• 8th District •
2010 Session Review

Senator **JEROME DELVIN** | Representative **LARRY HALER** | Representative **BRAD KLIPPERT**

Serving Benton County, Prosser, Benton City, West Richland, Richland and Kennewick

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April 2010

Dear Friends and Neighbors,

After spending an extra 30 days and more than $200,000 on a special session, the legislative majority ended up balancing the budget using a combination of anemic cuts, fund transfers, federal dollars and new and increased taxes that will hit our families and businesses hard.

We had an opportunity to identify efficiencies, set priorities and get the job done that the people of Washington sent us here to do, and to do it on time. Instead, the governor called an unnecessary and expensive overtime session to approve the largest tax increase in state history. We could have done better.

Sadly, the majority party chose to ignore our proposals for real government reform – we offered dozens of ideas that would have saved the state billions – but their budget writers didn't want to make the kinds of cuts the state needs to live within its means.

By increasing taxes and continuing to spend at unsustainable levels (state spending was reduced by less than 1 percent, despite the budget crisis), a course was set for further economic pain. We want to assure you, we're doing everything in our power to turn this around and set the state on a more fiscally responsible path.

We were also concerned that the majority's leaders seemed to be dispensing with government transparency. In the waning weeks of the regular session, for example, they held a public hearing on a state income tax – with only five hours notice (24 hours is required by law). The same committee actually passed a "ghost bill" – a bill with just a title and no details. These decisions show an alarming willingness to game the system that is deeply disturbing.

There were some modest accomplishments this year, but by any measure the session will be remembered as one of the most difficult – and largely disappointing – in recent memory.

In an effort to save taxpayer dollars, we are reporting back to you in this joint newsletter that addresses many of the issues we dealt with, both personal and collective in nature. Thank you for the honor of allowing us to serve as your 8th District legislative team.

Sincerely,

Sen. Jerome Delvin **Rep. Larry Haler** **Rep. Brad Klippert**

Senator
JEROME DELVIN

Representative
LARRY HALER

Representative
BRAD KLIPPERT

No real reform

New taxes on families, businesses will slam economy

Desperate to fill a $2.8 billion deficit, majority Democrats approved $1.7 billion in new and increased taxes for the 2011-13 biennium, including nearly $800 million in the first year alone – the largest one-year increase in state history.

We voted "no" on the tax proposal, which is unnecessary and ignores financial realities. It's a setback to Washington employers who are trying to hold on during the worst recession since the Great Depression. And it will hit our citizens, many of whom are fearful of losing their jobs or who are among the almost 300,000 already laid off and desperately looking for work.

Rising Taxes; Falling Employment

People all over the state are making sacrifices and hard decisions about their personal and business finances. It was disheartening that the majority party failed to show similar courage, restraint and responsibility. We hoped our colleagues across the aisle would join with us in a partnership of disciplined budgeting. Instead, we have taken a path that will only prolong Washington's economic recovery.

The tax increases will impact a wide range of service businesses, everyone from accountants and lawyers to hairdressers, real estate agents and lawn care technicians. With few exceptions, these businesses will see their Business and Occupation tax rate climb from 1.5 to 1.8 percent, netting the state an extra $246 million next year. With a nationwide recession and unemployment at 9.5 percent, a tax on small business is the last thing we need.

Next, consumers get a jolt at the checkout stand: a dollar-a-pack tax on cigarettes, 2 cents-per-can tax on soda, a tax on major-brand beer that raises the cost by about 5 cents per can, and a sales tax on bottled water, candy and gum.

The beer, pop and bottled water taxes are supposed to be temporary, but we have never seen a "temporary" tax stay that way. In fact, within days of announcing this "temporary" tax on bottled water, House Democrats introduced a bill to make the tax permanent in order to pay for $505 million in bonds to finance an array of energy efficiency improvements to public schools and college campuses. This bond bill sends Washington off-the-rails when it comes to overspending, because it will obligate state taxpayers for decades.

What the Legislature could have done

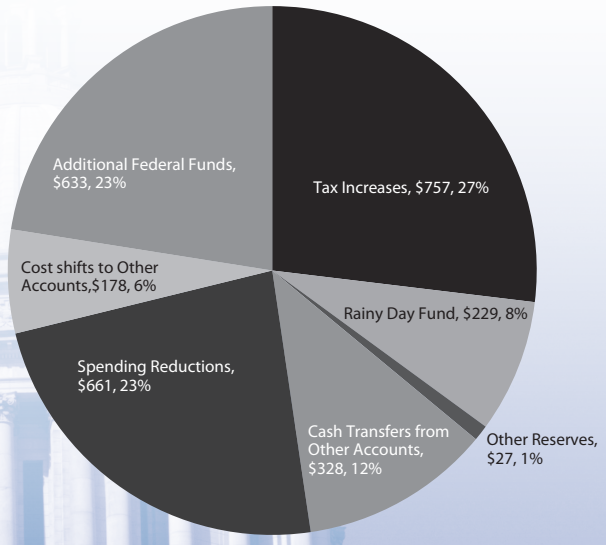
The majority party said the 2010 session was an achievement. We say it was a missed opportunity. Like never before, this was the year to streamline state government, and to look carefully at our priorities and eliminate those items that were nice to have, but just not necessary.

