



STATE OF WASHINGTON
OFFICE OF THE GOVERNOR

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May 7, 2009

Dear Members of the Senate and House of Representatives:

I write to inform you that I will not be calling a special session of the 61st Legislature.

I have stated consistently that I would not call a special session until I was confident there was agreement among both chambers on the topics to be considered and how these issues would be resolved. There is no such agreement.

Therefore, we will not be able to consider the following issues at this time:

- School levy policy. Many school districts are facing significant budget cuts. I was hopeful that some of the reductions could have been offset with my proposal to allow districts to collect funds that had been approved by the voters but exceeded the levy lid.
- Levy equalization funding. The budget assumed a \$60 million reduction in these funds but the law was not changed to implement those reductions.
- Deporting undocumented offenders. The total budget savings in the 2009–11 Biennium for this bill is \$9.7 million: \$8.3 million in GF-State and \$1.4 million in GF-Federal. The institutional bed capacity reduction is 362. The full savings cannot be captured without a change in law.
- Criminal justice sentencing. No action was taken on a bill to change sentencing ranges and allow more discretion for judges when sentencing offenders. The total budget savings in the 2009-11 Biennium for this bill is \$375,588 GF-State and the institutional capacity bed reduction was 134. (A new fiscal note shows \$195K in savings and a 50 bed reduction.)
- The reduction in the number of offenders in the prison system that would be created by the two corrections policy changes is needed to reduce institutional capacity next biennium to the levels the budget assumed.
- Changes to the Budget and Accounting Act. Because of the potential need for additional cuts as the economy struggles to recover, changes need to be made to existing law to provide the executive branch more flexibility in making necessary budget reductions.



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Since these issues cannot be resolved immediately, I intend to take the following actions:

- Continue making full levy equalization payments, even though the budget reduced the funding by \$60 million. This is required by statute, and it is the right thing to do to help struggling school districts, since policy changes to allow for greater levy collections will not take place. The Legislature will need to address the budget shortfall in the 2010 legislative session.
- Pursue deportation of undocumented offenders under current law. I am directing the Department of Corrections to implement the deportation of undocumented offenders policy to the extent possible under statute. Although deportation will not be as extensive as would have been possible with a change in statute, we will be able to capture some of the savings assumed in the budget.
- Address sentencing policy in the 2010 legislative session.

The budget assumes a reduction in our prison population that is not possible without these policy changes. The Office of Financial Management is charged with conducting a study to look at the capacity of our institutions for juvenile rehabilitation, developmental disability, and adult corrections. The study will proceed with the existing budget capacity targets.

Based on the budget projections, I will do what I can to avoid drastic, across the board reductions, but it may call for legislative action. I appreciate all of your hard work during the 2009 legislative session. I believe you passed a responsible budget for these very tough times. I look forward to working with you during the interim and into the 2010 session.

Sincerely,



Christine O. Gregoire
Governor