



TWIO

This Week In Olympia

February 12, 2021

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This Week in Review

This week much of the Legislature’s work was conducted in Committees as they plowed through lengthy agendas to adopt priority bills before the Legislature’s first self-imposed **“cut-off” deadline** arrives. All bills must be passed out of their original house policy committee (that is, House bills out of House policy committees and Senate bills out of Senate policy committees) by Monday, February 15 in order to remain alive. With Monday’s deadline, a tremendous number of the approximately 1,000 bills introduced during this session will die—many with no action and some with courtesy, or perhaps ineffective, public hearings. Some of the bills are not ranked highly on legislators’ priority lists or they simply will die for lack of time. Regardless of why the bills die, this automatic weeding-out process will allow legislators (and advocates) to narrow their focus on bills they truly prioritize.

Following Monday’s deadline, legislators’ attention will quickly shift to budget-related matters in an effort to act on priority bills prior to the next, rapidly approaching cut-off deadline. All bills that have a fiscal impact must be adopted by their original house fiscal committee (that is, House bills out of the Appropriations, Finance, Capital Budget, or Transportation Committees and Senate bills out of the Ways & Means or Transportation Committees) by the following Monday, February 22, in order to remain alive. After that, most of the action shifts to the House and Senate Chambers, as each body will hold lengthy floor sessions (along with closed door caucus meetings) to move bills out of their original house before legislative committees resume meeting—this time taking public testimony and acting on opposite house bills.

With the arrival of this first cut-off date, it is important to remember that budget bills and bills considered “Necessary to Implement the Budget” (NTIB) are exempt from these early cut-off dates. Additionally, there are multiple ways to revive “dead” bills, so even though some of those bills we have opposed will die, we must remain ever attentive to ensure those issues stay buried. Similarly, there will be some positive bills that end up dying, but we will continue to pursue them, in the hopes we can revive the issue on another bill, in the budget, or through one of several procedural maneuvers to rescue dead bills. There are many rules in Olympia, but—good or bad—one of the cardinal rules is: No bill is truly dead until the final gavel falls on the last day of session.

The biggest news of the week was again the Democratic “early action” pandemic relief package, in particular the final steps for the major puzzle piece, **HB 1368**. The major component for K–12 is the bill’s appropriation of \$668 million in federal ESSER II funds to school districts—while requiring districts to submit updated reopening plans and student recovery plans.



About TWIO

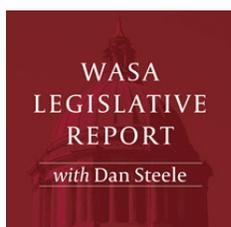
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As an “early action” proposal, HB 1368 was fast-tracked through the process: unveiled on January 22; formally introduced on January 25; heard in the House Appropriations Committee on January 26; passed out of the Appropriations Committee on January 28; adopted by the full House on February 1; heard in the Senate Ways & Means Committee on February 2; passed out of the Ways & Means Committee on February 4; and adopted by the full Senate two days ago, Wednesday, February 10. The governor is scheduled to sign the bill into law next Friday, February 19. The Legislature often looks horribly dysfunctional (not exactly mirroring the slow pace of the “other” Washington, but sometimes similar); however, when they put their minds to it, they can move pretty rapidly. Pushing a \$2.2 billion relief bill, along with a handful of linked bills as part of the package, from introduction to passage in less than three weeks is impressive, if compared to the regular snail’s pace of action in Olympia. It is a bit less impressive when you understand that Democratic leaders have been working on the package since President Trump signed the federal Coronavirus Response and Relief Supplemental Appropriations (CRRSA) on December 27, and having come to an agreement among Democratic budget-writers and Leadership in both the house and senate, had the skids greased upon the proposal’s unveiling. Other than a few minor amendments adopted in the House, the bill passed almost unchanged—again, evidence the die was cast when the bill was first introduced.

Previously, we discussed the [details and background of the pandemic relief package](#); talked about the [action in the House Appropriations Committee](#); and finally reviewed the debate and adoption by the full House and the [passage by the Senate Ways & Means Committee](#). In this issue of *TWIO*, we discuss the final step in the Legislature: the deliberations and adoption in the full Senate.

There were two amendments introduced (both were education-related; one failed and the second was withdrawn) in the Senate Ways & Means Committee and it was anticipated there would be no amendments adopted by the full Senate. The bill was advanced from the Senate Rules Committee to the Senate Floor two days ago, and was met with eight amendments. As expected, each amendment was sponsored by a Republican member. Seven of the amendments were defeated and the eighth amendment was ruled out of order. Three of the amendments were education-related:

- [Amendment 46](#), sponsored by Senator John Braun (R-Centralia), would have provided \$200 million from the COVID-19 Public Health Response Account to OSPI for subgrants to local school districts for vaccinations, testing, contact tracing, and other necessary activities to assist with school reopening.

