

BOG LEGISLATIVE COMMITTEE

Meeting Minutes

April 19, 2019

Governors present by phone: Chair Kyle Sciuchetti, Gov. Chris Meserve, President-Elect Rajeev Majumdar, Gov. Brian Tollefson, Gov. Dan Clark, Gov. Carla Higginson

Staff present by phone: Sanjay Walvekar, Russell Johnson, Sara Niegowski, Terra Nevitt, Julie Shankland

WSBA Board of Governors Legislative Committee (BLC) Chair Kyle Sciuchetti began the meeting at 4:04pm.

Chair Kyle Sciuchetti motioned to approve the previous meeting's minutes. No objections.

Sanjay updated the BLC on SB 5003.

- The bill passed the House and will go to the Governor's desk. This is at least the seventh consecutive year that the Corporate Act Revision Committee (CARC) within the Business Law Section has proposed legislation that passed both houses.
- Chair Sciuchetti congratulates CARC; they give solid presentations to the Legislative Review Committee and do their due diligence beforehand.

Discussion on ESHB 1788

- Sanjay provides an update; the bill is on today's concurrence calendar but no action was taken. The House will be in session on Monday and action could be taken then.
- President-elect Majumdar reports that he got a nice response from Speaker Chopp's assistant who assured that his letter would be seen by the Speaker. President-elect Majumdar received another response from Representative Michelle Caldier who thought that it was already on the Governor's desk and that the legislation was necessary due to *Janus*. President-elect Majumdar explained nicely that it is coming back to the House.
- Chair Sciuchetti is surprised to hear *Janus* mentioned; Gov. Clark indicates that he has heard from representatives previously that Rep. Laurie Jinkins had told them that the legislation was necessary due to *Janus*.
- Sanjay believes that Rep. Jinkins also mentioned First Amendment issues when the House first voted on the bill in March.

- Chair Sciuchetti feels that the BLC has done everything that can be done and asks Sanjay if he's heard anything about the bill potentially not making it through the concurrence process.
- Sanjay has not heard anything from individual representatives other than what Gov. Clark shared about Rep. Dufault's understanding of the bill (he seemed to think that this legislation was required by *Janus*). Rep. Stokesbary, as the sponsor of the bill, will have an outsized influence on his caucus, as will Rep. Jinkins on her caucus. Sanjay hasn't heard any inclination that it would not go through concurrence cleanly.
- President-elect Majumdar feels that the BLC has done a good job and there isn't much more that can be done at this point. An important part of the letter, which Sanjay and Sara contributed to, is a call at the end to ask for an open mind and to potentially work with WSBA in the next session based on the recommendations of the Structure Work Group. Chair Sciuchetti agrees.
- Chair Sciuchetti asks the BLC if they think they should turnaround and connect again with Kathryn Leathers from the Governor's Office.
- President-elect Majumdar asks how fast the bill would go from the legislature to the Governor's desk.
- Sanjay reminds the committee that the Governor's signature isn't necessary and that he would need to veto the bill to prevent it from becoming law. There would need to be a strong argument presented to the Governor to get that result. However, there is sufficient time, if the committee would like to, to contact Kathryn Leathers and share their concerns. Sanjay will provide information on timing requirements for Governor's actions.
- Chair Sciuchetti suggests contacting Kathryn Leathers directly. President-elect Majumdar and Gov. Higginson agree that this is a good idea. Chair Sciuchetti will try and call her on Monday, 4/22.
- Discussion around continuing BLC meetings. The session is scheduled to end on April 28th; consensus that the committee continue meeting until ESHB 1788 is signed.

Meeting adjourned by Chair Kyle Sciuchetti at 4:27pm