WSBA SECTIONS: SESSION PRIMER

An overview of the legislative process and preparation for the 2023 session

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AGENDA

➢ Sections + Legislative Affairs
➢ Rules & Policies
➢ Legislative Action overview
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 2023 Legislative Priorities

• **Respond** to all legislative-related inquiries accurately and timely 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)
- Hybrid remote/in-person format for 2023 session
LEGISLATIVE COMMENT PROCESS

Link
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
RULES & POLICIES

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
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
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