

SENATE BILL REPORT

SHB 1010

As Reported by Senate Committee On:
Energy, Environment & Telecommunications, March 28, 2017

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: House Committee on Environment (originally sponsored by Representatives Shea, Taylor, Holy, Short, McCaslin, Pike, Haler and Young).

Brief History: Passed House: 2/28/17, 98-0.

Committee Activity: Energy, Environment & Telecommunications: 3/14/17, 3/28/17 [DP].

Brief Summary of Bill

- Directs the Department of Ecology to post on its website and annually update information regarding its interagency agreements.

SENATE COMMITTEE ON ENERGY, ENVIRONMENT & TELECOMMUNICATIONS

Majority Report: Do pass.

Signed by Senators Ericksen, Chair; Sheldon, Vice Chair; Carlyle, Ranking Minority Member; Brown, Hobbs, Honeyford, Ranker, Short and Wellman.

Staff: Jan Odano (786-7486)

Background: The Interlocal Cooperation Act allows public agencies to enter into agreements with one another for joint or cooperative action. Any power, privilege, or authority held by a public agency may be exercised jointly with one or more other public agencies having the same power, privilege, or authority. A public agency for purposes of interlocal agreements includes any agency, political subdivision, or unit of local government.

The Department of Ecology (Ecology) 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 Ecology to:

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- 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 Bill: Beginning December 31, 2017, Ecology is directed to post information on its website regarding the interagency agreements involving Ecology 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 the following:

- 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 Ecology's website is phased-in, beginning with an initial list of grants and federal agreements where information is readily extractable from Ecology'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 December 1, 2018, Ecology must annually update the posted interagency agreement information and must identify agreements updated during the past year.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: This is a good government transparency bill.

OTHER: Ecology supports transparency and openness. Some of the information required to be posted on the website may be more difficult to extract because of the age of the documents. We cannot support the bill because the costs are not included in the Governor's budget.

Persons Testifying: PRO: Representative Matt Shea, Prime Sponsor.

OTHER: Martha Hankins, WA State Department of Ecology.

Persons Signed In To Testify But Not Testifying: No one.