

HOUSE BILL REPORT

HB 1010

As Reported by House Committee On:
Environment

Title: An act relating to directing the department of ecology to submit an annual report to the legislature detailing the department's participation in interagency agreements.

Brief Description: Directing the department of ecology to submit an annual report to the legislature detailing the department's participation in interagency agreements.

Sponsors: Representatives Shea, Taylor, Holy, Short, McCaslin, Pike, Haler and Young.

Brief History:

Committee Activity:

Environment: 1/9/17, 2/7/17 [DPS].

Brief Summary of Substitute Bill

- Directs the Department of Ecology (ECY) to post on its website and annually update information describing the ECY's interagency agreements with other government agencies.

HOUSE COMMITTEE ON ENVIRONMENT

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 9 members: Representatives Fitzgibbon, Chair; Peterson, Vice Chair; Taylor, Ranking Minority Member; Maycumber, Assistant Ranking Minority Member; Buys, Dye, Fey, Kagi and McBride.

Staff: Jacob Lipson (786-7196).

Background:

The Department of Ecology (ECY) is the state agency charged with managing air and water resources, and with controlling air, water, and other types of environmental pollution. The ECY's authority to pursue these goals derives from a variety of state laws that grant specific responsibility to the ECY. The ECY's authority and responsibility to control air, water, or land pollution under state laws is often situated within the context of federal environmental

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laws that reserve states the option to assume certain implementation responsibilities, such as the federal Clean Air Act, Clean Water Act, and Resource Conservation and Recovery Act. The frameworks established by federal and state environmental laws often authorize or require local governments such as counties, cities, and special purpose districts to implement aspects of environmental programs that also include an administrative role for the ECY.

The ECY is broadly directed to cooperate with the federal government and other state governments in studying and controlling environmental problems. Many specific state environmental laws also direct the ECY to:

- enter into agreements to assume certain responsibilities authorized by specific federal environmental laws;
- partner or consult with other state agencies such as the Department of Health, the Department of Natural Resources, or the Department of Fish and Wildlife in implementing state environmental laws; or
- oversee the implementation of state environmental laws by counties, cities, or special purpose districts.

Summary of Substitute Bill:

Beginning December 31, 2017, the Department of Ecology (ECY) is directed to post information on its website regarding the interagency agreements involving the ECY as a party or a participant. The types of "interagency agreements" that must be included on the website include memoranda of understanding, grant contracts, and advisory agreements. The information posted on the website must cover agreements with federal agencies, local governments, other state agencies, and state agencies in other states, and must include:

- a brief description of each agreement;
- the effective date of the agreement;
- the parties to the agreement; and
- the type of agreement.

The requirement to provide this information on the ECY's website is phased-in, beginning with an initial list of grants and federal agreements where information is readily extractable from the ECY's data systems, which must be posted by December 31, 2017. All contract, grant, and loan agreements must be posted by June 30, 2018, with the remainder of interagency agreements posted by December 31, 2018. Beginning in December, 2018, the ECY must annually update the posted interagency agreement information, and must identify agreements updated during the past year.

Substitute Bill Compared to Original Bill:

The requirement that the Department of Ecology (ECY) submit an annual report to the Legislature regarding interagency agreements involving the ECY is eliminated, and instead the ECY must post such information on its website and to update it annually.

The requirement for the ECY to post different types of interagency agreements on its website is phased-in as follows:

- grant agreements and federal agreements with easily extractable information must be posted by December 31, 2017;
- contract, loan, and grant agreements must be posted by June 30, 2018; and
- the remaining categories of required interagency agreements must be posted by December 31, 2018.

The requirement that a link to the full text of each interagency agreement be made available is eliminated.

Appropriation: None.

Fiscal Note: Available.

Effective Date of Substitute Bill: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) Stakeholders and the Legislature would benefit from knowing about the agreements that the Department of Ecology (ECY) is participating in, and the fiscal and policy impacts associated with those agreements.

(Opposed) None.

(Other) The intent of this bill to improve ECY transparency is worthwhile, and is something that the ECY has been working on. This bill could have some fiscal impacts, especially associated with capturing information and document text that would be difficult to extract from old information technology (IT) systems. The ECY might not be able to capture all of the types of information requested in this report within 10 months without a costly upgrade to certain IT systems.

Persons Testifying: (In support) Representative Shea, prime sponsor.

(Other) Denise Clifford, Department of Ecology.

Persons Signed In To Testify But Not Testifying: None.