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SENATE BILL 5321

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State of Washington

57th Legislature

2001 Regular Session

By Senators Costa, Roach, Kline, McCaslin, Long, Hargrove, Thibaudeau, Zarelli, Constantine and Haugen

Read first time 01/18/2001. Referred to Committee on Judiciary.

1 AN ACT Relating to creating a certification process and oversight  
2 mechanism for police service dog teams; reenacting and amending RCW  
3 42.17.310; adding a new chapter to Title 43 RCW; making an  
4 appropriation; and providing an effective date.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 NEW SECTION. **Sec. 1.** It is the intent of this act to enhance  
7 public safety and the quality of law enforcement. The legislature  
8 finds these goals may be achieved by establishing a minimum standard of  
9 performance for working police service dog teams and a procedure for  
10 certification of teams. The legislature further finds it necessary to  
11 create an oversight mechanism to promote efficient and responsible  
12 implementation of the certification process.

13 NEW SECTION. **Sec. 2.** The definitions in this section apply  
14 throughout this chapter unless the context clearly requires otherwise.

15 (1) "Canine training standards board" or "board" means the board  
16 established by the commission under section 5 of this act.

17 (2) "Certified" means a determination by the commission that a  
18 police service dog team has met the minimum standard.

1 (3) "Commission" means the Washington state criminal justice  
2 training commission.

3 (4) "Handler" means a person who is responsible for the routine  
4 care, control, and utilization of a police service dog for law  
5 enforcement purposes and is:

6 (a) Any commissioned law enforcement officer of an agency,  
7 including a state, county, city, municipality, or a combination thereof  
8 or an employee of the Washington state department of corrections;

9 (b) A person contracted to provide law enforcement services; or

10 (c) An employee of a local correctional facility.

11 (5) "Law enforcement purposes" means detection of contraband or  
12 evidence and apprehension of criminal suspects.

13 (6) "Master trainer" means a person who meets the criteria  
14 established in rule by the commission following consultation with  
15 individuals and groups with experience and expertise in training and  
16 handling police service dogs.

17 (7) "Police service dog" means a dog assigned or used by a handler  
18 for law enforcement purposes.

19 (8) "Police service dog team" or "team" means a dog and handler  
20 that is certified as a team.

21 NEW SECTION. **Sec. 3.** (1) A police service dog handler may not use  
22 a police service dog for law enforcement purposes unless the handler  
23 and dog are certified as a team, except as otherwise provided in this  
24 section.

25 (2) Any dog team provided to assist in law enforcement purposes is  
26 exempt from the certification requirement of this act only if: (a) The  
27 dog is owned by, and acts under the control of, an agency of the  
28 federal government which engages in law enforcement purposes; (b) the  
29 team is provided on a temporary basis not exceeding forty-eight hours;  
30 and (c) the dog and its handler meet the internal minimum performance  
31 standards of the agency of the federal government which owns or  
32 controls the dog.

33 (3) If any law enforcement agency is, prior to August 1, 2002,  
34 utilizing a police service dog and a handler for law enforcement  
35 purposes, the agency may continue the use until March 1, 2003. After  
36 March 1, 2003, the dog and handler must be certified as a team to be  
37 used for law enforcement purposes.

1 (4) Any law enforcement agency that has not, prior to August 1,  
2 2002, utilized a police service dog and a handler for law enforcement  
3 purposes must obtain certification before deploying a team.

4 (5) Upon determination by the commission that a law enforcement  
5 agency or the department of corrections has deployed a police service  
6 dog and handler not certified pursuant to this chapter, the commission  
7 may issue an order directing the agency or department to immediately  
8 cease the unauthorized deployment.

9 (6) If the agency or department does not discontinue the  
10 unauthorized deployment, the commission may seek appropriate injunctive  
11 relief in the superior court of the county in which the agency or  
12 department is located.

