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**SUBSTITUTE HOUSE BILL 2350**

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**State of Washington                      59th Legislature                      2006 Regular Session**

**By** House Committee on State Government Operations & Accountability  
(originally sponsored by Representatives Morris, Hudgins and B. Sullivan)

READ FIRST TIME 02/03/06.

1            AN ACT Relating to disclosure of energy infrastructure information;  
2 amending RCW 42.56.330; reenacting and amending RCW 42.17.310;  
3 providing an effective date; and providing an expiration date.

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

5            **Sec. 1.** RCW 42.17.310 and 2005 c 424 s 16, 2005 c 349 s 1, 2005 c  
6 312 s 6, 2005 c 284 s 1, 2005 c 172 s 13, and 2005 c 33 s 4 are each  
7 reenacted and amended to read as follows:

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

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

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

15            (c) Information required of any taxpayer in connection with the  
16 assessment or collection of any tax if the disclosure of the  
17 information to other persons would (i) be prohibited to such persons by  
18 RCW 84.08.210, 82.32.330, 84.40.020, or 84.40.340 or (ii) violate the

1 taxpayer's right to privacy or result in unfair competitive  
2 disadvantage to the taxpayer.

3 (d) Specific intelligence information and specific investigative  
4 records compiled by investigative, law enforcement, and penology  
5 agencies, and state agencies vested with the responsibility to  
6 discipline members of any profession, the nondisclosure of which is  
7 essential to effective law enforcement or for the protection of any  
8 person's right to privacy.

9 (e) Information revealing the identity of persons who are witnesses  
10 to or victims of crime or who file complaints with investigative, law  
11 enforcement, or penology agencies, other than the public disclosure  
12 commission, if disclosure would endanger any person's life, physical  
13 safety, or property. If at the time a complaint is filed the  
14 complainant, victim or witness indicates a desire for disclosure or  
15 nondisclosure, such desire shall govern. However, all complaints filed  
16 with the public disclosure commission about any elected official or  
17 candidate for public office must be made in writing and signed by the  
18 complainant under oath.

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

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

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

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

36 (j) Records which are relevant to a controversy to which an agency  
37 is a party but which records would not be available to another party

1 under the rules of pretrial discovery for causes pending in the  
2 superior courts.

3 (k) Records, maps, or other information identifying the location of  
4 archaeological sites in order to avoid the looting or depredation of  
5 such sites.

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

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

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

18 (o) Financial and commercial information and records supplied by  
19 private persons pertaining to export services provided pursuant to  
20 chapter 43.163 RCW and chapter 53.31 RCW, and by persons pertaining to  
21 export projects pursuant to RCW 43.23.035.

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

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

27 (r) Financial and commercial information and records supplied by  
28 businesses or individuals during application for loans or program  
29 services provided by chapters 43.163, 43.160, 43.330, and 43.168 RCW,  
30 or during application for economic development loans or program  
31 services provided by any local agency.

32 (s) Membership lists or lists of members or owners of interests of  
33 units in timeshare projects, subdivisions, camping resorts,  
34 condominiums, land developments, or common-interest communities  
35 affiliated with such projects, regulated by the department of  
36 licensing, in the files or possession of the department.

37 (t) All applications for public employment, including the names of

1 applicants, resumes, and other related materials submitted with respect  
2 to an applicant.

3 (u) The residential addresses, residential telephone numbers,  
4 personal wireless telephone numbers, personal electronic mail  
5 addresses, Social Security numbers, and emergency contact information  
6 of employees or volunteers of a public agency, and the names, dates of  
7 birth, residential addresses, residential telephone numbers, personal  
8 wireless telephone numbers, personal electronic mail addresses, Social  
9 Security numbers, and emergency contact information of dependents of  
10 employees or volunteers of a public agency, which are held by any  
11 public agency in personnel records, public employment related records,  
12 or volunteer rosters, or are included in any mailing list of employees  
13 or volunteers of any public agency. For purposes of this subsection,  
14 "employees" includes independent provider home care workers as defined  
15 in RCW 74.39A.240.

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

23 (w)(i) The federal social security number of individuals governed  
24 under chapter 18.130 RCW maintained in the files of the department of  
25 health, except this exemption does not apply to requests made directly  
26 to the department from federal, state, and local agencies of  
27 government, and national and state licensing, credentialing,  
28 investigatory, disciplinary, and examination organizations; (ii) the  
29 current residential address and current residential telephone number of  
30 a health care provider governed under chapter 18.130 RCW maintained in  
31 the files of the department, if the provider requests that this  
32 information be withheld from public inspection and copying, and  
33 provides to the department an accurate alternate or business address  
34 and business telephone number. On or after January 1, 1995, the  
35 current residential address and residential telephone number of a  
36 health care provider governed under RCW 18.130.040 maintained in the  
37 files of the department shall automatically be withheld from public

1 inspection and copying unless the provider specifically requests the  
2 information be released, and except as provided for under RCW  
3 42.17.260(9).

