Toxic Control Accounts, \$236 million in alternative financing authorizations, and \$1.04 billion in other funds. Approximately \$176 million in bond capacity is reserved for a 2022 Supplemental Capital Budget.

The federal American Rescue Plan included \$189 million for capital projects; this proposal uses these funds to carry out critical capital projects directly enabling work, education, and health monitoring, including remote options, in response to the COVID-19 pandemic. An additional \$400 million from the Coronavirus State Fiscal Recovery Fund is appropriated making necessary investments in water, sewer, or broadband infrastructure. \$155 million of these funds are set aside for grants and loans to improve and expand broadband access to unserved and underserved communities across the state.

For K–12 education the House Capital Budget provides \$969.9 million. The majority of this appropriation is for the School Construction Assistance Program (SCAP). SCAP receives \$781.7 million; \$755.1 million of the appropriation comes from state General Obligation bonds and \$26.6 million comes from the Common School Construction

Account (CSCA). An additional \$68.7 million from state General Obligation bonds is swapped with CSCA to fund obligations for 2017–19 projects and to assist with the CSCA's solvency.

This Week in Olympia:

Week 11, March 22–26, 2021

continued

Additional K–12 funding includes:

- \$65.1 million for the 12 seismic retrofit projects identified as very high risk within the School Seismic Safety Retrofit Program. Of this amount, \$2 million is provided for planning grants to assist school districts with seismic retrofit project development.
- \$19.5 million for Small District and Tribal Compact School Modernization Program grants, available for districts with student enrollments of 1,000 or fewer.
- \$15.8 million for grants for equipment, small repair, or minor works to support Career and Technical Education, Americans with Disabilities Act (ADA) compliance, emergency repairs, and the Healthy Kids-Healthy Schools program. \$3.6 million of this amount is provided as an expanded Healthy Kids-Healthy Schools Program for assisting school districts with the costs of remediating lead contaminated drinking water.
- \$14.5 million for Skills Center projects: The Evergreen Building at the Pierce County Skills Center (\$9.8 million); minor works projects at Skills Centers (\$3.4 million); a major electrical improvement project at the Puget Sound Skills Center (\$1.0 million); and a pre-design for a replacement and expansion of the Seattle Public Schools Skills Center at Rainier Beach High School (\$300,000).

Yesterday, Senate budget-writers released their 2021 Supplemental Capital Budget and 2021–23 Capital Budget. [Proposed Substitute SB 5083](#) is a \$6.2 billion package—which, if adopted, would be the largest capital construction budget in state history. The 2021 Supplemental Budget reduces reappropriations and 2019–21 appropriations by \$37.2 million. The overall 2021–23 appropriation includes \$3.93 billion in General Obligation bonds.

Like the House Budget, broadband access is a priority in the Senate's package. \$440 million (including \$390 million in federal stimulus funding and \$50 million in bond proceeds) are provided to the Statewide Broadband Office to expand broadband to rural and unserved areas of the state.

For K–12 education, the Senate Capital Budget provides \$947.6 million (\$907.4 million in bond proceeds and \$40.2 million in other funds). The majority is appropriated to the School Construction Assistance Program (SCAP). \$837.3 million (\$812 million in bond proceeds) is provided for SCAP. \$781.7 million is appropriated for 36 construction and renovation projects in 29 school districts; and another \$55.6 million is provided to fund prior obligations.

Additional K–12 funding includes:

- \$47.2 million for the Small School Modernization grant program. The budget approves a list of projects selected by OSPI, consistent with the direction in the 2021–23 budget.
- \$14.2 million for Skills Centers, including: modernization at the Pierce County Skills Center (\$9.8 million); replacement of the main electrical service at the Puget Sound Skills Center (\$1.0 million); and minor works at Skills Centers (\$3.0 million).

This Week in Olympia:
Week 11, March 22–26, 2021

continued

- \$10.7 million for the Distressed Schools grant program for classroom additions at two schools in Seattle, a school-based health center at Spanaway Middle School, and the Healthy Schools pilot program to reduce exposure to air pollution and improve air quality in schools.
- \$10.0 million to the school district health and safety grants program to address health and safety issues, equal access, and emergency repairs.

Operating Budget

Yesterday, Senate budget-writers unveiled their 2021–23 Operating Budget (and the 2021 Supplemental Operating Budget). Upon releasing the budget, Senate Ways & Means Chair and the Senate Democrats main budget-writer, Christine Rolfes (D-Bainbridge Island) stated that the budget was “historic, ambitious, and strategic.” Certainly, it was large. The overall spending plan appropriates \$59.2 billion (in comparison, Governor Inslee’s request in December would have spent \$57.5 billion). The plan utilizes additional revenues projected in the March Forecast (\$4.3 billion), along with \$1.8 billion from the Budget Stabilization Account, and leverages \$7.0 billion in federal relief funds. The plan, [Proposed Substitute SB 5092](#), which balances over four-years (as required by law), is projected to end the 2023–25 biennium with \$179 million and \$1.3 billion in total reserves.

