

Administrative Law Section

of the Washington State Bar Association



Minutes Administrative Law Section Executive Committee Telephonic Meeting May 17, 2021

Executive Committee Members Present: Eileen Keiffer (Chair); Bill Pardee (Chair-Elect); Robert Krabill (Past Chair, Acting Secretary); Katy Hatfield (Treasurer); Sophie Geguchadze; Marjorie Gray; Lea Dickerson.

Absent Executive Committee Members: Richelle Little (Secretary); Scott Boyce; Selina Kang; Ed Pesik; Robert Rhodes; Cameron Zangenehzadeh; Alexis Gobeske; Susan Pierini.

Also Present: None.

Also Absent: Richard Potter (Legislative Committee Chair), Brett Purtzer (Board of Governors Liaison).

Meeting called to order

1. Approval of Minutes (all)

Approval of March 22, 2021 and April 19, 2021 minutes was deferred to the July meeting. (June meeting is a budget meeting.)

2. Approval of Agenda (all)

No vote was taken on today's agenda.

3. Financial update (Katy Hatfield)

Katy is working on a budget proposal for FY2022 for discussion at our June 14 meeting.

4. Committee updates

4.1 Retreat (Margie Gray)

No update today.

4.2 Legislative (Richard Potter)

Richard was not in attendance but provided a list of bills passed in the 2021 session. (See attached.)

4.3 Publications & Practice Manual (Richelle Little)

No update today.

4.4 CLE (Bill Pardee)

May – no mini CLE

6/21/2021 OMPA update and effect of pandemic OPMA issues

July – being planned

4.5 Diversity and Outreach (Robert Rhodes)

No update today.

4.6 Homan Award (Lea Anne Dickerson)

No news. Soliciting nominations.

4.7 Newsletter (Ed Pesik)

No update today.

4.8 Elections Committee (Eileen Keiffer)

Online voting takes place June 7-20.

5. Good of the Order

6. Next Meeting

Next meeting set for June 14, 2021 (budget only meeting).

Meeting adjourned at 12:25 p.m.

12 BILLS PASSED – Status as of May 16, 2021

Session ended on April 25.

Re APA 3

[HB 1192](#) Includes amending RCW 34.05.272 (re Dept. of Ecology “significant actions”) to update references toxic pollution statutes. **Apr 16 Governor signed. Chapter 65, 2021 Laws. Effective date 7/25/2021.**

[HB 1259](#) Expanding public contracting opportunities for women and minority business enterprises. References the APA re subpoena enforcement. **May 3 Governor signed. Chapter 160, 2021 Laws. Effective date 7/25/2021.**

[SB 5225](#) Concerning **direct appeals** to the court of appeals of cases brought under the APA and the land use petition act. **May 13 Governor signed. Chapter ?? Effective date ??**

Re Public Records 9

[HB 1068](#) Exempting election security information from public records disclosure. **Apr 14 Governor signed. Chapter 26, 2021 Laws. Effective date 4/14/2021.**

[HB 1127](#) Protecting the privacy and security of COVID-19 health data. **Apr 10 Passed Senate with Committee amendment(s) adopted as amended. Apr 14 House concurred in Senate amendments. Apr 22 Delivered to Governor. Not signed; not on Governor’s bill action schedule??**

[HB 1267](#) Concerning investigation of potential criminal conduct arising from police use of force. Would designate the Office as an “investigative law enforcement agency” for PRA disclosure purposes. **Apr 9 Passed Senate. Committee amendment(s) adopted with no other amendments. Apr 14 House concurred in Senate amendments. May 18 Governor scheduled to sign. Chapter ?? Effective date ??**

[SB 5046](#) Concerning workers’ compensation claim resolution settlement agreements. **Apr 16 Governor signed. Chapter 89, 2021 Laws. Effective date 4/16/2021.**

[SB 5051](#) Concerning state oversight and accountability of peace officers and corrections officers.¹ **Apr 7 Passed House with some Committee amendment(s). Apr 26 Delivered to Governor. May 18 Governor scheduled to sign.**

[SB 5152](#) Enhancing data stewardship and privacy protections for vehicle and driver data. **Apr 16 Governor signed. Chapter 93, 2021 Laws. Effective date 7/25/2021.**

[SB 5251](#) Modifying tax and revenue laws by easing compliance burdens for taxpayers, clarifying ambiguities, making technical corrections, and providing administrative efficiencies. **Apr 26 Governor signed. Chapter 145, 2021 Laws. Effective date 7/25/2021.**

[SB 5303](#) Exempting United States food and drug administration nonpublic information from disclosure under the state public disclosure act. **Apr 16 Governor signed. Chapter 99, 2021 Laws. Effective date 7/25/2021.**

¹ Amends RCW 34.12.035 by adding that **OAH ALJ’s** assigned to Criminal Justice Training Commission cases must have “subject matter expertise.”

[SB 5345](#) Establishing a statewide industrial waste coordination program. Apr 10 passed House. Apr 14 Senate concurred in House amendments. **May 13 Governor signed. Chapter ?? Effective date ??**

[[SB 5383](#) Authorizing a public utility district to provide retail telecommunications services in underserved areas under certain conditions. *Began with a PRA disclosure exemption, but that was omitted in the bill as passed the legislature.* Apr 11 passed House with some Committee amendment(s). Apr 26 Delivered to Governor.]

Re Open Public Meetings 0

Misc re Administrative Law

SB 5051 – See above re PRA and footnote.