

2010 Legislative Session: Recently Enacted Bills That May Affect Your Library, Employees, or Retirees

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After every legislative session I compile a summary of enacted bills WLA has worked on and/or tracked that I think may apply to one or more types of Washington's libraries. This year's regular session ended March 11 and the special session ended April 12. Being the short 60-day regular session, there were fewer bills enacted than last year.

My intent with this summary is to provide library directors, managers, staff, and boards of trustees with a snapshot of new or revised state laws and their effective dates. More detailed information, including the text of each bill as enacted and a summary, is available on the Legislature's Bill Information web page (<http://apps.leg.wa.gov/billinfo/>) as well as from any state agencies responsible for implementation (e.g. Department of Revenue and Department of Retirement Systems).

For advice on interpretation or specific application to your library, consult your legal counsel.

Note: This summary doesn't include the supplemental budget due to the complexity of its provisions and their implementation.

SHB 2403: Concerning military leave for public employees

Summary: Military leave is granted for required military duty, training, or drills including those in the National Guard under Title 10 U.S.C., Title 32 U.S.C., or state active status. An officer or employee of state or local government is charged military leave only for the days that he or she is regularly scheduled to work for the state or local government.

Library-related impact: Changes leave regulations for employees having military duty

Effective date: June 10, 2010

SHB 2620: Concerning excise taxation of certain products and services provided or furnished electronically.

Summary: The stated overriding purpose is to clarify ambiguities and correct unintended consequences related to the 2009 passage of ESHB 2075. Included is a modification of the exemption for digital products to be given away free of charge for the use or enjoyment of the general public. (Purchaser must provide an exemption certificate.) "General public" generally means every individual and not a limited or restricted class of individuals, except that general public also includes: all individuals residing or owning property in a state, political subdivision of a state, or a municipal corporation; a group of individuals identified by minimal restrictions that any person can meet, such as a free registration requirement; and library patrons.

Library-related impact: Clarifies the definition, specifically including library patrons.

Effective date: July 1, 2010

2SHB 2867: Promoting early learning

Summary: The Department of Early Learning in collaboration with Thrive by Five and the Early Learning Advisory Council will develop a comprehensive birth-to-three plan offering education and support through a continuum of options. Birth-to-three programs may include:

home visiting; quality incentives for infant and toddler child care subsidies; quality improvements for family home and center-based child care programs serving infants and toddlers; professional development; early literacy programs; and informal supports for family, friend, and neighbor caregivers.

Library-related impact: Public libraries may have a role in the plan and its eventual implementation

Effective date: June 10, 2010

ESSB 6241: Creating community facilities districts

Summary: Authorizes the establishment of community facilities districts in counties, cities, and towns, and sets out requirements and authorities related to their formation, governance, powers, and finances. "Library, educational, and cultural facilities" are included in the listing of eligible uses for district financing. However, to be formed the petition must be executed by one hundred percent of all owners of private property located within the boundaries of the proposed district.

Library-related impact: Although libraries may be funded in this manner, the requirement that the initiation petition be executed by all property owners in the proposed district makes it very unlikely it would ever be done for this purpose.

Effective date: June 10, 2010

SSB 6367: Allowing agencies to direct requesters to their web site for public records

Summary: An additional response option is provided for use by public agencies that receive a public records request. The agency may provide a link to the specific record on the Internet for the requestor to access the records requested. If the requestor lets the agency know that he or she cannot access the records through the Internet, the agency must provide copies or allow the requestor to view the documents through an agency computer.

Library-related impact: Libraries responding to public records requests have another option available to requesters.

Effective date: June 10, 2010