13 NEW SECTION. **Sec. 4.** (1) The commission is directed to develop a  
14 minimum performance standard for each category of police service dog  
15 and handler, with the categories being derived from the law enforcement  
16 functions that the police service dogs and handlers perform. Each  
17 police service dog and handler must meet the standard for its category  
18 in order to become a team.

19 (2) The commission is directed to implement a process through which  
20 police service dogs and their handlers will be tested for  
21 certification. The commission is authorized to charge a fee for the  
22 purpose of conducting certification tests.

23 (3) The commission shall establish minimum training hours for  
24 police service dogs and handlers that must be completed prior to  
25 testing for certification. Prior to testing a police service dog and  
26 a handler for certification, the chief of police, sheriff, secretary of  
27 corrections, or chief of the Washington state patrol must submit an  
28 affidavit verifying that the required hours of training have been  
29 successfully completed by the police service dog and handler.

30 (4) The initial certification of police service dog teams is valid  
31 for one year. Recertification shall be valid for a period of time as  
32 determined by the commission.

33 NEW SECTION. **Sec. 5.** (1) The commission is directed to create the  
34 canine training standards board. The commission is directed to  
35 endeavor to ensure the composition of the board will include persons  
36 experienced with patrol, detector, and tracking police service dogs.  
37 The board shall, in consultation with the board on law enforcement

1 training standards and education, set minimum performance standards and  
2 develop model training and performance standards for police service  
3 dogs and handlers. The model training and model performance standards  
4 may be used by local jurisdictions in developing their own canine  
5 programs.

6 (2) The board shall review disputes related to the certification of  
7 police service dog teams and make recommendations to the commission.

8 (3) The board shall be comprised of:

9 (a) A representative of the Washington state patrol with police  
10 service dog experience;

11 (b) A representative of the department of corrections with police  
12 service dog experience;

13 (c) A representative of a nonprofit organization in Washington with  
14 expertise and experience in the training and evaluating of patrol,  
15 detector, and tracking police service dogs and handlers;

16 (d) A representative of a nationwide nonprofit organization with  
17 experience and expertise in the humane treatment of dogs;

18 (e) A master trainer from a county with a population of two hundred  
19 fifty thousand or more appointed by the Washington association of  
20 sheriffs and police chiefs in consultation with the Washington council  
21 of police and sheriffs and the bargaining unit representing  
22 commissioned officers in any county with a population of one million or  
23 more;

24 (f) A representative of the county legislative authority appointed  
25 by the presiding officer of the Washington association of counties from  
26 a county with a population of two hundred fifty thousand or more that  
27 deploys a police service dog and handler for law enforcement purposes  
28 and, after March 1, 2003, is certified as a team;

29 (g) A master trainer from a city with a population of one hundred  
30 thousand or more appointed by the Washington association of sheriffs  
31 and police chiefs in consultation with the Washington council of police  
32 and sheriffs and the bargaining unit representing commissioned officers  
33 in any city with a population of four hundred thousand or more;

34 (h) A representative of the association of Washington cities  
35 appointed by the presiding officer of the association of Washington  
36 cities from a city with a population of one hundred thousand or more  
37 that deploys a police service dog and handler for law enforcement  
38 purposes and, after March 1, 2003, is certified as a team;

1 (i) Two persons, one with police service dog experience, appointed  
2 by the association of Washington cities from a city with a population  
3 of less than one hundred thousand;

4 (j) Two persons, one with police service dog experience, appointed  
5 by the Washington association of counties from a county with a  
6 population of less than two hundred fifty thousand;

7 (k) One representative to be appointed by the governor.

8 Prior to making the appointments requiring police service dog  
9 experience in (i) and (j) of this subsection, the Washington  
10 association of counties and the association of Washington cities shall  
11 consult with the Washington association of sheriffs and police chiefs  
12 and the Washington council of police and sheriffs.

13 (4) The board is a class 1 group under RCW 43.03.220 except that  
14 any member of the public appointed to the board is eligible for  
15 compensation under RCW 43.03.240(2).