In debate, Sen. Braun discussed the importance of contact tracing in schools and noted that the use of contact tracing has allowed most of the school districts in his legislative district to not only open, but to stay open. Standing to oppose the amendment, Senator Christine Rolfes (D-Bainbridge Island), Chair of the Senate Ways & Means Committee, stated that she was not opposed to the idea, but urged her Democratic colleagues to vote “no.” She argued that there is funding provided in the bill for the Department of Health to use contact tracing and there are stipulations that some of that funding be used in schools.

In defense of Sen. Rolfes’ point, we noted in *TWIO* [Week 3](#) that HB 1368 created a new COVID-19 Public Health Response Account controlled by the Department of Health Secretary and the bill provides significant funds to the Account for vaccine distribution, contact tracing, diagnostic testing, and other priorities to support responses to COVID-19. Proviso language provides conditions and limitations regarding the use of funds within the Account and includes two specific stipulations that impact schools: (1) Regarding the administration of vaccines, language states the Department of Health must “focus on identifying persons for vaccination, prioritizing hard-to-reach communities, making the vaccine accessible, and *providing support to schools for safe reopening*

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[emphasis added].” (2) Regarding testing and contact tracing, language states the Department of Health must “provide equitable access, prioritize hard-to-reach communities, and *provide support and resources to facilitate the safe reopening of schools* [emphasis added] while minimizing community spread of the virus.”

- **Amendment 47**, sponsored by Senator Judy Warnick (R-Moses Lake), would have increased the appropriation to OSPI for subgrants to districts by \$610,000. The additional funding would have been required to provide subgrants to school districts that are ineligible to receive ESSER II subgrants because of the required use of the Title I distribution methodology. This amendment was substantially similar to the amendment Sen. Warnick introduced last week in the Senate Ways & Means Committee.

In debate, Sen. Warnick noted that when she raised this issue in Ways & Means, she was told by Sen. Rolfes that the small school districts impacted by the amendment would be taken care of in the Operating Budget. Warnick argued that HB 1368 is an “early action” bill and the districts positively impacted by the amendment—many of them with a high percentage of low-income students—should be a part of the early action, just like the other school districts that will be receiving ESSER II dollars under the bill.

Sen. Rolfes urged her Democratic colleagues to oppose the amendment, although she supported the intent. She stated, “**This bill will allocate over \$600 million to school districts throughout the state, and even after that amount of funding from Congress, almost half of the school districts in the state will still have less funding than they had last year; almost half our districts will be struggling for resources.**”

This is not a paraphrase; it is a direct quote. You don’t have to read between the lines, Rolfes explicitly—and publicly—stated that she knows ESSER II funds alone will not solve districts’ fiscal concerns. She continued the argument, saying there is a “commitment to work on a budget bill that treats all of our districts fairly” and closed her comments by reminding her colleagues that HB 1368 is about distributing federal funds, while the state budget will distribute state funds.

Legislative advocacy is not about trapping legislators; however, the Chair of the Senate Ways & Means Committee point-blank admitted that “almost half” of our districts will be in a fiscal mess if the state does not step up and provide STATE relief (with a “commitment” to addressing the need in the state budget). This directly supports our ongoing effort to address pupil transportation funding and secure enrollment stabilization funding (more on that later). We are concerned about those 18 school districts Sen. Warnick was attempting to assist; however, Sen. Rolfes is on the record saying she will address their needs—along with the needs of other districts that are (or will be) in financial distress.

- **Amendment 48**, sponsored by Senator Lynda Wilson (R-Vancouver), would have increased the ESSER II allocation to OSPI for subgrants to school districts by \$156 million—from the \$668 million appropriation in the underlying bill to \$825 million; this would have provided school districts with the full amount of ESSER II funds the federal law dedicated to K–12 education (\$724 million), in addition to the full amount of ESSER II funds that are to be set aside for OSPI’s use (\$83 million). The provision of the subgrants would have been made conditional. Half of the ESSER II funds to school districts would have been provided when the district submitted a reopening plan to OSPI. The second half of the funds would have been provided to school districts in proportion to the level of in-person instruction being provided to students. The level of in-person instruction would have been reviewed monthly to allow additional allocations in the future. This amendment is very similar to an [amendment introduced in](#)

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[the House Appropriations Committee](#), and is similar to the provisions included in [HB 1334](#), the House Republican’s “early action” COVID Relief Plan, known as the [REAL Recovery for Washington Act](#).

After introducing the amendment, Sen. Wilson said her amendment would allocate the full amount of ESSER II funds, but establish parameters around the distribution of the funds. She argued that it is important to have students back in school and we “have to incentivize and highly encourage our schools to open.” Her belief is that withholding some of the federal funds would motivate school districts to open more quickly—obviously not fully understanding why some districts are slow to bring students back to school. She also argued that using this carrot and stick approach (my words, not hers) would “hold districts accountable.”