Key details of the Senate’s budget impacting K–12 education follow. As noted above, the House Operating Budget will not be released until after this *TWIO* is published, but we will provide some of the details of the Senate’s package:

Federal ESSER grants—\$1.74 Billion

\$1.67 billion in ESSER III funds from the recently adopted American Rescue Plan are allocated to K–12 education. Additionally, \$74.2 million in ESSER II funds from the federal stimulus package adopted in December are also appropriated to K–12. Remember, when the Legislature adopted [HB 1368](#) (the Democrat’s Pandemic Relief Plan), the bill only appropriated \$668 million of the \$742 million that Congress dedicated to K–12. The funding is provided to “assist school districts with response to the COVID-19 pandemic.”

Transportation Stabilization—\$358.8 million

One-time funding (\$299 million in the 2021 Supplemental Budget and \$58.9 million in the 2021–23 Budget) is provided for pupil transportation payments to school districts to address lower pupil transportation payments for the 2020–21 school year.

Enrollment Stabilization—\$190.7 million

One-time funding is provided to ensure school districts receive at least \$1,500 per pupil for COVID-19 relief funding when combined with federal relief dollars. (NOTE: this funding does not match up with [HB 1476](#) we have been pushing all session. It appears to “smooth out” funding for districts that have little-to-no Title I enrollment, filling funding gaps between districts. It does not, however, provide stabilization for the many enrollment-based programs that will lose funding without the fix called for in the original HB 1476. We are anticipating the House Budget will include this funding.)

Accelerated Learning—\$217.8 million

One-time funding is provided for learning recovery and acceleration to address student learning loss.

School Counselors—\$32.8 million

Funding is provided to allocate an additional 0.5 FTE counselor per prototypical school for all high-poverty elementary schools. This additional funding increases counselor staffing per prototypical school for high poverty elementary schools above the amounts specified in law. (Remember, this funding was provided in the 2020 Supplemental Operating Budget last session but was vetoed by Governor Inslee.)

This Week in Olympia:**Week 11, March 22–26, 2021***continued***Special Education Professional Development—\$12.0 million**

Funding is provided to continue the Inclusionary Practices Project, providing professional development to promote the inclusion of students requiring special education within the general education classroom.

Paraeducator Training—\$14.8 million

Funding is provided for two days of training in the Paraeducator Certificate Program in Fiscal Year 2023 and two days each year thereafter. Funding is also provided to develop a course to provide online training to paraeducators on effective community, family, and student engagement. (Remember, this funding was provided in the 2020 Supplemental Operating Budget last session but was vetoed by Governor Inslee.)

Special Education Transition Services—\$24.0 million

Federal funding is provided for extension of transition services for students with disabilities who turned age 21 during the 2019–20 or 2020–21 school years and did not graduate with a regular diploma.

Community Learning Center—\$18.5 million

Federal funding is provided for the Community Learning Center program for the purpose of supporting after school programs.

Outdoor Education—\$18.0 million

Federal funding is provided for outdoor education summer enrichment programs for youth.

Summer Reengagement—\$17.7 million

Federal funding is provided for the establishment of a summer reengagement grant program for the purpose of assisting school districts in facilitating a week-long program in schools for students to reengage in learning, physical activity, and social interaction.

SEBB Rate—(\$10.5 million)

State funding is adjusted for changes in the School Employees' Benefits Board funding rate (saving \$10.5 million). The per employee per month rate of \$1,000 in Fiscal Year 2021 is decreased to \$968 for the 2021–22 school year, and \$1,032 for the 2022–23 school year.

One additional note of interest. The Senate Budget provides \$800 million for the Teachers' Retirement System (TRS) Plan I Fund to reduce the unfunded actuarial accrued liability of the fund. Because TRS Plan I is less than 100 percent funded, employer contribution rates are higher than they otherwise would be, as contributions must cover the unfunded actuarial accrued liability. Providing this money, to draw down the unfunded liability, will save the state (and school districts) money in the long run. Proviso language in the budget notes this funding is for expenditure on June 30, 2023—and states the Legislature's intent to appropriate additional general fund revenues into the account on June 30, 2025. [SB 5453](#) would have accomplished this by merging TRS I with the Law Enforcement Officers' & Fire Fighters' Plan I retirement system, but LEOFF members rejected the idea and the bill never went anywhere. With unexpected revenues on the table, Senate budget-writers apparently believed the time was ripe to spend some of those "excess" revenues now, in order to save money later.

