

SENATE BILL REPORT

SHB 2261

As of February 21, 2014

Title: An act relating to the use of science to support significant agency actions.

Brief Description: Concerning the use of science to support significant agency actions.

Sponsors: House Committee on Agriculture & Natural Resources (originally sponsored by Representatives Short, Fagan and Magendanz).

Brief History: Passed House: 2/12/14, 98-0.

Committee Activity: Natural Resources & Parks: 2/20/14.

SENATE COMMITTEE ON NATURAL RESOURCES & PARKS

Staff: Curt Gavigan (786-7437)

Background: Department of Fish and Wildlife (DFW) Generally. DFW serves as a manager of the state's fish and wildlife resources. Among other duties, DFW must preserve, protect, perpetuate, and manage fish and wildlife, including establishing the time, place, manner, and methods used to harvest or enjoy fish and wildlife.

HB 1112 (2013). In 2013 the Legislature enacted HB 1112 which directs DFW to identify the sources of information reviewed and relied on before taking a significant agency action. This includes identification of any peer-reviewed literature or other sources of information used. The DFW internet site must include the index of records relied upon or invoked in support of a proposal for significant agency action.

The term significant agency action, that serves to trigger this requirement, means an act of DFW that results in the following:

- a significant legislative rule under the Administrative Procedure Act;
- technical guidance, assessments, or documents use to support implementation of a rule or statute; or
- the development of fish and wildlife recovery plans.

Hunting and fishing rules and actions relating to individual permitting, compliance, or enforcement decisions are exempt from these requirements.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Summary of Bill: In addition to identifying the sources of information relied on before taking a significant agency action, DFW categorizes each source. The categories include the following:

- independent peer review;
- internal peer review;
- external peer review;
- open review;
- legal and policy documents; and
- other sources of information that do not fit into the above categories.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

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

Staff Summary of Public Testimony: PRO: This bill creates further government transparency and allows for better communication and understanding between the public, governmental agencies, and scientific advisors.

Persons Testifying: PRO: Representative Short, prime sponsor; Tom Davis, WA Farm Bureau; Jack Field, WA Cattlemen's Assn.; Wes McCart, Stevens County Commissioner.