Both Senate and House Republicans offered dozens of creative ideas that would have saved taxpayers billions of dollars. We helped put forward solutions to create jobs, restructure the way we deliver state services to our citizens, and reform the budgeting process.

We could have started by reopening collective bargaining agreements for state employees. Current agreements will be in effect for the next two years. They give 40 percent of unionized state employees a pay raise and keep each employee's share of health benefits at an unsustainable 12 percent. We could have reformed K-12 financing, called for competitive contracting to ensure state services are provided cost effectively, and created a Business and Occupation tax exemption for new businesses to jump-start growth and get revenues flowing again. Instead, we have new taxes.

2010 Supplemental Budget Solution

General Fund-State Dollars in Millions



Data: Office of Program Research. Includes HB 2921 (early savings)

Spending cuts make up only $661 million of the solution to the $2.8 billion budget shortfall. As the graph above shows, the majority party relied much more on one-time money (about $1.2 billion) than long-term efficiencies.

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Rep. Haler speaks against the Legislature's move to repeal the Taxpayer Protection Act (I-960). The former Richland mayor and city council member is serving his third term in the state House.

More bad news next year

While these taxes will fill the hole in the 2010 budget, they're just a temporary fix. Next year, the deficit will be even worse – an estimated $4.7 billion. Why? Because the majority party elected to delay paying many of its ongoing financial obligations while creating even more.

For example, majority leaders have promised to pay next year for lower class sizes (I-728), several years of delayed pension costs, skipped teacher raises (I-732) and homecare worker training (I-1029). Total cost due: Almost $1.8 billion.

Finally, they won't be getting all the federal aid money for Medicaid next year and they won't be able to transfer a billion dollars from the state construction budget to the operating budget again next year. Cost of this lost funding: $1.86 billion.

No money-saving reforms and huge future financial obligations add up to an unsustainable fiscal policy that underscores the need for a change of attitude in Olympia.

Add in the record-setting tax increase and the loss of the Taxpayer Protection Act, which enabled these tax hikes and budget choices, and it's fair to say this will go down as a pivotal session in state history.

You're invited to a town hall meeting!

Your 8th District legislative team will host town meetings at five locations around the district on Saturday, May 8.

We will present a report on the issues we dealt with during the regular and special sessions of the 2010 Legislature, and then open up the forums for your questions, comments and opinions. There also will be time afterward for constituents to talk with us individually.

Please check the schedule below and plan to join us at the meeting that's most convenient for you.

Prosser
8 a.m. – 9:30 a.m.

City Council Chambers
601 7th Street

Richland
3:30 p.m. – 5 p.m.

City Council Chambers
505 Swift Blvd.

Benton City
10:30 a.m. – 12n

Kiona-Benton High School
Performing Arts Center

Kennewick
6 p.m. – 7:30 p.m.

City Council Chambers
210 W. 6th Ave.

West Richland
1 p.m. – 2:30 p.m.

Benton REA Meeting Room
6095 Van Giesen Street

Town hall forums give us a chance to roll up our sleeves for a personal exchange with the people we represent, to feel the pulse of the district. Constituent contact is extremely valuable in helping to guide our decisions as your state legislators.

Your input is important, and we look forward to seeing you on May 8!

Rep. Klippert continued his leadership role this year as assistant Republican whip. Here, he makes a point during floor debate in the House chambers.

Legislature approves landmark bail proposal

For Rep. Klippert and Sen. Delvin, both of whom are law enforcement veterans, the brutal slayings of four Lakewood police officers in November 2009 was a heart-rending blow. The killings of a Seattle patrolman and a Pierce County deputy further deepened the 8th District team's support of several bills inspired by those tragic events.

The cornerstone of the package that won legislative approval this year was House Joint Resolution 4220, also known as the Lakewood Police Officers' Memorial Act.

The suspect in the Lakewood killings had been released on bail on a charge of child rape a week before the shootings, and legislators and law enforcement agencies worked together to address what they saw as a flawed bail system.

HJR 4220 sends to the voters a constitutional amendment that would allow judges to deny bail under certain conditions for dangerous criminal offenders. The proposed amendment will be on the November ballot, and the people of Washington will decide whether the most dangerous defendants should be denied bail.

Sen. Delvin confers with Spokane Sen. Bob McCaslin on the Senate floor in support of legislation offering greater protection for law enforcement officers.

Ghost bills and mystery hearings

Secrecy threatens your right to know

As citizens and as legislators, we're concerned about a disturbing trend toward secrecy in Olympia. The majority party regularly suspends government transparency when it serves their purposes. Here are some of the methods they used this year:

Ghost bills – A title-only (or ghost) bill is introduced as nothing more than a title, such as "Concerning Fiscal Matters." Later, these bills are filled-in with text outlining the provisions, but that happens long after the public has any chance to comment or protest.

Senate Bill 6853 was passed as title only and few commented on the bill in the public hearing. The bill ended up revoking a host of tax incentives originally designed to make Washington businesses competitive.

