
**Agriculture & Natural Resources
Committee**

HB 1598

Brief Description: Requiring recipients of money from the salmon recovery funding board to agree to disclose information regarding the funding in compliance with chapter 42.56 RCW.

Sponsors: Representatives Kretz, Ericks, Blake, Pettigrew, Armstrong, Warnick, Sump, Upthegrove, Newhouse, Kristiansen and Condotta.

Brief Summary of Bill

- Requires any entity receiving funding from the Salmon Recovery Funding Board to contractually agree to disclose information in regard to that funding.

Hearing Date: 2/7/07

Staff: Jasmine Vasavada (786-5793).

Background:

The Salmon Recovery Funding Board (SRFB) makes grants and loans for salmon habitat projects and salmon recovery activities from a pool of available state and federal dollars. Lead entities or regional recovery organizations receiving block grants from the board must provide annual reports to the board summarizing how funds were expended, including the types of projects funded, project outcomes, monitoring results, and administrative costs.

Where no lead entity exists, funding may be provided in the form of grants directly to project sponsors. Nonprofit organizations may be project sponsors, receiving funding from the SRFB. However, nonprofit organizations are not currently subject to the public disclosure requirements of state agencies under the Public Records Act.

In some states, the law governing public records explicitly applies to non-governmental bodies such as charitable organizations or firms contracting with the government or acting on behalf of any public agency. Here in Washington, the Public Records Act applies to all state and local agencies, including work done on behalf of an agency by advisory boards and commissions and

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quasi-governmental entities. However, it does not necessarily apply to bodies receiving public funds or benefits or charitable organizations who receive grants of public funds.

Under the Public Records Act, government agencies, upon request, must disclose all "public records," unless exempted by statute or common law. "Public record:" is defined as any record "relating to the conduct of government or the performance of any governmental or proprietary function prepared, owned, used, or retained by any state or local agency regardless of physical form or characteristics." The act applies to records created in the course of government business, and agencies are not required to create records specifically to meet the purposes of the Act.

Summary of Bill:

Before a project sponsor or other entity may receive funding from the SRFB, it must contractually agree to disclose information related to the funding received. The information that the entity must agree to disclose is any information that the entity would have to disclose if it were subject to the Public Records Act. This requirement exists whether the funding is direct or indirect.

Appropriation: None.

Fiscal Note: Not requested.

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