

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



SECTIONS + 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 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](#)

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*

RULES & POLICIES

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

[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