AEA

By Mitch Denning

This Week in Olympia:
Week 11, March 22–26, 2021

continued

SSB 5083, 2021–23 Senate Capital Budget, was heard yesterday in the Senate Ways & Means Committee, and AEA testified PRO. One, we support the \$3 million in the Healthy Kids/Healthy Schools grants for removal of lead contaminated pipes, additional physical education equipment, and kitchen equipment or remodel. Two, we applaud the \$47 million to fund Small District and Tribal Compact School Modernization grants for small districts of 1,000 FTE or less which have significant building deficiencies. Three, we support the School Health and Safety grants, with \$3 million proposed for declared emergency needs, and \$7 million for urgent non-recurring health and safety facility needs. Four, we are glad to see the funding for the School Seismic Safety Retrofit grants of \$3.1 million.

SHB 1342, elimination of the reduced-price lunch copay for grades PreK and 4–12, was heard in the Senate Ways & Means Committee on Monday, and WSNA testified PRO. Leeda Beha, director, nutrition services, Bethel SD, and WSNA Meals for Kids Legislative Committee member, and Mitch testified PRO. It would enable reduced-price students in grades PreK and 4–12, to continue to eat for free when they return to school in the fall, and throughout the rest of their school careers. Yesterday, the bill passed out of the Senate Ways & Means Committee without any amendments and is now in the Senate Rules Committee.

SHB 1139, taking actions to address lead in drinking water, will be heard next Thursday in the Senate Ways & Means Committee. WAMOA will be testifying CON as we do not support the lowering of the definition level of lead contamination in school drinking from 15 PPB to 5 PPB. WAMOA also believes that the \$3 million proposed in SSB 5083's Healthy Kids/Healthy Schools grant, will not adequately fund the remediation projects in elementary schools across the state at 5 PPB. In previous hearings, several school districts and WSSDA have joined WAMOA in expressing their concern about the bill's underfunding.

Here are bills have passed their respective houses which WAMOA and WSNA are watching or supporting.

SB 5202, allowing school districts to establish a depreciation subfund with their general fund budget for preventative maintenance and facility emergencies, is now in the House Rules Committee, having been amended in the House Education Committee. The bill now allows school districts, subject to applicable public works bid limits, to use district staff to perform maintenance with funds from the depreciation subfund. However, use of such funds may only be used on employee compensation on related maintenance activities. Should the amended version be approved by the House, it would go back to the Senate for concurrence. WAMOA continues to support this bill.

SSB 5030, comprehensive school counseling programs, which refines duties of school counselors during a time where student needs are significant, moved out of the House Education Committee yesterday with several amendments. It allows comprehensive school counseling programs to be implemented by Educational Staff Associations (ESAs). It requires OSPI to implement guidance for implementation of said policies and requires school districts to adopt transition plans for said programs. The bill is now in the House Rules Committee.

SSB 5181, providing school districts with low-income communities flexibility in financing school facilities, would allow districts to finance their capital projects by utilizing federal tax credit programs. It is scheduled for executive session today in the House Education Committee.

This Week in Olympia:
Week 11, March 22–26, 2021

continued

SHB 1363, secondary trauma in the K–12 workforce, requires OSPI to publish resources for K–12 staff which deal with this significant issue. It also requires WSSDA to develop and update a model policy. The bill is in the Senate Rules Committee.

ESHB 1214, K–12 school safety and security services by classified staff and contractors, would create the category of safety and security staff in K–12 schools, and provide requirements for agreements, data collection and training for ESDs, school districts and charter schools. The bill is also in the Senate Rules Committee.

E2SHB 1365, procuring appropriate computers for students and instructional staff, would direct OSPI to develop a grant program to attain a universal 1:1 student to learning device ratio, expand technical training of school and district staff, and develop district-based capacity to assist students and their families to access technology to support their students' learning. The bill is scheduled to be heard in the Senate Ways & Means Committee on Wednesday, March 31.

2SSB 5265, creation of a bridge year pilot program, would direct OSPI to administer a bridge year pilot program that allows students in the graduating classes of 2021 and 2022 an additional year to take courses at the student's high school, an institution of higher learning or a combination. It is scheduled for executive session today in the House Education Committee.

ESSB 5357, capital broadband investment acceleration program, sponsored by Sen. Jim Honeyford, would provide grants which would increase the broadband access in unserved areas of the state. It was scheduled for executive session on March 23 in the House Capital Budget Committee, but not action was taken.