16 (5) The members of the board shall serve three-year terms and shall  
17 serve until qualified successors are appointed. However, the  
18 commission shall by rule provide shorter initial terms for some of the  
19 members of the board to stagger the expiration of the initial terms so  
20 that approximately equal numbers of members' terms will expire each  
21 year.

22 (6) The board shall hold its initial meeting not later than  
23 November 1, 2001.

24 NEW SECTION. **Sec. 6.** (1) Any person claiming to be aggrieved by  
25 an act relating to the certification of a police service dog team may,  
26 personally or by his or her attorney, make, sign, and file with the  
27 commission a complaint in writing under oath or by declaration. The  
28 commission does not have jurisdiction to hear a complaint alleging  
29 negligent conduct by a certified team while engaged in law enforcement  
30 purposes.

31 (2) Any complaint filed pursuant to this section must be filed  
32 within thirty days after the alleged act giving rise to the complaint  
33 relating to certification of a police service dog team.

34 (3) After the filing of any complaint, the chairperson of the  
35 commission shall refer it to the appropriate section of the  
36 commission's staff for prompt investigation and ascertainment of the  
37 facts alleged in the complaint. The results of the investigation shall

1 be reduced to written findings of fact and a copy shall be provided to  
2 the complainant.

3 NEW SECTION. **Sec. 7.** (1) The entire file, including the complaint  
4 and any and all findings made, shall be certified to the chairperson of  
5 the commission. The chairperson of the commission may thereupon  
6 request the appointment of an administrative law judge under Title 34  
7 RCW to hear the complaint if the chairperson believes from the results  
8 of the investigation that there are reasonable grounds to conclude that  
9 a violation of this chapter may have occurred. If the chairperson  
10 requests the appointment of an administrative law judge, he or she  
11 shall cause to be issued and served in the name of the commission a  
12 written notice, together with a copy of the complaint, as the same may  
13 have been amended, requiring the parties to appear and on the complaint  
14 at a hearing before the administrative law judge, at a time and place  
15 to be specified in such notice.

16 (2) The place of any such hearing may be the office of the  
17 commission or another place designated by it. The case in support of  
18 the complaint shall be presented at the hearing by counsel for the  
19 commission: PROVIDED, That the complainant may retain independent  
20 counsel and submit testimony and be fully heard. No member or employee  
21 of the commission who previously participated in the denial of  
22 certification shall participate in the hearing except as a witness, nor  
23 shall the member or employee participate in the deliberations of the  
24 administrative law judge in such case.

25 (3) The commission shall file a written answer to the complaint and  
26 appear at the hearing in person or otherwise, with or without counsel,  
27 and submit testimony and be fully heard. The commission has the right  
28 to cross-examine the complainant.

29 (4) The administrative law judge conducting any hearing may permit  
30 reasonable amendment to any complaint or answer. Testimony taken at  
31 the hearing shall be under oath and recorded.

32 (5) If, upon all the evidence, the administrative law judge finds  
33 that the commission has wrongfully denied certification, the  
34 administrative law judge shall state findings of fact and shall issue  
35 and file with the commission and cause to be served on the commission  
36 an order requiring the commission to certify the police service dog  
37 team.

1 (6) The final order of the administrative law judge shall include  
2 a notice to the parties of the right to obtain judicial review of the  
3 order by appeal in accordance with the provisions of RCW 34.05.510  
4 through 34.05.598, and that such appeal must be served and filed within  
5 thirty days after the service of the order on the parties.

6 (7) If, upon all the evidence, the administrative law judge finds  
7 that the commission correctly denied certification, the administrative  
8 law judge shall state findings of fact and shall similarly issue and  
9 file an order dismissing the complaint.

10 NEW SECTION. **Sec. 8.** (1) Every police service dog used by law  
11 enforcement or any other state or local governmental agency is required  
12 to be identified by a microchip as defined in RCW 16.57.010(13) or  
13 through the use of superior technology as designated by the commission.

