
HOUSE BILL 2942

State of Washington 54th Legislature 1996 Regular Session

By Representatives Appelwick and Conway

Read first time 01/30/96. Referred to Committee on Appropriations.

1 AN ACT Relating to legal aid programs; amending RCW 43.08.250 and
2 43.08.260; and making appropriations.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 43.08.250 and 1995 2nd sp.s. c 18 s 912 are each
5 amended to read as follows:

6 The money received by the state treasurer from fees, fines,
7 forfeitures, penalties, reimbursements or assessments by any court
8 organized under Title 3 or 35 RCW, or chapter 2.08 RCW, shall be
9 deposited in the public safety and education account which is hereby
10 created in the state treasury. The legislature shall appropriate the
11 funds in the account to promote traffic safety education, highway
12 safety, criminal justice training, crime victims' compensation,
13 judicial education, the judicial information system, civil
14 representation of indigent persons, winter recreation parking, and
15 state game programs. During the fiscal biennium ending June 30, 1997,
16 the legislature may appropriate moneys from the public safety and
17 education account for purposes of appellate indigent defense, the
18 criminal litigation unit of the attorney general's office, the
19 treatment alternatives to street crimes program, crime victims advocacy

1 programs, justice information network telecommunication planning,
2 sexual assault treatment, operations of the office of administrator for
3 the courts, programs for alternative dispute resolution of farmworker
4 employment claims, and Washington state patrol criminal justice
5 activities.

6 **Sec. 2.** RCW 43.08.260 and 1995 c 399 s 62 are each amended to read
7 as follows:

8 (1) Any money appropriated from the public safety and education
9 account pursuant to RCW 43.08.250 for civil representation of indigent
10 persons shall be used solely for the purpose of contracting with
11 qualified legal aid programs for legal representation of indigent
12 persons in matters relating to: (a) Domestic relations and family law
13 matters, (b) public assistance, health care, and entitlement programs,
14 (c) public housing and utilities, ~~((and))~~ (d) unemployment
15 compensation, and (e) farmworker employment. For purposes of this
16 section, a "qualified legal aid program" means a not-for-profit
17 corporation incorporated and operating exclusively in Washington which
18 has received basic field funding for the provision of civil legal
19 services to indigents under Public Law 101-515 or the successor of such
20 a corporation.

21 (2) Funds distributed to qualified legal aid programs under this
22 section shall be distributed on a basis proportionate to the number of
23 individuals with incomes below the official federal poverty income
24 guidelines who reside within the counties in the geographic service
25 areas of such programs. The department of community, trade, and
26 economic development shall use the same formula for determining this
27 distribution as is used by the legal services corporation in allocating
28 funds for basic field services in the state of Washington.

29 (3)(a) Funds distributed to qualified legal aid programs under this
30 section may not be used directly or indirectly for lobbying or in class
31 action suits. Further, these funds are subject to all limitations and
32 conditions imposed on use of funds made available to legal aid programs
33 under the legal services corporation act of 1974 (P.L. 93-355; P.L. 95-
34 222) ~~((as currently in effect or hereafter amended))~~.

35 (b)(i) For purposes of this section, "lobbying" means any personal
36 service, advertisement, telegram, telephone communication, letter,
37 printed or written matter, or other device directly or indirectly

1 intended to influence any member of congress or any other federal,
2 state, or local nonjudicial official, whether elected or appointed:

3 (A) In connection with any act, bill, resolution, or similar
4 legislation by the congress of the United States or by any state or
5 local legislative body, or any administrative rule, standard, rate, or
6 other enactment by any federal, state, or local administrative agency;

7 (B) In connection with any referendum, initiative, constitutional
8 amendment, or any similar procedure of the congress, any state
9 legislature, any local council, or any similar governing body acting in
10 a legislative capacity; or

11 (C) In connection with inclusion of any provision in a legislative
12 measure appropriating funds to, or defining or limiting the functions
13 or authority of, the recipient of funds pursuant to chapter 54, Laws of
14 1992.

15 (ii) "Lobbying" does not include the response of an employee of a
16 legal aid program to a written request from a governmental agency, an
17 elected or appointed official, or committee on a specific matter. This
18 exception does not authorize communication with anyone other than the
19 requesting party, or agent or employee of such agency, official, or
20 committee.

21 NEW SECTION. **Sec. 3.** The sum of two million dollars, or as much
22 thereof as may be necessary, is appropriated from the general fund for
23 fiscal year 1997 to the department of community, trade, and economic
24 development solely for contracts with qualified legal aid programs for
25 civil indigent representation.

26 NEW SECTION. **Sec. 4.** The sum of two hundred thousand dollars, or
27 as much thereof as may be necessary, is appropriated from the public
28 safety and education account for fiscal year 1997 to the department of
29 community, trade, and economic development for reimbursing the costs of
30 arbitrating and mediating farmworker employment claims.

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