Pensions/Health Benefits

By Fred Yancey – The Nexus Group

“There is a rhythm to the legislative session, so I think it is very important to take that into consideration when you are deciding what to do when.”

Andrew Cuomo

Committees continued meeting primarily to move bills out of their respective committees while concurrently, the majority party in each house released their budget proposals as the week ended.

The policy cut-off for bills was Friday, March 26; the fiscal one will be the following Friday, April 2. Bills are stacking up for scheduling on floor calendars. Further activities will begin to focus on floor action, negotiations and compromises aiming toward an attempt to end on time, April 25.

Retirement Related Proposals

SB 5021: Concerning the effect of expenditure reduction efforts on retirement benefits for public employees, including those participating in the shared work program.

(Passed the House 65–32.)

SB 5352: Allowing new government employees the option of opting out of retirement system membership if the employee is age 60 or older when first hired or when the employee's employer opts into retirement plan participation.

(A public hearing was held on March 18 before the House Appropriations Committee and no further action has been scheduled. This bill is likely to die.)

This Week in Olympia:**Week 11, March 22–26, 2021***continued*

SB 5367: Directing the department of retirement systems to create rules regarding automatic refunds of retirement contributions in the retirement systems listed in RCW 41.50.030.

(This bill has been moved for placement on the House Calendar.)

SB 5453: Concerning Plans 1 and 2 of the state retirement systems by combining LEROFF 1 and TRS Plan 1 assets to retire the unfunded liability of TRS 1.

(This bill was introduced, and no hearings were held. It is likely dead but see below for comments.)

Comments: Fiscal leaders in both houses are aware of the unfunded liability of TRS and PERS 1 plans. Employers are currently paying a surcharge for their retirement contributions to help retire the debt of both plans. (TRS 1 liability is \$2.8 billion; PERS 1 \$4 billion) The question has been how to further address it. SB 5453 above, is one example of an attempt.

WSSRA (WA State School Retirees' Association.) has advocated spending GF dollars to pay down the liability. Any lowering of the liability will lower the surcharge that school districts (employers) are paying to address the problem. These GF dollars can be replaced with the one-time Federal infusion of cash. And surprise! The Senate budget released on Thursday, March 25, budgeted \$800 million toward lowering the TRS 1 unfunded liability. The House budget to be released late Friday afternoon is not expected to have dealt with this issue. It will be one of many budget differences to be negotiated between the two houses. Opinion: This is great use of extra dollars to meet an obligation/debt without starting anything new. It is akin to using an inheritance to pay off one's house.

School Employees' Benefits Board (SEBB)

SB 5322: Prohibiting dual enrollment between School Employees' Benefits Board and Public Employees' Benefits Board programs (PEBB).

(This bill passed the House 98–0 and will be forwarded to the Governor.)

Other Bills

There are a number of bills proposed that deal with expanding various employee benefits and qualifications. They address such areas as unemployment compensation, family and medical leave, and workmen's compensation. They are worth monitoring because they may add personnel costs to school district operations. Caveat: A few bills, (see below) clearly have had problems clearing committees through scheduled Executive Sessions. They may well die.

Two bills (**E2SHB 1073** and **ESSB 5097**) in the 2021 virtual legislative session are proposing changes.

E2SHB 1073: Expands coverage of the paid family and medical leave program.

(This bill is scheduled for a public hearing March 30 before the Senate Ways & Means Committee.)

ESSB 5097: Expands coverage of the paid family and medical leave program.

(This bill was moved to the House Appropriations Committee for a public hearing on March 30.)

2SHB 1076: Allowing whistleblowers to bring actions on behalf of the state for violations of workplace protections.

(This bill is scheduled for a public hearing March 30 before the Senate Ways & Means Committee.)

This Week in Olympia:
Week 11, March 22–26, 2021
continued

ESHB 1214: Creates the category of safety and security staff for kindergarten through grade 12 public schools.

(This bill has been moved for placement on the Senate Calendar.)

SHB 1323: Concerning the long-term services and supports trust program. Among other provisions, it specifies that employees who apply to opt-out of the Long-Term Services and Supports Trust Program (LTSS Trust Program) must attest to having long-term care insurance prior to the effective date of this act.

(Scheduled for Executive Action on March 26 in the Senate Health & Long Term Care Committee.)

SHB 1363: Addressing secondary trauma in the K–12 workforce.

(This bill has been moved for placement on the Senate Calendar.)

SHB 1492: Concerning extended benefits in the unemployment insurance system.

(Assigned to the Senate Labor Committee on February 26. Not yet scheduled and likely dead.)