14 (2) The microchip of any police service dog used by a state or  
15 local governmental agency may not be removed except for medical  
16 necessity. If it is necessary to remove the microchip, the reason for  
17 the removal must be documented, entered into the data base created by  
18 section 9 of this act, and a new microchip inserted unless the dog is  
19 permanently retired from service.

20 NEW SECTION. **Sec. 9.** (1) The commission is directed to develop  
21 and manage a centralized data base of information pertaining to all  
22 police service dogs used by Washington state and local governmental  
23 agencies. The data base shall be cumulative, updated, and contain the  
24 following information for each police service dog:

- 25 (a) Identification as required in section 8(1) of this act;
- 26 (b) Name;
- 27 (c) Breed;
- 28 (d) Type of training:
  - 29 (i) G = Generalist;
  - 30 (ii) N = Narcotic;
  - 31 (iii) B = Bomb;
  - 32 (iv) Xn = Cross-trained narcotic;
  - 33 (v) Xb = Cross-trained bomb;
  - 34 (vi) O = Other;
- 35 (e) Date acquired;
- 36 (f) Source of acquisition:
  - 37 (i) Vendor name, address, and telephone number;

- 1 (ii) Donated by private person, nonprofit entity, or other;
- 2 (g) Handler's name;
- 3 (h) Date of certification and recertifications;
- 4 (i) Date and reason released from service.

5 (2) Except as provided in RCW 42.17.310, the commission shall make  
6 this data base available through a web page and accessible by entering  
7 a dog's identification number as required in section 8(1) of this act.

8 (3) All records pertaining to training, utilization, and  
9 certification from acquisition to first certification pertaining to  
10 police service dogs are required to be kept by the agency with  
11 ownership of the police service dog and made available upon request.

12 NEW SECTION. **Sec. 10.** The commission shall adopt rules to  
13 implement this chapter.

14 **Sec. 11.** RCW 42.17.310 and 2000 c 134 s 3, 2000 c 56 s 1, and 2000  
15 c 6 s 5 are each reenacted and amended to read as follows:

16 (1) The following are exempt from public inspection and copying:

17 (a) Personal information in any files maintained for students in  
18 public schools, patients or clients of public institutions or public  
19 health agencies, or welfare recipients.

20 (b) Personal information in files maintained for employees,  
21 appointees, or elected officials of any public agency to the extent  
22 that disclosure would violate their right to privacy.

23 (c) Information required of any taxpayer in connection with the  
24 assessment or collection of any tax if the disclosure of the  
25 information to other persons would (i) be prohibited to such persons by  
26 RCW 84.08.210, 82.32.330, 84.40.020, or 84.40.340 or (ii) violate the  
27 taxpayer's right to privacy or result in unfair competitive  
28 disadvantage to the taxpayer.

29 (d) Specific intelligence information and specific investigative  
30 records compiled by investigative, law enforcement, and penology  
31 agencies, and state agencies vested with the responsibility to  
32 discipline members of any profession, the nondisclosure of which is  
33 essential to effective law enforcement or for the protection of any  
34 person's right to privacy.

35 (e) Information revealing the identity of persons who are witnesses  
36 to or victims of crime or who file complaints with investigative, law  
37 enforcement, or penology agencies, other than the public disclosure



1 commission, if disclosure would endanger any person's life, physical  
2 safety, or property. If at the time a complaint is filed the  
3 complainant, victim or witness indicates a desire for disclosure or  
4 nondisclosure, such desire shall govern. However, all complaints filed  
5 with the public disclosure commission about any elected official or  
6 candidate for public office must be made in writing and signed by the  
7 complainant under oath.

8 (f) Test questions, scoring keys, and other examination data used  
9 to administer a license, employment, or academic examination.

10 (g) Except as provided by chapter 8.26 RCW, the contents of real  
11 estate appraisals, made for or by any agency relative to the  
12 acquisition or sale of property, until the project or prospective sale  
13 is abandoned or until such time as all of the property has been  
14 acquired or the property to which the sale appraisal relates is sold,  
15 but in no event shall disclosure be denied for more than three years  
16 after the appraisal.

