

SENATE BILL REPORT

SB 6010

AS REPORTED BY COMMITTEE ON ECOLOGY & PARKS, JANUARY 31, 1994

Brief Description: Providing for scientific review and sharing between public agencies.

SPONSORS: Senators Fraser and Sutherland

SENATE COMMITTEE ON ECOLOGY & PARKS

Majority Report: That Substitute Senate Bill No. 6010 be substituted therefor, and the substitute bill do pass.

Signed by Senators Fraser, Chairman; Deccio, Moore, Morton, Sutherland and Talmadge.

Staff: Kari Guy (786-7464)

Hearing Dates: January 21, 1994; January 31, 1994

BACKGROUND:

Many regulations and standards are adopted by state agencies and local governments based on decisions regarding risk to human health and the environment. There are currently a number of informal methods for agencies to access scientific information for these decisions, ranging from access to computerized data bases, to creation of scientific advisory boards. A more consistent procedure for transmittal of scientific information between state government and academia would strengthen the scientific review which currently accompanies many state agency proposed rules.

SUMMARY:

Legislative findings are made that scientific research and information are a necessary part of the identification of public health and environmental problems by governmental agencies. The intent of this bill is to establish a procedure for sharing scientific information between research institutions and government agencies.

A science and environmental policy panel is created, with representatives from state agencies and state colleges and universities. The agencies include the Departments of Ecology, Health, Labor and Industries, Natural Resources, Agriculture, Fish and Wildlife, and Transportation; the Puget Sound Water Quality Authority; and the Washington State Senate and House of Representatives. The colleges and universities include the University of Washington, Washington State University, Western Washington University, Eastern Washington University, Central Washington University, and The Evergreen State College.

The panel shall meet not more than annually to establish procedures for scientific peer review. These procedures should facilitate the identification of persons with expertise in the subject being reviewed, and the sharing of information between universities and governmental entities.

By January 1, 1995, agencies must adopt rules specifying the types of agency actions, proposed rules, or proposed policies for which the procedures for scientific peer review will be initiated. At a minimum this must include proposed rules or actions that would require an environmental impact statement, would result in an economic impact of \$1 million or more, or would modify an existing emission standard.

Any local government may seek scientific information through the science and environmental policy panel, if the county in which the local government is located has appointed a scientific information coordinator. To encourage the participation of local governments, the Washington State Association of Counties may appoint a representative to participate on the science and environmental policy panel.

The existing science advisory boards created in the Department of Ecology toxics cleanup program and air program are abolished; the department may use the procedures developed by the science and environmental policy panel as needed. The Ecological Commission is abolished.

EFFECT OF PROPOSED SUBSTITUTE:

The requirement for an environmental science and policy panel is deleted.

By July 1, 1995, the Governor is to develop model procedures for the provision of scientific information and peer review by specialists to state agencies, the Legislature, and local government. The model procedures should include criteria to determine the agency actions for which scientific peer review will be initiated, as well as methods to facilitate the exchange of information between research institutions and government agencies.

Each public college and university shall appoint a science information coordinator to assist the Governor in developing model procedures, and to assist agencies in using the scientific resources of higher education institutions.

The Governor's Task Force on Regulatory Reform is instructed to develop recommendations to ensure that accurate and available scientific information is obtained and considered early in the development of policies or rules. The recommendations are to be provided no later than December 1, 1994.

Appropriation: none

Revenue: none

Fiscal Note: requested January 7, 1994

TESTIMONY FOR: None

TESTIMONY AGAINST:

The concept of bringing scientific review into the policy and rule development process is good, but this proposal is too broad. The requirement that each agency develop rules specifying the actions for which scientific review will be initiated is inefficient and expensive, and the actions which must receive scientific review will include most agency projects and may slow rule development.

TESTIFIED: Phillip Miller, Department of Ecology; Steve Cant, Department of Labor and Industries; Pat McElroy, Department of Natural Resources; Eric Slagle, Department of Health; Kris Backes, Association of Washington Business; Bruce Wishart, Department of Health