ESSB 5115: Establishing health emergency labor standards. Creates an occupational disease presumption for frontline employees during a public health emergency for the purposes of workers' compensation. Etc.

(Executive action was taken on March 24 before the House Labor Committee.)

SSB 5425: Concerning extended benefits in the unemployment insurance system.

(Scheduled for Executive action for today before the House Labor Committee.)

SSB 5254: Concerning the use of protective devices and equipment during a public health emergency.

(This bill has been scheduled for a public hearing in House Appropriations on March 30.)



Legislative Resources

Committee Meeting Schedule

Legislative Committees Meetings are scheduled to be held at the following times but are subject to change.

Up-to-date meeting schedules and agendas are available on the [State Legislature website](#).

Mondays

1:30–3:30 p.m.
Senate Early Learning & K–12
Senate Hearing Room 1

3:30–5:15 p.m.
House Appropriations
House Hearing Room A

4–6 p.m.
Senate Ways & Means
Senate Hearing Room 4

Tuesdays

8–10 a.m.
House Education
House Hearing Room A

1:30–3:30 p.m.
House Appropriations
House Hearing Room A

3:30–5:15 p.m.
House Appropriations
House Hearing Room A

4–6 p.m.
Senate Ways & Means
Senate Hearing Room 4

Wednesdays

10:30 a.m.–12:30 p.m.
Senate Early Learning & K–12
Senate Hearing Room 1

Thursdays

1:30–3:30 p.m.
House Appropriations
House Hearing Room A

3:30–5:15 p.m.
House Appropriations
House Hearing Room A

4–6 p.m.
Senate Ways & Means
Senate Hearing Room 4

Fridays

8–10 a.m.
Senate Early Learning & K–12
Senate Hearing Room 1

10–11 a.m.
House Education
House Hearing Room A

Useful Links

Washington State Government
<http://www.access.wa.gov>

State Legislature
<http://www.leg.wa.gov>

Senate
<http://www.leg.wa.gov/Senate>

House of Representatives
<http://www.leg.wa.gov/House>

Legislative Committees
<http://www.leg.wa.gov/legislature/pages/committeelisting.aspx>

Legislative Schedules
<http://www.leg.wa.gov/legislature/pages/calendar.aspx>

Office of the Governor
<http://www.governor.wa.gov>

OSPI
<http://www.k12.wa.us>

TVW
<http://www.tvw.org>

Session Cut-off Calendar

January 11, 2021
First Day of Session.

February 15, 2021
Last day to read in committee reports in house of origin, except House fiscal, Senate Ways & Means, and Transportation committees.

February 22, 2021
Last day to read in committee reports from House fiscal, Senate Ways & Means, and Transportation committees in house of origin.

March 9, 2021
Last day to consider bills in house of origin (5 p.m.).

March 26, 2021
Last day to read in committee reports from opposite house, except House fiscal, Senate Ways & Means, and Transportation committees.

April 2, 2021
Last day to read in opposite house committee reports from House fiscal, Senate Ways & Means, and Transportation committees.

April 11, 2021*
Last day to consider opposite house bills (5 p.m.) (except initiatives and alternatives to initiatives, budgets and matters necessary to implement budgets, differences between the houses, and matters incident to the interim and closing of the session).

April 25, 2021
Last day allowed for regular session under state constitution.

*After the 91st day, only initiatives, alternatives to initiatives, budgets and matters necessary to implement budgets, messages pertaining to amendments, differences between the houses, and matters incident to the interim and closing of the session may be considered.

Bill Watch

TWIO tracks critical education bills each week as they are introduced. Detailed bill information can be accessed by clicking on the bill number. The following is a list of the bills of highest interest to school administrators. A more comprehensive bill watch list is located on the [WASA website](#).