17 (h) Valuable formulae, designs, drawings, computer source code or  
18 object code, and research data obtained by any agency within five years  
19 of the request for disclosure when disclosure would produce private  
20 gain and public loss.

21 (i) Preliminary drafts, notes, recommendations, and intra-agency  
22 memorandums in which opinions are expressed or policies formulated or  
23 recommended except that a specific record shall not be exempt when  
24 publicly cited by an agency in connection with any agency action.

25 (j) Records which are relevant to a controversy to which an agency  
26 is a party but which records would not be available to another party  
27 under the rules of pretrial discovery for causes pending in the  
28 superior courts.

29 (k) Records, maps, or other information identifying the location of  
30 archaeological sites in order to avoid the looting or depredation of  
31 such sites.

32 (l) Any library record, the primary purpose of which is to maintain  
33 control of library materials, or to gain access to information, which  
34 discloses or could be used to disclose the identity of a library user.

35 (m) Financial information supplied by or on behalf of a person,  
36 firm, or corporation for the purpose of qualifying to submit a bid or  
37 proposal for (i) a ferry system construction or repair contract as  
38 required by RCW 47.60.680 through 47.60.750 or (ii) highway  
39 construction or improvement as required by RCW 47.28.070.

1 (n) Railroad company contracts filed prior to July 28, 1991, with  
2 the utilities and transportation commission under RCW 81.34.070, except  
3 that the summaries of the contracts are open to public inspection and  
4 copying as otherwise provided by this chapter.

5 (o) Financial and commercial information and records supplied by  
6 private persons pertaining to export services provided pursuant to  
7 chapter 43.163 RCW and chapter 53.31 RCW, and by persons pertaining to  
8 export projects pursuant to RCW 43.23.035.

9 (p) Financial disclosures filed by private vocational schools under  
10 chapters 28B.85 and 28C.10 RCW.

11 (q) Records filed with the utilities and transportation commission  
12 or attorney general under RCW 80.04.095 that a court has determined are  
13 confidential under RCW 80.04.095.

14 (r) Financial and commercial information and records supplied by  
15 businesses or individuals during application for loans or program  
16 services provided by chapters 43.163, 43.160, 43.330, and 43.168 RCW,  
17 or during application for economic development loans or program  
18 services provided by any local agency.

19 (s) Membership lists or lists of members or owners of interests of  
20 units in timeshare projects, subdivisions, camping resorts,  
21 condominiums, land developments, or common-interest communities  
22 affiliated with such projects, regulated by the department of  
23 licensing, in the files or possession of the department.

24 (t) All applications for public employment, including the names of  
25 applicants, resumes, and other related materials submitted with respect  
26 to an applicant.

27 (u) The residential addresses and residential telephone numbers of  
28 employees or volunteers of a public agency which are held by the agency  
29 in personnel records, employment or volunteer rosters, or mailing lists  
30 of employees or volunteers.

31 (v) The residential addresses and residential telephone numbers of  
32 the customers of a public utility contained in the records or lists  
33 held by the public utility of which they are customers, except that  
34 this information may be released to the division of child support or  
35 the agency or firm providing child support enforcement for another  
36 state under Title IV-D of the federal social security act, for the  
37 establishment, enforcement, or modification of a support order.

38 (w)(i) The federal social security number of individuals governed  
39 under chapter 18.130 RCW maintained in the files of the department of

1 health, except this exemption does not apply to requests made directly  
2 to the department from federal, state, and local agencies of  
3 government, and national and state licensing, credentialing,  
4 investigatory, disciplinary, and examination organizations; (ii) the  
5 current residential address and current residential telephone number of  
6 a health care provider governed under chapter 18.130 RCW maintained in  
7 the files of the department, if the provider requests that this  
8 information be withheld from public inspection and copying, and  
9 provides to the department an accurate alternate or business address  
10 and business telephone number. On or after January 1, 1995, the  
11 current residential address and residential telephone number of a  
12 health care provider governed under RCW 18.130.040 maintained in the  
13 files of the department shall automatically be withheld from public  
14 inspection and copying unless the provider specifically requests the  
15 information be released, and except as provided for under RCW  
16 42.17.260(9).