Senator Lisa Wellman (D-Mercer Island), Chair of the Early Learning & K–12 Education Committee, led the debate against this amendment. She stated clearly that “we are all anxious for schools to open,” and many are open using a hybrid approach. She noted that many districts simply cannot open 100 percent in-person and still comply with the Department of Health guidelines—and schools should not be penalized because of that. Her key point was that all school districts need resources “so they can open when they can.”

Sparking more debate than the other amendments, Senator Shelly Short (R-Addy) took a different approach. Even though she was supporting the amendment, it was hard to tell. She noted that it was important that state reopening requirements are flexible enough to allow school districts to successfully implement them and reopen. She specifically mentioned the concern and unworkability of the current “6 foot distance” requirement.

Sen. Rolfes closed the debate, again urging her colleagues to oppose the amendment. She hinted that she could support the concept behind the bill (which is somewhat contrary to her previous statement about half our school districts being in financial distress) and was “not opposed to the idea.” She stated her rationale for opposing the specific amendment is that legislative lawyers had advised budget-writers as they drafted the bill and she was concerned that Sen. Wilson’s amendment would not pass muster with the attorneys, as it runs afoul of Congressional requirements in the CRRSA.

An oral roll call was requested on the amendment—to put all legislators on the record. The amendment failed with a vote of 22–27, on a near party-line vote. All Republicans supported the amendment, with the addition of Senator Mark Mullet (D-Issaquah); the remaining Democratic members voted, “no.”

Following the review (and defeat) of the amendments, HB 1368 was moved to Third Reading for final debate and passage. Sen. Rolfes opened the debate stating that legislators began meeting shortly after the CRRSA was adopted by Congress with the “intent to craft a bill that would pass the Legislature as quickly as possible to get the resources that our communities need.” She noted that HB 1368 “will not solve all of our problems, but this is a strategic first-step in partnership with the federal government to help all Washingtonians.”

Most of the debate was anticlimactic, with Democrats applauding the bill and how much help it will provide, while most of the Republican’s comments provided support for the bill, but expressed frustration that adoption of their amendments would have made the bill better. Senator Doug Ericksen (R-Ferndale) said he was going to vote for the bill, but stated firmly that HB 1368 is not “early.” He reminded the body that Republicans had been calling for a Special Session since May, saying, “Early would have been coming together in Special Session in May, or June, or August, or September, when we asked for it.” He compared this bill to a house that burned down, saying that we could have

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kept the house from burning down if we acted early, but this bill, while it helps people who have been hurt, is really a “post-disaster operation now.”

Ultimately, the bill passed overwhelmingly with a vote of 47–2. Only Senators Mark Schoesler (R-Ritzville) and Mike Padden (R-Spokane Valley) opposed the bill.

With no amendments adopted in the Senate, the bill goes straight to the governor for his action. He is scheduled sign the bill next Friday, February 19.

HB 1368 Requirements

As we have discussed before, HB 1368 requires school districts to submit updated reopening plans to OSPI by March 1, as well as student recovery plans by June 1. The bill also requires OSPI to prepare templates for districts to use in submitting plans. Yesterday, Superintendent Reykdal contacted superintendents regarding the templates and additional information about HB 1368 and ESSER II funds. The information was also released as a Bulletin ([BULLETIN NO. 005-21](#)); we encourage you to review it. Included in the Bulletin is a breakdown of [ESSER II funds by district](#), a description of allowable uses of ESSER II funds, and requirements to receive ESSER II funds, including an updated reopening plan (due March 1, 2021) and a new weekly reporting requirement.

The updated template for your reopening plan is available [HERE](#). Understand that you must submit your plan to OSPI by March 1, 2021—districts will NOT begin receiving their federal ESSER II relief funds until their plan has been submitted to, AND approved by, OSPI. Additionally, districts must use the Template, linked above. Plans submitted via e-mail or other methods outside the survey link will not be accepted. (Note: Also available is a [Word document](#) template that you can use before you complete the online survey.)

Regarding the weekly reporting requirement, districts must report on [in-person instruction and services for students](#) each week for the remainder of the 2020–21 school year. Districts are required to complete the instructional service delivery data collection by close of business each Friday. District participation in data collection will be reflected in a data dashboard on OSPI’s website, updated the following Wednesday. NOTE: Failure to submit weekly data updates may result in a loss of state or federal funds to a district.

Education Funding

This week the movement on K–12 funding issues was fairly positive. We have a long way to go, and much work to do, but it’s good to chip away at some wins. In addition to the ESSER II funds being appropriated in HB 1368 (only the governor’s signature away from funds being released), our two major priorities—protecting pupil transportation funding and ensuring enrollment stability—saw positive movement this week.