Bill #	Title	Status	Sponsor
HB 1006	Immunization, declining	H Health Care & Wellness	Klippert
HB 1010	Motor vehicle sales tax	H Appropriations	MacEwen
SHB 1016	Juneteenth	S Ways & Means	Morgan
HB 1023	Predesign requirements	S Rules 2	Steele
HB 1024	Sunshine committee/juveniles	H State Govt & Tribal Rel.	Springer
2SHB 1028	Residency teacher cert.	S Rules 2	Bergquist
HB 1029	Emergency orders and rules	H State Govt & Tribal Rel.	Walsh
HB 1032	TRS & SERS early retirement	H Appropriations	Harris
HB 1039	Bicycle & pedestrian travel	H Transportation	McCaslin
HB 1040	Retired school empl. health	H Appropriations	Dolan
ESHB 1056	Public meetings/emergencies	S Rules 2	Pollet
HB 1065	Epidemic, pandemic vaccines	H Health Care & Wellness	Eslick
HB 1066	Ed. service district boards	H Education	Stonier
HB 1067	State dinosaur	H Rules C	Morgan
E2SHB 1073	Paid leave coverage	S Ways & Means	Berry
2SHB 1076	Workplace violations/qui tam	S Ways & Means	Hansen
HB 1077	Federal Way school district	H Appropriations	Johnson
HB 1079	Charter schools time frame	H Education	Dolan
HB 1080 (SB 5083)	Capital Budget 2021–23	H Cap Budget	Tharinger
HB 1081 (SB 5084)	State gen. obligation bonds	H Cap Budget	Tharinger
SHB 1085	Students w/seizure disorders	S Rules 2	Kloba
HB 1087	Family/med leave continuity	S Rules 2	Berry
HB 1093 (SB 5091)	Operating Budget, 2nd supp.	H Appropriations	Ormsby
HB 1094 (SB 5092)	Operating Budget 2021–23	H Appropriations	Ormsby
HB 1098 (ESSB 5061)	Unemployment insurance	H Labor & Workplace	Sells
ESHB 1113 (SB 5153)	School attendance	S Rules 2	Ortiz-Self
EHB 1121	Graduation reqs/emergency	Del to Gov	Santos
EHB 1131	Private schools/waiver	Del to Gov	Rude

E2SHB 1139	Lead in drinking water	S Ways & Means	Pollet
HB 1149	Public health education	H Education	Pollet
SHB 1153	Language access in schools	H Appropriations	Orwall
SHB 1156	Local elections	H Rules C	Harris-Talley
SHB 1162	High school graduation	S EL/K-12	Stonier
ESHB 1176	Student fines and fees	S Rules 2	Paul
HB 1180	Public testimony	H Local Govt	Kraft
HB 1182 (SB 5209)	Crisis response services	H Health Care & Wellness	Orwall
ESHB 1189 (2SSB 5211)	Tax increment financing	S Rules 2	Duerr
HB 1195 (SB 5443)	Charter school time frame	H Education	Dolan
SHB 1208	Learning assistance program	S 2nd Reading	Santos
HB 1212	Repair of electronics	H ConsPro&Bus	Gregerson
ESHB 1214	K-12 safety & security serv.	S Rules 2	Senn
HB 1215	K-12 education scholarships	H Education	Kraft
SHB 1225	School-based health centers	S Ways & Means	Stonier
HB 1226	School district elections	H Education	Stonier
SHB 1264 (SB 5274)	Equity impact statement	H Appropriations	Thai
HB 1270	Leadership skills grant prg.	H Appropriations	Young
ESHB 1273 (SB 5070)	Menstrual products/schools	S Ways & Means	Berg
E2SHB 1295	Institutional ed./release	S Ways & Means	Callan
SHB 1302	College in the high school	S Rules 2	Berg
HB 1305	Right to refuse vaccines	H Health Care & Wellness	Kraft
SHB 1306	School boards/bond training	H Rules C	Sells
HB 1308	Apprenticeship utilization	H Cap Budget	Riccelli
SHB 1309	Levy certification dates	S 2nd Reading	Eslick
HB 1317	Right to refuse/health	H Health Care & Wellness	Young
HB 1321 (SB 5114)	Reopening/public health	H Health Care & Wellness	MacEwen
SHB 1323	Long-term services trust	S Health & Long Term Care	Tharinger
ESHB 1329	Public meetings	S Rules 2	Wicks
SHB 1331	Early learning impact fees	S Rules 2	Harris-Talley
HB 1334	Appropriations/COVID-19	H Appropriations	Stokesbary
ESHB 1336	Public telecomm. service	S Environment, Energy & Tech.	Hansen
HB 1338	School resources/COVID-19	H Civil R & Judi	Harris