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Secret hearings – Another tactic was providing little or no public notice on a bill before a public hearing.

In March, Democrats introduced a state income tax bill and scheduled a public hearing just five hours later that same day. In this case, people from all over Washington heard about it on the radio and drove straight to Olympia to testify against it. The measure was killed in committee.

But that is the rare exception. This ruse was employed to pass Senate Bill 6130, which repealed the two-thirds vote requirement and transparency provisions of Initiative 960 to make it easier to pass taxes.

Stealth amendments – Too often majority legislators keep the text of substitutes and amendments to bills secret until the public hearing on the bill. This gives citizens only a few moments to scour pages of legislation looking for changes to the original bill.

We have grave concerns about these closed-door practices. The public has a right to know what the Legislature is doing. We must find the support to make these practices illegal and ensure the transparency and openness people deserve and have a right to expect.

Eye on Olympia:

Now Richland citizens can stay in touch with what's happening in Olympia 24/7. Charter Cable has added TVW, the legislative news channel. Catch it on Channel 18.

Be counted!

The U.S. Census counts every resident in the United States, and is required by the Constitution to take place every 10 years. The 2010 Census will affect the distribution of federal funds to various communities for things like hospitals, schools, public works projects and emergency services. Census forms were delivered to every U.S. resident in March; areas not served by the U.S. Postal Service will receive their forms by April 30. The census asks 10 basic questions, such as name, gender, age, and whether you own or rent your home. Any personal data you provide is protected under federal law.

We hope you will complete your census form and mail it back in (in the postage-paid envelope) when you receive it. For more information visit www.census.gov.

Your 8th District Legislators

Senator
JEROME DELVIN

Republican deputy whip

Committees:
Economic Development, Trade and Innovation
Environment, Water and Energy
Transportation

Representative
LARRY HALER

Committees:
Early Learning and Children's Services, ranking Republican
Technology, Energy and Communications, assistant ranking Republican
Education Appropriations
Higher Education

Representative
BRAD KLIPPERT

Assistant Republican whip

Committees:
Public Safety and Emergency Preparedness, assistant ranking Republican
General Government Appropriations
Transportation
Joint Committee on Military and Veterans Affairs

Senator
JEROME DELVIN

Representative
LARRY HALER

Representative
BRAD KLIPPERT

Election-year restrictions

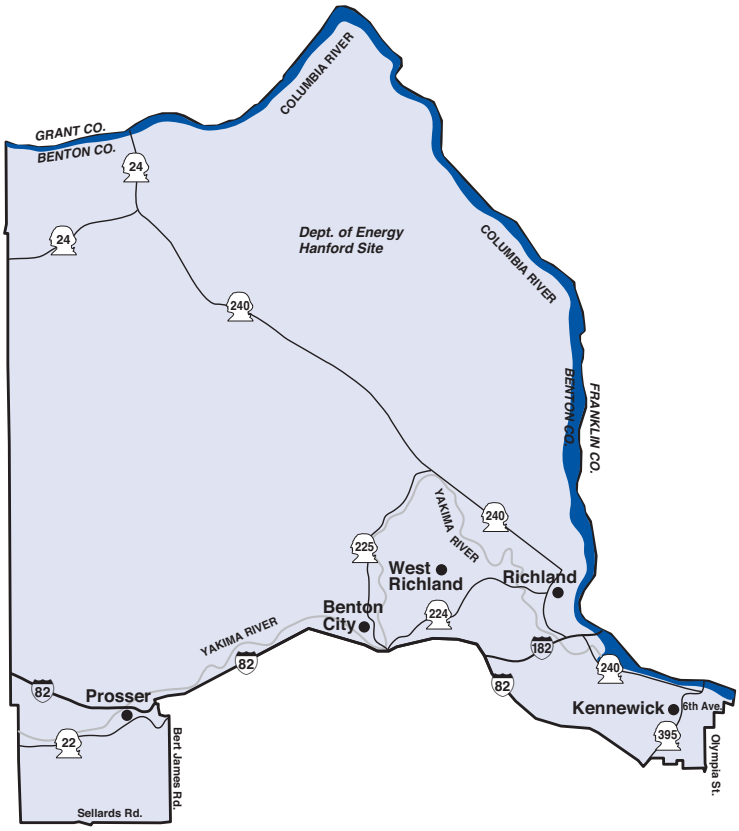
As your state legislators, we make every effort to keep you informed of what is happening in Olympia. However, this is an election year, and under the provisions of Initiative 134, we can only send two in-district mailings – this newsletter being the last we're allowed in 2010.

The initiative does permit us to respond to your direct requests for information, and we encourage you to write or call whenever you have a question or a comment to share on legislation or other matters.

Need a guest speaker?

If you belong to a club, civic group or community-service organization and would like a guest speaker at your next meeting or event, please contact our offices to arrange a convenient date. We're happy to report on the issues we dealt with during the 2010 session, or we can tailor our remarks to address particular areas of interest or concern.

— Jerome, Larry and Brad



8th Legislative District

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