At the end of last week, things were looking a bit bleak, as it appeared both of our issues had stalled. After the education community rallied, we saw a couple of breakthroughs. In the Senate Ways & Means Committee, [SB 5128](#) (which was heard in Committee almost two weeks ago) was put on the executive action calendar. Last night, the bill was adopted by the Committee and its headed to the Senate Rules Committee to await action by the full Senate. Prior to adoption, one [technical amendment](#) was adopted (it clarified the bill’s provisions also applied to charter schools and tribal-compact schools). Positively, the bill passed out of Committee with a strong vote of 24–1 (Sen. Braun voted “without recommendation,” which is counted as a “no”).

On the House side, after waiting for several weeks, the enrollment stabilization bill, [HB 1476](#), was finally introduced. Similar to SB 5128, it appeared to be stuck, but at the end of last week, it was scheduled for a public hearing in the House Appropriations Committee. On Tuesday, the bill was heard and the testimony was overwhelmingly positive. In addition to supportive testimony from superintendents, board members and others, almost 100 people signed up as “Pro” on the bill.

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We are hoping to continue that momentum. You are encouraged to continue working with your legislators, dropping messages to support SB 5128 on the Senate Floor, and to support HB 1476 in the Appropriations Committee. In the end, the bills may stall again; however, there is conversation about embedding these issues in the budget. Because they are temporary fixes, they could ride with the budget. Whether the bills make it through the full legislative process and are signed into law, or the issues are dealt with in the budget does not really matter—we just need the fixes to be implemented.

Because the issues may be addressed in the budget, does not mean we can rest on these issues, however. We need to continue to highlight these bills, so when budget discussions begin (if they have not already started) legislators will keep these issues on the forefront of their minds.

Budget Released

One of the interesting pieces of legislative news this week was the release of a 2021 Supplemental Operating Budget and a 2021–23 Operating Budget. Each biennium, the House and Senate alternate as the body to start the budget process. This year and 2022, it is the House's turn to start the process. Traditionally, the first legislative budget is unveiled the Monday following the release of the quarterly Revenue Forecast. This year the Economic & Revenue Forecast Council will adopt its Revenue Forecast on March 17. Breaking with those traditions, a legislative budget proposed was released yesterday, more than a month earlier than normal, and it was released in the Senate. I suppose I should also mention the budget proposal was released by the Minority.

Yesterday, Senator Lynda Wilson (R-Vancouver), the Republican's budget lead in the Senate, released a proposed 2021–23 Operating Budget, along with a 2021 Supplemental Operating Budget. Officially introduced as a bill today, it is [SB 5451](#). The release of a [Minority-sponsored budget](#) does not mean it will ever see any official action; however, this allows the Republicans to put a stake in the ground and start talking about their budget priorities well-before the Majority party can capture the issue. In many ways, the Republican budget is a political and/or a public relations tool, but it gives us a preview about what their priorities are and what they'll be fighting for mid-March.

The Republican budget plan is a \$55.5 billion package that covers a broad range of issues, with a focus on restarting schools and bringing jobs back. Part of the PR message, and the reason for releasing a budget proposal so early is to show a budget can be built, supporting major priorities without raising taxes. When the budget was released, Sen. Wilson stated, "People are being told there's a budget deficit, and the solutions are a state income tax or a 'wealth' tax. The truth is, state revenue is still growing despite the pandemic." She also explained that "putting this budget on the table so early is about being transparent, and exposing the false claims about taxes. People can see for themselves just how many good things can be done within the level of revenue that's already available."

As we have seen this session in the release of a pandemic relief bill ([HB 1334](#), introduced BEFORE the Democrats released their plan), various bills introduced, and of course debates on HB 1368, the Republicans have made it clear that getting students back in school is a major priority. If you have been watching the debates on HB 1368 (or reading about them here), you have already seen major components of the Republican budget. The centerpiece of the budget proposal is a one billion dollar investment in K–12 education, with a focus on reopening. \$824 million (the total K–12 allocation of ESSER II funds—both the \$742 million dedicated to schools and the \$83 million set aside for OSPI) would be provided for reopening. As you saw in the HB 1368 amendment on the Senate Floor, the budget plan would make the receipt of the federal dollars contingent on schools reopening. The budget also assumes the passage of [SB 5037](#) (Senator Braun's bill to adjust metrics for reopening schools, as we discussed here early in the session). In addition to the ESSER II funds, another \$200 million would be provided for contact

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tracing, testing, and other safety measures to ensure safe reopening. This is another HB 1368 amendment.

Whether you could support this budget or not, it has to be concerning to Sen. Wilson that a major chunk of the core piece of her budget is already gone. HB 1368 passed with \$668 million going to K–12 education (without the funding being contingent on reopening); and the \$200 million for COVID safety measures has already been rejected by the Senate Democrats. The remaining pieces of K–12 funding is fairly minor.

Details of the Republican budget plan are available from the [Legislative Evaluation & Accountability Program \(LEAP\) Committee](#). Included is the bill text, a Summary, and a complete Agency Detail. Additionally, the Senate Republican Caucus released a high-level [PowerPoint](#) on the plan.

