WSBA SECTIONS: SESSION PRIMER

An overview of the legislative process and preparation for the 2022 session

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AGENDA

➢ Sections + Legislative Affairs
➢ Rules & Policies
➢ Legislative Action overview
SECTIONS + WSBA LEGISLATIVE AFFAIRS

Role

- Craft Bar-request bills
- Receive, respond, and track bills
- Provide expertise when requested/needed
  - In coordination with Legislative Affairs staff
- Provide input/comment on relevant bills of importance
  - In coordination with Legislative Affairs Manager, BOG Legislative Committee, guidelines
WSBA LEGISLATIVE AFFAIRS

Legislative goals

• **WSBA Mission**: “serve the public and members of the Bar, ensure the integrity of the legal profession, and to champion justice.”

• **Advocate**
  • Bar-sponsored legislation
  • Bar-supported legislation
  • Other issues outlined in the 2022 Legislative Priorities

• **Respond** to all legislative-related inquiries accurately and in a timely fashion to advance the overall goals of WSBA.
WSBA LEGISLATIVE AFFAIRS

Staff
  • Legislative Affairs Manager
  • Legislative Affairs Coordinator

Office locations
  • Seattle (year-round)
  • Olympia (session only)
  • Remote for 2022 session
LEGISLATIVE COMMENT PROCESS

Link
RULES & POLICIES

Sections Legislative Comment Policy (1504) [link]

• Sections shall seek authorization from the Legislative Affairs Manager or the BOG Legislative Committee prior to publicly communicating with anyone.
• WSBA entities must follow direction of WSBA and entities are responsible for advising WSBA on an ongoing basis regarding decisions, comments, and actions.
• Encourages WSBA entities to speak with one voice; maintain consistency
• Executive Director, Bar President, BOG, or BOG Legislative Committee may enforce
2020 Updates in Policy 1504 [link]

• Makes explicit that Sections need to get approval from the Leg. Affairs Manager if they intend to take a position on legislation or testify before the Legislature. Sections must give 24 hours notice of intent to testify
  • Decision is made erring on the side of approving the request

• Sections may provide technical drafting comments without conducting a GR 12 analysis, but must copy the Leg. Affairs Manager on any such comments
GENERAL RULE 12

• Pursuant to GR 12.2(b)(17), the WSBA is authorized to “maintain a legislative presence to inform members of new and proposed laws and to inform public officials about the organization’s positions and concerns.”

• Pursuant to GR 12.2(c), the WSBA only takes positions on legislation that “relate to or affect the practice of law or the administration of justice.”

• Excludes political and/or social issues
RULES & POLICIES

Public Disclosure Commission

- Lobbyist = anyone attempting to influence state legislative action
- WSBA entities are *not authorized* to engage in lobbying activities.
- People register as lobbyists only if:
  - Activities are beyond public committee hearings; and
  - Compensation is received
- [www.pdc.wa.gov](http://www.pdc.wa.gov)
LEGISLATIVE ACTION: BILL REFERRAL PROCESS

Legislative Affairs staff

- Reviews bills daily during session
- Refers relevant bills to Section(s) via email
- Makes recommendations about next steps (e.g. testimony, etc.)
- Communicates with legislators/staff/stakeholders
- Tracks bills of importance throughout session
LEGISLATIVE ACTION: BILL REFERRAL PROCESS

Sections

• Review referred bill(s), GR 12 analysis
• Take a position, if deemed necessary (75%+ vote)*
• Offer alternative bill language
• Be available for questions, appropriate next steps (e.g. testimony, written correspondence, etc.)

*Session vs. non-session distinction
PLEASE CHOOSE 1 OF THESE 3 OPTIONS WHEN RESPONDING:

• Option 1: We do not find this bill to be of interest or relevance to our Section

• Option 2: We would like this bill tracked but have no position at this time. Your section will receive a report on the bill at the end of the legislative session if you select this option. If you would like more information about a bill during session (for example: public hearing notifications) please indicate this in your response.

• Option 3: We have followed the WSBA legislative bill process and are taking a position of __________ on Bill #______.

Please ‘Reply All’ when responding.

SECTION(S): Elder Law
BILL #: HB 1422
SHORT TITLE: Concerning the protection of vulnerable adults. By request: Department of Social and Health Services
DEADLINE: Wednesday, February 26
NOTES: This bill was monitored by Elder Law last session.
YOUR OPTION:
LEGISLATIVE ACTION: TAKING POSITIONS ON BILLS

Before taking a position, a Section must:
  • Determine the bill meets GR 12; and
  • Discuss, vote via Section executive committee (75%+)*

Possible positions:
  • Support
  • Concerns
  • Opposed or Opposed as Drafted (use sparingly)
  • No position
POSITIONS ON LEGISLATION

Link.
LEGISLATIVE ACTION: COMMUNICATION

WSBA Legislative Affairs

- Daily bill emails/referrals (beginning-middle of session)
- Support throughout session

Sections

- Track bills of importance
- Keep Legislative Affairs staff apprised of all legislative activity
- Ask questions before determining action (e.g. GR 12 analysis, testimony, other legislative communication, etc.)
QUESTIONS?

Resources

- **WSBA Legislative Affairs:** wsba.org/About-WSBA/Legislative-Affairs
- **WA State Legislature:** leg.wa.gov
  - Bill tracking
  - Committee information
  - Legislator biographies, etc.
- **TVW:** tvw.org
  - Committee hearings
  - Floor action