17 (x) Information obtained by the board of pharmacy as provided in  
18 RCW 69.45.090.

19 (y) Information obtained by the board of pharmacy or the department  
20 of health and its representatives as provided in RCW 69.41.044,  
21 69.41.280, and 18.64.420.

22 (z) Financial information, business plans, examination reports, and  
23 any information produced or obtained in evaluating or examining a  
24 business and industrial development corporation organized or seeking  
25 certification under chapter 31.24 RCW.

26 (aa) Financial and commercial information supplied to the state  
27 investment board by any person when the information relates to the  
28 investment of public trust or retirement funds and when disclosure  
29 would result in loss to such funds or in private loss to the providers  
30 of this information.

31 (bb) Financial and valuable trade information under RCW 51.36.120.

32 (cc) Client records maintained by an agency that is a domestic  
33 violence program as defined in RCW 70.123.020 or 70.123.075 or a rape  
34 crisis center as defined in RCW 70.125.030.

35 (dd) Information that identifies a person who, while an agency  
36 employee: (i) Seeks advice, under an informal process established by  
37 the employing agency, in order to ascertain his or her rights in  
38 connection with a possible unfair practice under chapter 49.60 RCW

1 against the person; and (ii) requests his or her identity or any  
2 identifying information not be disclosed.

3 (ee) Investigative records compiled by an employing agency  
4 conducting a current investigation of a possible unfair practice under  
5 chapter 49.60 RCW or of a possible violation of other federal, state,  
6 or local laws prohibiting discrimination in employment.

7 (ff) Business related information protected from public inspection  
8 and copying under RCW 15.86.110.

9 (gg) Financial, commercial, operations, and technical and research  
10 information and data submitted to or obtained by the clean Washington  
11 center in applications for, or delivery of, program services under  
12 chapter 70.95H RCW.

13 (hh) Information and documents created specifically for, and  
14 collected and maintained by a quality improvement committee pursuant to  
15 RCW 43.70.510 or 70.41.200, or by a peer review committee under RCW  
16 4.24.250, regardless of which agency is in possession of the  
17 information and documents.

18 (ii) Personal information in files maintained in a data base  
19 created under RCW 43.07.360.

20 (jj) Financial and commercial information requested by the public  
21 stadium authority from any person or organization that leases or uses  
22 the stadium and exhibition center as defined in RCW 36.102.010.

23 (kk) Names of individuals residing in emergency or transitional  
24 housing that are furnished to the department of revenue or a county  
25 assessor in order to substantiate a claim for property tax exemption  
26 under RCW 84.36.043.

27 (ll) The names, residential addresses, residential telephone  
28 numbers, and other individually identifiable records held by an agency  
29 in relation to a vanpool, carpool, or other ride-sharing program or  
30 service. However, these records may be disclosed to other persons who  
31 apply for ride-matching services and who need that information in order  
32 to identify potential riders or drivers with whom to share rides.

33 (mm) The personally identifying information of current or former  
34 participants or applicants in a paratransit or other transit service  
35 operated for the benefit of persons with disabilities or elderly  
36 persons.

37 (nn) The personally identifying information of persons who acquire  
38 and use transit passes and other fare payment media including, but not  
39 limited to, stored value smart cards and magnetic strip cards, except

1 that an agency may disclose this information to a person, employer,  
2 educational institution, or other entity that is responsible, in whole  
3 or in part, for payment of the cost of acquiring or using a transit  
4 pass or other fare payment media, or to the news media when reporting  
5 on public transportation or public safety. This information may also  
6 be disclosed at the agency's discretion to governmental agencies or  
7 groups concerned with public transportation or public safety.