Committee Action

Although there was much executive action in Committees, there were a handful of new bills being heard. Perhaps the most surprising—and positive—movement was [SJR 8204/SB 5386](#). This is the constitutional amendment and its necessary implementing bill to authorize school district bonds to be approved with a 55 percent vote. While WASA has not taken a specific position on supporting 55 percent bond approval or stay focused on simple majority, there were several superintendents, board members, and other educators on hand in support of the measure. One note of concern was the number of those testifying that said, “We’d prefer simple majority, but 55 percent is a step in the right direction.” It is a step in the right direction; however, if the 55 percent approval was ever achieved, it would not be the first step to simple majority, it would be the one and only step to 55 percent.

As noted, WASA has not taken a position on this, but we would encourage you to think about the ramifications of supporting 55 percent. For example, the messaging becomes complicated. With simple majority, you can argue the “majority rules,” it’s democratic, it’s appropriate. With 55 percent you lose that message and the opposition will say, “You just want to make it easier to pass bonds.” This year, the issue will not garner the necessary two-thirds support in either the house or senate, but it remains important to think about what you would support.

Even though the measure will not be able to pass this session, the resolution (and bill) is up for executive action in the Senate Early Learning & K–12 Education Committee on Monday, February 15.

On Monday, the Senate Early Learning & K–12 Education Committee will also be holding a work session on learning loss and inclusion for special education students. As school districts begin to discuss drafting their student recovery plans, these kinds of conversations will become more prevalent.

In terms of executive action, several key bills are moving:

- On Monday, the Senate Early Learning & K–12 Education Committee adopted [HB 1121](#), the State Board’s emergency graduation waiver bill. It heads to the Senate Rules Committee, awaiting action by the full Senate.
- Also, on Monday, the Senate Early Learning & K–12 Education Committee adopted [SB 5181](#), which would allow school districts serving low-income communities with flexibility in financing their facilities. It is anticipated this bill would especially assist small school districts. The Committee also adopted [SB 5202](#), which allows school districts to annually deposit up to two percent of their general fund into a new depreciation subfund for emergency facility needs and preventative maintenance.

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- On Thursday, the House Education Committee adopted a substitute version of [HB 1139](#), the lead in school water bill. The [substitute version](#) is not perfect, but it is much more reasonable than the original version (or last session's bill). We'll continue working with it.

We'll provide further information on bills next week, after the dust settles from Monday's cut-off.

AEA

By Mitch Denning

WSNA was pleased that [HB 1342](#), **eliminating the reduced-price lunch copay for grades PreK and four through twelve**, moved yesterday to the House floor calendar for possible debate and vote today. In fact, Rep. Berg's office yesterday afternoon requested that district school nutrition directors provide her with anecdotal accounts of how this elimination would help their students, parents, and teachers. Rep. Berg intends to use these accounts in her floor speech today in support of the bill. At press time, several WSNA directors had submitted their accounts to Rep. Berg.

As mentioned in last week's *TWIO*, HB 1342 moved out of House Appropriations Committee on February 4, with a bi-partisan vote. Although there is an \$8.8 million fiscal note for funding in the 2021–23 Operating Budget, WSNA agrees that the time is right to ask for the entire elimination. Currently, all students are eating for free until June 30, 2021 under USDA's federal waiver, and implementation of this bill this summer would help low-income families appreciably as they begin school next fall.

On Tuesday, [SB 5202](#), **establishing a school district depreciation subfund for preventative maintenance**, moved from Senate Early Learning & K–12 Committee to Senate Rules Committee. Last Friday, WAMOA testified remotely that giving districts the opportunity to transfer two percent of the operating budget annually for preventative maintenance was a good idea so districts can plan for unforeseen circumstances.

Finally, yesterday, the House Education Committee took executive action on [SHB 1139](#), **lead in school drinking water**. The committee approved Rep. Callan's amendments which change some of the dates in the bill's procedures. In addition, schools that receive an elevated lead level test result, above five parts per billion, would now be directed to turn off the water in the outlet as soon as practicable and until a mitigation plan is implemented. A second amendment changes the procedures for drinking water testing in private schools.

Unfortunately, Rep. Callan's amendments do not address WAMOA's two major concerns about the bill. On January 26, WAMOA testified that the lead level should be 15 PPB, which is the federal EPA standard as well as the standard for water purveyors. Also, WAMOA argued that the bill needs to provide adequate funding to implement the mandate. WAMOA believes the \$3 million in the Healthy Kids/Healthy Schools grant is not sufficient. Rep. Callan's amendment adds no state funding to the fiscal note yet states that the schedule of remediation activities may be based on the availability of funding.

WAMOA is strongly opposed to any measures which are unfunded or underfunded.

Despite WAMOA's testimony on January 26, the mandate for districts with lead levels at or above 5 parts per billion, and the clear lack of funding for remediation continues.