SHB 1340	Pandemic task force	H Appropriations	Lovick
EHB 1342	Reduced-price lunch copays	S Ways & Means	Berg
HB 1343	Unemployment ins./employers	H Labor & Workplace	Hoff
2SHB 1354	Suicide review teams	H Rules C	Mosbrucker
SHB 1356	Native American names, etc.	S Ways & Means	Lekanoff
HB 1358	State school levies	H Finance	Orcutt
SHB 1363	Secondary trauma/K-12	S Rules 2	Ortiz-Self
E2SHB 1365	Schools/computers & devices	S Ways & Means	Gregerson
SHB 1366	In-person instruction	H Rules C	Caldier
HB 1367 (SB 5343)	Medicaid appropriations	C 5 L 21	Ormsby
ESHB 1368 (SB 5344)	Federal funding/COVID-19	C 3 L 21	Ormsby
ESHB 1370	Early learning fac. grants	S Ways & Means	Callan
HB 1371	State property tax levies	H Finance	Sutherland
SHB 1373	Behavioral health/students	S Rules 2	Callan
HB 1390	Athletic scholarship funding	H Coll & Workforce Dev	Walsh
HB 1396	US history & gov/high school	H Education	Dufault
HB 1404	Highly capable student prgs.	H Appropriations	Vick
ESHB 1410	Home foreclosure/taxes	S Rules 2	Volz
HB 1415	Skill center class size	H Appropriations	Paul
HB 1419	Certificated staff/factors	H Appropriations	Dolan
HB 1420	School empl/COVID-19 vaccine	H Health Care & Wellness	MacEwen
HB 1422	Sexual health ed./dates	H Education	MacEwen
ESHB 1426	K-12 continuing ed./equity	S Rules 2	Santos
HB 1440	Small wireless facilities	H Comm & Economic Dev.	Boehnke
HB 1442	Epidemic preparedness	H Health Care & Wellness	Chase
HB 1450	School computers/device tax	H Education	Gregerson
SHB 1451	ECEAP entitlement date	H Appropriations	Sullivan
HB 1452	Physical education credit	H Education	Mosbrucker
SHB 1453	Voters' pamphlets	H Rules R	Bergquist
ESHB 1457	Broadband/limited highways	S Transportation	Wylie
2SHB 1460	Telecommunications access	H Rules C	Gregerson
HB 1466	Outdoor education	H Appropriations	Rule
ESHB 1476	Enrollment declines/OSPI	S Ways & Means	Dolan

HB 1481	School employees/firearms	H Civil R & Judiciary	Chase
SHB 1484	Building mapping system	S Rules 2	Dolan
HB 1500	School district audits	H Appropriations	Sullivan
HB 1519	Levy shifts/court rulings	H Finance	Paul
HB 1536	Regional apprenticeship prgs	H Education	
HB 1544	Ag., food, nat. resource ed.	H Education	Klippert
HB 1553 (SB 5473)	“Open safe, open now” plan	H State Govt & Tribal Rel.	MacEwen
HB 1555	Freedom in education	H Education	Chase
HB 1556	School athletics/eligibility	H Education	Chase
HB 1557	Gubernatorial proclamations	H State Govt & Tribal Rel.	MacEwen
HB 1563	Gubernatorial orders/relief	H Civil R & Judiciary	Young
HJR 4200	School district bonds	H Education	Stonier
HJR 4203	2/3rd vote for tax increases	H Finance	Sutherland
HJR 4206	K–12 education funding	H Appropriations	Chase
SSB 5013	Local redistricting deadline	H Passed 3rd	Hunt
SB 5017	School district procurement	H Cap Budget	Wellman
SB 5021	Retirement benefits/furlough	H Passed 3rd	Hunt
SSB 5030	School counseling programs	H Rules R	Mullet
SB 5037	School opening metrics	S EL/K–12	Braun
SB 5043	School employee housing	H Education	Salomon
ESSB 5044	Schools/equity training	H Education	Das
ESSB 5061 (HB 1098)	Unemployment insurance	C 2 L 21	Keiser
SB 5070 (ESHB 1273)	Menstrual products/schools	S EL/K–12	Rivers
SSB 5080	Youth ed. programming funds	H Rules R	Carlyle
SB 5083 (HB 1080)	Capital Budget 2021–23	S Ways & Means	Frockt
SB 5084 (HB 1081)	State gen. obligation bonds	S Ways & Means	Frockt
SB 5091 (HB 1093)	Operating Budget, 2nd supp.	S Ways & Means	Rolfes
SB 5092 (HB 1094)	Operating Budget 2021–23	S Ways & Means	Rolfes
ESSB 5096	Capital gains tax	H Finance	Robinson
ESSB 5097	Paid leave coverage	H Appropriations	Robinson
SSB 5105	Office of equity task force	S Ways & Means	Hasegawa
SB 5110	Telecommunications companies	S Environment, Energy & Tech.	Ericksen
SB 5111	Public employee independence	S State Govt & Elections	Ericksen

