



# OLYMPIA REPORT

## News from the Association

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**62nd Legislature - 2012 2<sup>nd</sup> Sp. Sess.      FINAL      May 2012**

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The “weirdest” session ever is how most pundits describe it. I’m not sure I agree.

I think it may have been the purest ever. It was certainly the most Darwinian.

All parties used every tool at their disposal in their attempt to prevail with their points of view. The late Senator Warren Magnuson used to say, “Never make a decision till you have to.” This session demonstrated that wisdom in spades.

Common thinking has been that you need at least 48 hours to wrap things up. That the paperwork for a budget and all the bills necessary to implement it take at least that long. Wrong.

This Legislature showed they can do anything. It is just a matter of will, and extraordinary staff.

It had been years since they pulled an all-nighter. They backed themselves into this situation by waiting until the very last moment to compromise. Both sides compromised. There are no clear winners or losers. Each side took and gave an equal amount.

Along the way they got a lot of heat for the “do-nothing” Special Session. They used the media to stake their positions, sometimes with kind words towards each others, oftentimes not. It was all part of the negotiations. At times ugly and frustrating, but textbook stuff.

Expect more of the same in future sessions.

We will have a new governor when the 2013 session convenes. Depending on who wins, we will see either significant or radical change. Change is certain in the executive branch.

What won’t change all that much is the legislative dynamic. It is too early to know with certainty, but odd-makers – based on redistricting, retirements, and match-ups – are betting on both chambers looking about the same as they did this year.

The likely scenario seems to be the House remaining under Democratic control with its current leadership.

The Senate may stay, numerically, under Democratic control, but functionally bipartisan, just like this session.

Although the numbers may remain about the same, the personalities will change. At least 23 members have announced they will not seek re-election. Many have served for decades. Senators Val Stevens, Debbie Regala and Margarita Prentice are retiring. Long time House members Phyllis Kenney, Mary Lou Dickerson and Glenn Anderson are also moving on.

The biggest surprise so far is the recent announcement by Senator Majority Leader Lisa Brown that she, too, is retiring. Her departure will create a domino effect within the Senate Democratic Caucus as they reorganize to fill the leadership void.

It will be quite an election season. A Presidential election; a U.S. Senate race; all statewide offices; half the State Senate; and the entire State House of Representatives will be in play. And, don't forget about the initiatives. Signature gathering is in full swing for a host of issues.

Included with this Olympia Report is a summary of enacted bills that may affect libraries. Many thanks to John Sheller of WLA's Legislative Planning Committee for compiling the report. John, along with the other 2012 LPC members, Patty Duitman, Mike Crouse, and Mike Wirt, deserve our gratitude for their help in reviewing and analyzing more than 200 plus bills this session.

One issue tracked last session that stands out above the rest is contained within the budget bill. HB 2127, Sec. 101 has a proviso creating a joint select committee on junior taxing districts with an eye on consolidation. This concept, first embodied in HB 2602, passed the House but died in the Senate Committee. It was resurrected and expanded as part of the final budget negotiations.

It is unclear when the joint select committee will be appointed and begin their work, but the original bill called for recommendations by the end of 2012. A review of all the various junior taxing districts is a huge undertaking. At last count there were over 1,200!

Although the intent of the creation of the joint select committee is somewhat vague, the game-changing potential of their work is not to be underestimated. WLA's Legislative Planning Committee expects to be directly involved in the deliberations of the joint select committee as their work proceeds.

## **2012 Legislative Session**

### **Recently enacted bills that may impact libraries, library employees, or retirees - Compiled by John Sheller, WLA Legislative Planning Committee**

Below is a summary of state legislation tracked by the WLA Legislative Planning Committee. Copies of the bill text, bill histories, fiscal notes and legislative staff analysis is available on the state legislature's Bill Information page <http://apps.leg.wa.gov/billinfo/>

Members of the Legislative Planning Committee perused these bills in their original, amended, and adopted formats to evaluate their likely or potential impact to libraries in general. Please consult your library legal counsel for interpretation or analysis specific to your library.

#### **ESB 1478 - Extending the sales tax option to support annexations**

This extends the deadline for cities to collect dedicated sales taxes in support of certain annexations through the end of 2014. Based on this extension annexations that had been placed on hold awaiting the passage or failure of this measure will likely appear on 2012 ballot measures.

Effective date: Signed by Governor Gregoire May 16, 2011.

### **ESHB 2127 - Operating supplemental budget 2011-2013**

General Fund (GF-S) funding for the State Library is exchanged for dedicated funding from the Heritage Center fund for the remainder of the biennium. Language for school librarians is included, although their actual funding is a combination of state and local so the direct impact of the budget as passed is unclear.

The budget as passed includes a provision in Section 101 allocating

**“\$50,000 of the general fund for a joint select committee on junior taxing districts, municipal corporations, and local government finance. The joint select committee shall review junior taxing districts and municipal corporations for the purpose of evaluating their provided services and making recommendations on the appropriateness of consolidating services into a general purpose local government.”**

The WLA Legislative Planning Committee is concerned about potential impact of the select committee recommendations regarding library districts.

Effective Date: Signed by Governor Gregoire (partial veto) May 2, 2012.

### **SHB 2177 - Protecting Children from sexual exploitation**

Further defines and limits the copying and distribution of child pornography materials used in court cases, by effectively denying their reproduction or distribution by criminal defendants and their attorneys. Clarifies that property or material shall be deemed to be reasonably available to the parties if the prosecution, defense counsel, or any individual sought to be qualified to furnish expert testimony at trial has ample opportunity for inspection, viewing, and examination of the property or material at a law enforcement facility or a neutral facility approved by the court upon petition by the defense.

Effective Date: March 29, 2012.

### **HB 2834 - Reporting requirements for public works projects**

A new section is added to chapter 43.41 RC to read as follows:

The legislature finds that over the years there have been a number of reporting requirements, mandates, and programs created that frequently duplicate the duties of local government, create additional expenses for state and local government, and can obscure responsibilities. The legislature establishes the process outlined in this section to recommend the elimination of obsolete, redundant, or unnecessary reports, mandates, and programs.

Effective Date: Signed by Governor Gregoire (partial veto) May 2, 2012.

### **2SSB 5355 - Special agency meetings**

Clarifies special meeting notice requirements for public agencies. Removes the conditions under which written notice to members of a governing body are waived. Conditions the requirement to post the notice on the agency's web site if the agency has a web site and, if a local government, the agency employs more than 10 full time equivalent employees.

Effective Date: March 29, 2012

### **ESB 6257 - Sexually explicit act**

Defines “sexually explicit act” and adds it to the crimes of human trafficking and sexual exploitation of a minor.

Effective Date: March 29, 2012

**SSB 6277 Multiple unit dwellings**

Allows tax exemption for development of large multi-family dwellings to encourage affordable housing and low income housing in urban unincorporated parts of large counties.

Effective Date: March 29, 2012

**ESB 6378 State retirement plans**

The final version of this bill as passed is a compact 17 pages of benefit language and difficult to summarize. It refines definitions, benefits and allowances for state retirements, early retirements, and alternate early retirement plans, as well as retire-rehire provisions.

Effective Date: Signed by Governor Gregoire May 2, 2012.