

HB 2331 - S COMM AMD

By Committee on Natural Resources, Ocean & Recreation

1 Strike everything after the enacting clause and insert the  
2 following:

3 "Sec. 1. RCW 42.56.430 and 2005 c 274 s 423 are each amended to  
4 read as follows:

5 The following information relating to fish and wildlife is exempt  
6 from disclosure under this chapter:

7 (1) Commercial fishing catch data from logbooks required to be  
8 provided to the department of fish and wildlife under RCW 77.12.047,  
9 when the data identifies specific catch location, timing, or  
10 methodology and the release of which would result in unfair competitive  
11 disadvantage to the commercial fisher providing the catch data,  
12 however, this information may be released to government agencies  
13 concerned with the management of fish and wildlife resources;

14 (2) Sensitive fish and wildlife data ((obtained)). Sensitive fish  
15 and wildlife data may be released to the following entities and their  
16 agents for fish, wildlife, land management purposes, or scientific  
17 research needs: Government agencies, public utilities, and accredited  
18 colleges and universities. Sensitive fish and wildlife data may be  
19 released to tribal governments. Sensitive fish and wildlife data may  
20 also be released to the owner, lessee, or right of way or easement  
21 holder of the private land to which the data pertains. The release of  
22 sensitive fish and wildlife data may be subject to a confidentiality  
23 agreement. Sensitive fish and wildlife data must meet the following  
24 criteria of this subsection as applied by the department of fish and  
25 wildlife((, however, sensitive wildlife data may be released to  
26 government agencies concerned with the management of fish and wildlife  
27 resources. As used in this subsection, sensitive wildlife data  
28 includes))):

29 (a) The nesting sites or specific locations of endangered species

1 designated under RCW 77.12.020, or threatened or sensitive species  
2 classified by rule of the department of fish and wildlife;

3 (b) Radio frequencies used in, or locational data generated by,  
4 telemetry studies; or

5 (c) Other location data that could compromise the viability of a  
6 specific fish or wildlife population, and where at least one of the  
7 following criteria are met:

8 (i) The species has a known commercial or black market value;

9 (ii) There is a history of malicious take of that species; or

10 (iii) There is a known demand to visit, take, or disturb, (~~and~~)  
11 or the species behavior or ecology renders it especially vulnerable or  
12 the species has an extremely limited distribution and concentration;  
13 and

14 (3) The personally identifying information of persons who acquire  
15 recreational licenses under RCW 77.32.010 or commercial licenses under  
16 chapter 77.65 or 77.70 RCW, except name, address of contact used by the  
17 department, and type of license, endorsement, or tag; however, the  
18 department of fish and wildlife may disclose personally identifying  
19 information to:

20 (a) Government agencies concerned with the management of fish and  
21 wildlife resources;

22 (b) The department of social and health services, child support  
23 division, and to the department of licensing in order to implement RCW  
24 77.32.014 and 46.20.291; and

25 (c) Law enforcement agencies for the purpose of firearm possession  
26 enforcement under RCW 9.41.040.

27 NEW SECTION. **Sec. 2.** Section 1 of this act takes effect July 1,  
28 2006."

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29 On page 1, line 2 of the title, after "data;" strike the remainder

1 of the title and insert "amending RCW 42.56.430; and providing an  
2 effective date."

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