Pensions/Health Benefits

By Fred Yancey – The Nexus Group

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Health, Pension, and Other Benefit Issues

*What campaigns are for is weeding out the people who,
 for one way or another weren't making it for the long haul.
 Calvin Trilling*

Substitute the word “bills” for “people” and the current legislative process is summarized. As cut-offs happen, bills ‘die’ (with the caveat that any bill can be resurrected at the Legislature’s will). They do not make it for the long haul.

Lobbying, (campaigning) is the primary vehicle for either ‘killing’ a bill or keeping it alive. That is why contact with legislators throughout the session is so critical.

Here is a summary of what is still in obvious play. Advocacy on these bills is still needed. Legislative proposals need to be brought into the reality by having legislators hear how these bills will look and impact in the real world. Campaigns must be mounted.

Retirement Related Proposals

HB 1032: Concerning early retirement options for members of the teachers’ retirement system and school employees’ retirement system Plans 2 and 3. The bill proposed to reduce early retirement penalties for older school employees in order to help protect vulnerable older teachers and classified employees from health COVID-19 related health risks. It carries a fiscal note (\$5–\$15 million) that will probably kill the bill. It continues to remain before the House Appropriations Committee with no hearing scheduled.

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

This bill provides that specified public pensions will not be reduced as a result of compensation reductions that are part of a public employer’s expenditure reduction efforts during the 2019–21 and 2021–23 fiscal biennia.

The point being that an employee’s retirement calculations based on time served and salary should not be reduced due to mandatory furloughs.

This bill has passed committee and is before Senate Rules. It is subject to the March 9 deadline, where all bills need to be out of their house of origin.

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.

This is a simple bill that address a limited number of people that enter the system later in their career when there is no benefit to joining the system. It is also a good example of how bills often come into being. In 2016, the Port of Chehalis opted into PERS and an employee that already had a retirement from earlier in his career was required to join and contribute to the plan even though he would not get any benefit from it. The employee contacted Sen. Braun (the now prime sponsor) and complained. Sen. Braun saw merit in this employee’s plight and this resulting bill seeks to correct it for the future.

It is scheduled for Executive Session on February 15 before the Senate Ways & Means Committee.

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.

It is agency request legislation and is scheduled for Executive Session on February 15 before the Senate Ways & Means Committee.

School Employees' Benefits Board (SEBB)

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

It is scheduled for Executive Session by the Senate Ways & Means Committee on February 11.

****SB 5326:** Concerning health and pension benefits for school bus drivers employed by private nongovernmental entities.

This bill is scheduled for Executive Session on February 15 before the Senate Ways & Means Committee. Clearly, the Chair and its sponsors intend to move this bill. Previous *TWIO* reports have pointed out the substantial costs that districts that use private transportation providers could incur should this bill pass the Senate, the House, and then get the Governor's approval.

A concerted 'campaign' against this bill would be in order if districts are concerned. Tomorrow it may be private transportation providers, then could come the private food service people, school specialists, etc.

Other Bills

There remain a diminishing number of bills proposed primarily dealing with expanding various employee benefits and qualifications. They address such areas as unemployment compensation, family and medical leave, and workmen's compensation. These proposals may or may not apply to school districts and represent potential added costs to a district's operations.

ESSB 5061: Concerning unemployment insurance. This bill would provide relief from spiking unemployment insurance tax rates based upon record filings caused by the coronavirus pandemic. The Governor has signed this bill and it became effective February 8.

Highlights of the bill include:

- a. Limiting unemployment insurance rate increases by: (1) capping the social tax; (2) suspending the solvency surcharge tax; and (3) relieving certain benefit charges.
- b. Increasing access to benefits by: (1) expanding eligibility for those in high-risk households; and (2) waiving the waiting period when federally reimbursed.
- c. Modifying the weekly benefit amount thresholds by: (1) increasing the minimum from 15 to 20 percent of the average weekly wage; and (2) limiting benefits to a person's weekly wage.

The Paid Family Medical Leave (PFML) legislation passed in 2017 was an agreement between Washington's employers and workers.

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

SHB 1073 is awaiting scheduling before House Appropriations. SSB 5097 is before the Rules Committee awaiting a move to the Senate floor.

SHB 1363: Addressing secondary trauma in the K–12 workforce. It is in House Rules Committee awaiting scheduling for floor action.

This bill requires the Office of the Superintendent of Public Instruction to publish on its website links to resources, self-assessments, and best practices for educators and

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This Week in Olympia:
Week 5, February 8–12, 2021

continued

local policymakers to prevent and address secondary traumatic stress in the workforce.

- Directs the Washington State School Directors' Association to develop or revise, and periodically update, a model policy and procedure to prevent and address secondary traumatic stress in the workforce that includes specified elements, for example, establishing a district-wide workforce mental health committee.
- Requires school districts to adopt, by the beginning of the 2021–22 school year, policies and procedures related to secondary traumatic stress that incorporate specified elements.