SB 5114 (HB 1321)	Reopening/public health	S State Govt & Elections	Braun
ESSB 5115	Health emergency/labor	H LAWSDPA	Keiser
E2SSB 5128	Student transportation funds	H Rules R	Wellman
SSB 5129	Vapor & tobacco/minors	S Rules X	Saldaña
SSB 5130	Personnel files & discipline	S Rules X	Kuderer
SB 5144	COVID-19 vaccine, declining	S Health & Long Term Care	Ericksen
2SSB 5147	Learning stabilization, etc.	S 2nd Reading	Hawkins
SSB 5151	Foster care & child care	H Appropriations	Wilson
SB 5153 (ESHB 1113)	School attendance	S EL/K-12	Wilson
SB 5156	Budget stabilization approps	S Ways & Means	Rolfes
SB 5161	Teaching tribal history, etc	S Rules X	Wellman
SB 5162	Unanticipated revenue	S Ways & Means	Rolfes
SB 5171	Unemployment insurance	S Ways & Means	Wilson
SSB 5181	Low-income school districts	H Education	Honeyford
SB 5184	K-12 foster care contact	H Rules R	Nobles
SB 5197	Unemp. contributions/wages	S Labor, Comm & Tribal Aff.	Schoesler
SB 5200	Scholarships/tax credit	S EL/K-12	Schoesler
SB 5202	School depreciation subfunds	H Rules R	Schoesler
SB 5205	K-12 education vouchers	S EL/K-12	Schoesler
SB 5208	Public records fees/approval	S State Govt & Elections	Wilson
SB 5209 (HB 1182)	Crisis response services	S Behavioral Health	Dhingra
2SSB 5211 (ESHB 1189)	Tax increment financing	S Rules X	Frockt
SB 5216	Tax preferences	S Ways & Means	Carlyle
SB 5223	Motor vehicles sales tax use	S Ways & Means	Fortunato
SB 5242	Media literacy & digital cit	H Education	Lias
SSB 5249	Mastery-based learning	H Appropriations	Wellman
SB 5252	School consultation/tribes	S EL/K-12	Wellman
SSB 5254	Protective devices/health	H Appropriations	Salomon
SB 5257	School levy exemption	S EL/K-12	Fortunato
SB 5264	Chinese American history	S Rules X	Wagoner
2SSB 5265	Bridge year pilot program	H Education	Hunt
SB 5274 (SHB 1264)	Equity impact statement	S State Govt & Elections	Hasegawa
SB 5277	Early achievers prg/suspend	S EL/K-12	Short

SB 5289	Senior citizens/prop. taxes	S Ways & Means	Fortunato
SB 5299	Computer science/HS grad.	H Education	Wellman
SB 5322	SEBB & PEBB dual enrollment	H Passed 3rd	Robinson
SSB 5326	School bus driver benefits	S Rules X	Robinson
2SSB 5327	Youth safety tip line	H CYFDPA	Brown
SB 5334	Levy authorization info.	S EL/K-12	Dozier
SSB 5340	School board director qualif	S Rules X	Salomon
SB 5343 (HB 1367)	Medicaid appropriations	S Ways & Means	Rolfes
SB 5344 (ESHB 1368)	Federal funding/COVID-19	S Ways & Means	Rolfes
SB 5352	Retirement system opt-out	H Appropriations	Braun
ESSB 5357	Capital broadband program	H Cap Budget	Honeyford
SB 5359	Motor vehicle sales tax	S Ways & Means	Braun
SB 5366 (SHB 1103)	Building materials	S State Govt & Elections	Stanford
SB 5374	Political systems/K-12 study	S EL/K-12	Honeyford
SSB 5376	Education ombuds awareness	H Rules R	Wilson
2SSB 5383	Public telecomm. services	H Comm & Economic Dev.	Wellman
SB 5386	School district elections	S Ways & Means	Randall
SB 5389	Computer science teaching	S Ways & Means	Wellman
ESSB 5439	Broadband/state highways	H Transportation	Saldaña
SB 5442	Superintendent salaries	S EL/K-12	Van De Wege
SB 5443 (HB 1195)	Charter school time frame	S EL/K-12	Mullet
SB 5449	Motor vehicle sales tax	S Ways & Means	King
SB 5450	Native American names, etc.	S EL/K-12	Ericksen
SB 5451	Operating Budget	S Ways & Means	Wilson
SB 5453	Retirement plans 1 & 2	S Ways & Means	Schoesler
SB 5464	In-person learning option	S EL/K-12	Wilson
SB 5466	Sales tax/transp. projects	S Ways & Means	Fortunato
SB 5473 (HB 1553)	“Open safe, open now” plan	S State Govt & Elections	Brown
SJR 8204	School district bond voting	S Ways & Means	Randall
SJR 8207	Revenue for highway purposes	S Transportation	Fortunato
SJR 8208	Car purchase taxes	S Ways & Means	Fortunato
SCR 8400	Special legislative session	S State Govt & Elections	Ericksen