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

6 (y) Information obtained by the board of pharmacy or the department  
7 of health and its representatives as provided in RCW 69.41.044,  
8 69.41.280, and 18.64.420.

9 (z) Financial information, business plans, examination reports, and  
10 any information produced or obtained in evaluating or examining a  
11 business and industrial development corporation organized or seeking  
12 certification under chapter 31.24 RCW.

13 (aa) Financial and commercial information supplied to the state  
14 investment board by any person when the information relates to the  
15 investment of public trust or retirement funds and when disclosure  
16 would result in loss to such funds or in private loss to the providers  
17 of this information.

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

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

22 (dd) Information that identifies a person who, while an agency  
23 employee: (i) Seeks advice, under an informal process established by  
24 the employing agency, in order to ascertain his or her rights in  
25 connection with a possible unfair practice under chapter 49.60 RCW  
26 against the person; and (ii) requests his or her identity or any  
27 identifying information not be disclosed.

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

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

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

1 (hh) Information and documents created specifically for, and  
2 collected and maintained by, a quality improvement committee pursuant  
3 to RCW 43.70.510 or 70.41.200, by a peer review committee under RCW  
4 4.24.250, or by a quality assurance committee pursuant to RCW 74.42.640  
5 or 18.20.390, regardless of which agency is in possession of the  
6 information and documents.

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

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

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

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

22 (mm) The personally identifying information of current or former  
23 participants or applicants in a paratransit or other transit service  
24 operated for the benefit of persons with disabilities or elderly  
25 persons.

26 (nn) The personally identifying information of persons who acquire  
27 and use transit passes and other fare payment media including, but not  
28 limited to, stored value smart cards and magnetic strip cards, except  
29 that an agency may disclose this information to a person, employer,  
30 educational institution, or other entity that is responsible, in whole  
31 or in part, for payment of the cost of acquiring or using a transit  
32 pass or other fare payment media, or to the news media when reporting  
33 on public transportation or public safety. This information may also  
34 be disclosed at the agency's discretion to governmental agencies or  
35 groups concerned with public transportation or public safety.

36 (oo) Proprietary financial and commercial information that the  
37 submitting entity, with review by the department of health,  
38 specifically identifies at the time it is submitted and that is

1 provided to or obtained by the department of health in connection with  
2 an application for, or the supervision of, an antitrust exemption  
3 sought by the submitting entity under RCW 43.72.310. If a request for  
4 such information is received, the submitting entity must be notified of  
5 the request. Within ten business days of receipt of the notice, the  
6 submitting entity shall provide a written statement of the continuing  
7 need for confidentiality, which shall be provided to the requester.  
8 Upon receipt of such notice, the department of health shall continue to  
9 treat information designated under this section as exempt from  
10 disclosure. If the requester initiates an action to compel disclosure  
11 under this chapter, the submitting entity must be joined as a party to  
12 demonstrate the continuing need for confidentiality.

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

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

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

26 (ss) Credit card numbers, debit card numbers, electronic check  
27 numbers, card expiration dates, or bank or other financial account  
28 numbers, except when disclosure is expressly required by or governed by  
29 other law.

30 (tt) Financial information, including but not limited to account  
31 numbers and values, and other identification numbers supplied by or on  
32 behalf of a person, firm, corporation, limited liability company,  
33 partnership, or other entity related to an application for a horse  
34 racing license submitted pursuant to RCW 67.16.260(1)(b), liquor  
35 license, gambling license, or lottery retail license.

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

1 (vv) Individually identifiable information received by the work  
2 force training and education coordinating board for research or  
3 evaluation purposes.

4 (ww) Those portions of records assembled, prepared, or maintained  
5 to prevent, mitigate, or respond to criminal terrorist acts, which are  
6 acts that significantly disrupt the conduct of government or of the  
7 general civilian population of the state or the United States and that  
8 manifest an extreme indifference to human life, the public disclosure  
9 of which would have a substantial likelihood of threatening public  
10 safety, consisting of:

11 (i) Specific and unique vulnerability assessments or specific and  
12 unique response or deployment plans, including compiled underlying data  
13 collected in preparation of or essential to the assessments, or to the  
14 response or deployment plans; and

15 (ii) Records not subject to public disclosure under federal law  
16 that are shared by federal or international agencies, and information  
17 prepared from national security briefings provided to state or local  
18 government officials related to domestic preparedness for acts of  
19 terrorism.