HB 1492: Concerning extended benefits in the unemployment insurance system. This bill allows claimants of unemployment insurance to be eligible for extended benefits regardless of whether their 52-week benefit year has expired.

- Allows the state's extended benefit program to "trigger on" without having to wait the 13 weeks between extended benefit periods.

This bill is scheduled for Executive Action before the House Labor Committee on February 12.

SSB 5064: Concerning qualifications for unemployment insurance when an individual voluntarily leaves work. This bill expands a good cause for unemployment insurance purposes after January 2, 2022 to include: a separation from work because a child or a vulnerable adult in the claimant's care is inaccessible; alteration of the claimant's usual work shifts so as to make care for a child or vulnerable adult in the claimant's care inaccessible; or separation from work to relocate near a minor child. This bill is in House Rules Committee awaiting a move for floor action.



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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 HC/Wellness	Klippert
HB 1010	Motor vehicle sales tax	H Appropriations	MacEwen
SHB 1016	Juneteenth	H Rules R	Morgan
HB 1023	Predesign requirements	H Cap Budget	Steele
HB 1024	Sunshine committee/juveniles	H State Govt & Tribal Rel.	Springer
SHB 1028	Residency teacher cert.	H Appropriations	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 State Govt & Elections	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 R	Morgan
SHB 1073	Paid leave coverage	H Appropriations	Berry
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
HB 1085	Students w/seizure disorders	H Education	Kloba
HB 1087	Family/med leave continuity	S Labor, Comm & Tribal Aff.	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
SHB 1113 (SB 5153)	School attendance	H Rules R	Ortiz-Self
EHB 1121	Graduation reqs/emergency	S Rules 2	Santos
EHB 1131	Private schools/waiver	S Rules 2	Rude
HB 1139	Lead in drinking water	H Education	Pollet

HB 1149	Public health education	H Education	Pollet
HB 1153	Language access in schools	H Education	Orwall
HB 1156	Local elections	H State Govt & Tribal Rel.	Harris-Talley
SHB 1162	High school graduation	H Rules R	Stonier
SHB 1176	Student fines and fees	H Rules R	Paul
HB 1180	Public testimony	H Local Govt	Kraft
HB 1182 (SB 5209)	Crisis response services	H Health Care/Wellness	Orwall
HB 1189 (SSB 5211)	Tax increment financing	H Finance	Duerr
HB 1195 (SB 5443)	Charter school time frame	H Education	Dolan
HB 1208	Learning assistance program	H Education	Santos
HB 1212	Repair of electronics	H ConsPro&Bus	Gregerson
HB 1214	K-12 safety & security serv.	H Education	Senn
HB 1215	K-12 education scholarships	H Education	Kraft
SHB 1225	School-based health centers	H Appropriations	Stonier
HB 1226	School district elections	H Education	Stonier
HB 1264 (SB 5274)	Equity impact statement	H State Govt & Tribal Rel.	Thai
HB 1270	Leadership skills grant prg.	H Appropriations	Young
SHB 1273 (SB 5070)	Menstrual products/schools	H Rules R	Berg
HB 1295	Institutional ed./release	H Education	Callan
HB 1302	College in the high school	H Education	Berg
HB 1305	Right to refuse vaccines	H Health Care/Wellness	Kraft
HB 1306	School boards/bond training	H Education	Sells
HB 1308	Apprenticeship utilization	H Cap Budget	Riccelli
SHB 1309	Levy certification dates	H Rules R	Eslick
HB 1317	Right to refuse/health	H Health Care/Wellness	Young
HB 1321 (SB 5114)	Reopening/public health	H Health Care/Wellness	MacEwen
HB 1329	Public meetings	H Local Govt	Wicks
HB 1331	Early learning impact fees	H Exec Action	Harris-Talley
HB 1334	Appropriations/COVID-19	H Appropriations	Stokesbary
SHB 1336	Public telecomm. service	H Rules R	Hansen
HB 1338	School resources/COVID-19	H Civil R & Judiciary	Harris
HB 1340	Pandemic task force	H Exec Action	Lovick
HB 1342	Reduced-price lunch copays	H 2nd Reading	Berg