8 (oo) Proprietary financial and commercial information that the  
9 submitting entity, with review by the department of health,  
10 specifically identifies at the time it is submitted and that is  
11 provided to or obtained by the department of health in connection with  
12 an application for, or the supervision of, an antitrust exemption  
13 sought by the submitting entity under RCW 43.72.310. If a request for  
14 such information is received, the submitting entity must be notified of  
15 the request. Within ten business days of receipt of the notice, the  
16 submitting entity shall provide a written statement of the continuing  
17 need for confidentiality, which shall be provided to the requester.  
18 Upon receipt of such notice, the department of health shall continue to  
19 treat information designated under this section as exempt from  
20 disclosure. If the requester initiates an action to compel disclosure  
21 under this chapter, the submitting entity must be joined as a party to  
22 demonstrate the continuing need for confidentiality.

23 (pp) Records maintained by the board of industrial insurance  
24 appeals that are related to appeals of crime victims' compensation  
25 claims filed with the board under RCW 7.68.110.

26 (qq) Financial and commercial information supplied by or on behalf  
27 of a person, firm, corporation, or entity under chapter 28B.95 RCW  
28 relating to the purchase or sale of tuition units and contracts for the  
29 purchase of multiple tuition units.

30 (rr) Any records of investigative reports prepared by any state,  
31 county, municipal, or other law enforcement agency pertaining to sex  
32 offenses contained in chapter 9A.44 RCW or sexually violent offenses as  
33 defined in RCW 71.09.020, which have been transferred to the Washington  
34 association of sheriffs and police chiefs for permanent electronic  
35 retention and retrieval pursuant to RCW 40.14.070(2)(b).

36 (ss) Credit card numbers, debit card numbers, electronic check  
37 numbers, card expiration dates, or bank or other financial account  
38 numbers supplied to an agency for the purpose of electronic transfer of  
39 funds, except when disclosure is expressly required by law.

1 (tt) Financial information, including but not limited to account  
2 numbers and values, and other identification numbers supplied by or on  
3 behalf of a person, firm, corporation, limited liability company,  
4 partnership, or other entity related to an application for a liquor  
5 license, gambling license, or lottery retail license.

6 (uu) Records maintained by the employment security department and  
7 subject to chapter 50.13 RCW if provided to another individual or  
8 organization for operational, research, or evaluation purposes.

9 (vv) Individually identifiable information received by the work  
10 force training and education coordinating board for research or  
11 evaluation purposes.

12 (ww) Information collected pursuant to section 9(1)(d) (iii) and  
13 (v) of this act.

14 (2) Except for information described in subsection (1)(c)(i) of  
15 this section and confidential income data exempted from public  
16 inspection pursuant to RCW 84.40.020, the exemptions of this section  
17 are inapplicable to the extent that information, the disclosure of  
18 which would violate personal privacy or vital governmental interests,  
19 can be deleted from the specific records sought. No exemption may be  
20 construed to permit the nondisclosure of statistical information not  
21 descriptive of any readily identifiable person or persons.

22 (3) Inspection or copying of any specific records exempt under the  
23 provisions of this section may be permitted if the superior court in  
24 the county in which the record is maintained finds, after a hearing  
25 with notice thereof to every person in interest and the agency, that  
26 the exemption of such records is clearly unnecessary to protect any  
27 individual's right of privacy or any vital governmental function.

28 (4) Agency responses refusing, in whole or in part, inspection of  
29 any public record shall include a statement of the specific exemption  
30 authorizing the withholding of the record (or part) and a brief  
31 explanation of how the exemption applies to the record withheld.

32 NEW SECTION. Sec. 12. Sections 1 through 10 of this act  
33 constitute a new chapter in Title 43 RCW.

34 NEW SECTION. Sec. 13. The sum of . . . . . dollars, or as much  
35 thereof as may be necessary, is appropriated for the fiscal year ending  
36 June 30, 2003, from the general fund to the criminal justice training  
37 commission for the purposes of this act.

1      NEW SECTION.    **Sec. 14.**    This act takes effect August 1, 2001.

--- END ---