HB 1343	Unemployment ins./employers	H Labor & Workplace	Hoff
HB 1354	Suicide review teams	H Children, Youth & Families	Mosbrucker
HB 1356	Native American names, etc.	H Education	Lekanoff
HB 1358	State school levies	H Finance	Orcutt
SHB 1363	Secondary trauma/K-12	H Rules R	Ortiz-Self
HB 1365	Schools/computers & devices	H Education	Gregerson
SHB 1366	In-person instruction	H Rules R	Caldier
HB 1367 (SB 5343)	Medicaid appropriations	S Passed 3rd	Ormsby
ESHB 1368 (SB 5344)	Federal funding/COVID-19	S Passed 3rd	Ormsby
HB 1370	Early learning fac. grants	H Cap Budget	Callan
HB 1371	State property tax levies	H Finance	Sutherland
SHB 1373	Behavioral health/students	H Rules R	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 Education	Vick
HB 1410	Home foreclosure/taxes	H Finance	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
HB 1426	K-12 continuing ed./equity	H Education	Santos
HB 1440	Small wireless facilities	H Comm & Economic Devel.	Boehnke
HB 1442	Epidemic preparedness	H HC/Wellness	Chase
HB 1450	School computers/device tax	H Education	Gregerson
HB 1451	ECEAP entitlement date	H Children, Youth & Families	Sullivan
HB 1452	Physical education credit	H Education	Mosbrucker
HB 1453	Voters' pamphlets	H State Govt & Tribal Rel.	Bergquist
HB 1457	Broadband/limited highways	H Transportation	Wylie
HB 1460	Telecommunications access	H Finance	Gregerson
HB 1466	Outdoor education	H Appropriations	Rule
HB 1476	Enrollment declines/OSPI	H Appropriations	Dolan
HB 1481	School employees/firearms	H Civil R & Judiciary	Chase
HB 1484	Building mapping system	H Education	Dolan

HB 1500	School district audits	H Appropriations	Sullivan
HB 1519	Levy shifts/court rulings	H Finance	Paul
HJR 4200	School district bonds	H Education	Stonier
HJR 4203	2/3rd vote for tax increases	H Finance	Sutherland
SSB 5013	Local redistricting deadline	H State Govt & Tribal Rel.	Hunt
SB 5017	School district procurement	S Rules 2	Wellman
SB 5021	Retirement benefits/furlough	S Rules 2	Hunt
SSB 5030	School counseling programs	S Rules 2	Mullet
SB 5037	School opening metrics	S EL/K-12	Braun
SB 5043	School employee housing	S Ways & Means	Salomon
ESSB 5044	Schools/equity training	H Education	Das
ESSB 5061 (HB 1098)	Unemployment insurance	C 2 L 21	Keiser
SB 5070 (SHB 1273)	Menstrual products/schools	S EL/K-12	Rivers
SSB 5080	Youth ed. programming funds	S Rules 2	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
SB 5096	Capital gains tax	S Ways & Means	Robinson
SSB 5097	Paid leave coverage	S LCTADPS	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
SB 5115	Health emergency/labor	S Labor, Comm & Tribal Aff.	Keiser
SSB 5128	Student transportation funds	S Ways & Means	Wellman
SSB 5129	Vapor & tobacco/minors	S Rules 2	Saldaña
SB 5130	Personnel files & discipline	S Labor, Comm & Tribal Aff.	Kuderer
SB 5144	COVID-19 vaccine, declining	S Health & Long Term Care	Ericksen
SSB 5147	School year/learning loss	S Ways & Means	Hawkins
SB 5151	Foster care & child care	S Ways & Means	Wilson
SB 5153 (SHB 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 2	Wellman
SB 5162	Unanticipated revenue	S Ways & Means	Rolfes
SB 5171	Unemployment insurance	S Ways & Means	Wilson
SSB 5181	Low-income school districts	S Rules 2	Honeyford
SB 5184	K-12 foster care contact	H Education	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	S Rules 2	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
SSB 5211 (HB 1189)	Tax increment financing	S Ways & Means	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	S Ways & Means	Lias
SSB 5249	Mastery-based learning	S Ways & Means	Wellman
SB 5252	School consultation/tribes	S EL/K-12	Wellman
SSB 5254	Protective devices/health	S LCTADPS	Salomon
SB 5257	School levy exemption	S EL/K-12	Fortunato
SB 5264	Chinese American history	S Rules 2	Wagoner
SB 5265	Bridge year pilot program	S EL/K-12	Hunt
SB 5274 (HB 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.	S EDUDP	Wellman
SB 5322	SEBB & PEBB dual enrollment	S Ways & Means	Robinson
SB 5326	School bus driver benefits	S Ways & Means	Robinson
SSB 5327	Youth safety tip line	S Ways & Means	Brown
SB 5334	Levy authorization info.	S EL/K-12	Dozier
SSB 5340	School board director qualif	S EDUDPS	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 systems opt-out	S Ways & Means	Braun

SB 5357	Capital broadband program	S Ways & Means	Honeyford
SB 5359	Motor vehicle sales tax	S Ways & Means	Braun
SB 5366 (HB 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	S Rules 2	Wilson
SB 5383	PUD telecomm. services	S Environment, Energy & Tech	Wellman
SB 5386	School district elections	S EL/K-12	Randall
SB 5389	Computer science teaching	S RecComm	Wellman
SB 5439	Broadband/state highways	S Transportation	Saldana
SB 5442	Superintendent salaries	S EL/K-12	Van De Wege
SB 5443 (HB 1195)	Charter school time frame	S EL/K-12	Mullet
SJR 8204	School district bond voting	S EL/K-12	Randall
SCR 8400	Special legislative session	S State Govt & Elections	Ericksen