20 (xx) Commercial fishing catch data from logbooks required to be  
21 provided to the department of fish and wildlife under RCW 77.12.047,  
22 when the data identifies specific catch location, timing, or  
23 methodology and the release of which would result in unfair competitive  
24 disadvantage to the commercial fisher providing the catch data.  
25 However, this information may be released to government agencies  
26 concerned with the management of fish and wildlife resources.

27 (yy) Sensitive wildlife data obtained by the department of fish and  
28 wildlife. However, sensitive wildlife data may be released to  
29 government agencies concerned with the management of fish and wildlife  
30 resources. Sensitive wildlife data includes:

31 (i) The nesting sites or specific locations of endangered species  
32 designated under RCW 77.12.020, or threatened or sensitive species  
33 classified by rule of the department of fish and wildlife;

34 (ii) Radio frequencies used in, or locational data generated by,  
35 telemetry studies; or

36 (iii) Other location data that could compromise the viability of a  
37 specific fish or wildlife population, and where at least one of the  
38 following criteria are met:

- 1 (A) The species has a known commercial or black market value;  
2 (B) There is a history of malicious take of that species; or  
3 (C) There is a known demand to visit, take, or disturb, and the  
4 species behavior or ecology renders it especially vulnerable or the  
5 species has an extremely limited distribution and concentration.

6 (zz) The personally identifying information of persons who acquire  
7 recreational licenses under RCW 77.32.010 or commercial licenses under  
8 chapter 77.65 or 77.70 RCW, except name, address of contact used by the  
9 department, and type of license, endorsement, or tag. However, the  
10 department of fish and wildlife may disclose personally identifying  
11 information to:

12 (i) Government agencies concerned with the management of fish and  
13 wildlife resources;

14 (ii) The department of social and health services, child support  
15 division, and to the department of licensing in order to implement RCW  
16 77.32.014 and 46.20.291; and

17 (iii) Law enforcement agencies for the purpose of firearm  
18 possession enforcement under RCW 9.41.040.

19 (aaa)(i) Discharge papers of a veteran of the armed forces of the  
20 United States filed at the office of the county auditor before July 1,  
21 2002, that have not been commingled with other recorded documents.  
22 These records will be available only to the veteran, the veteran's next  
23 of kin, a deceased veteran's properly appointed personal representative  
24 or executor, a person holding that veteran's general power of attorney,  
25 or to anyone else designated in writing by that veteran to receive the  
26 records.

27 (ii) Discharge papers of a veteran of the armed forces of the  
28 United States filed at the office of the county auditor before July 1,  
29 2002, that have been commingled with other records, if the veteran has  
30 recorded a "request for exemption from public disclosure of discharge  
31 papers" with the county auditor. If such a request has been recorded,  
32 these records may be released only to the veteran filing the papers,  
33 the veteran's next of kin, a deceased veteran's properly appointed  
34 personal representative or executor, a person holding the veteran's  
35 general power of attorney, or anyone else designated in writing by the  
36 veteran to receive the records.

37 (iii) Discharge papers of a veteran filed at the office of the  
38 county auditor after June 30, 2002, are not public records, but will be

1 available only to the veteran, the veteran's next of kin, a deceased  
2 veteran's properly appointed personal representative or executor, a  
3 person holding the veteran's general power of attorney, or anyone else  
4 designated in writing by the veteran to receive the records.

5 (iv) For the purposes of this subsection (1)(aaa), next of kin of  
6 deceased veterans have the same rights to full access to the record.  
7 Next of kin are the veteran's widow or widower who has not remarried,  
8 son, daughter, father, mother, brother, and sister.

9 (bbb) Those portions of records containing specific and unique  
10 vulnerability assessments or specific and unique emergency and escape  
11 response plans at a city, county, or state adult or juvenile  
12 correctional facility, the public disclosure of which would have a  
13 substantial likelihood of threatening the security of a city, county,  
14 or state adult or juvenile correctional facility or any individual's  
15 safety.

16 (ccc) Information compiled by school districts or schools in the  
17 development of their comprehensive safe school plans pursuant to RCW  
18 28A.320.125, to the extent that they identify specific vulnerabilities  
19 of school districts and each individual school.

20 (ddd) Information regarding the infrastructure and security of  
21 computer and telecommunications networks, consisting of security  
22 passwords, security access codes and programs, access codes for secure  
23 software applications, security and service recovery plans, security  
24 risk assessments, and security test results to the extent that they  
25 identify specific system vulnerabilities.

26 (eee) Information obtained and exempted or withheld from public  
27 inspection by the health care authority under RCW 41.05.026, whether  
28 retained by the authority, transferred to another state purchased  
29 health care program by the authority, or transferred by the authority  
30 to a technical review committee created to facilitate the development,  
31 acquisition, or implementation of state purchased health care under  
32 chapter 41.05 RCW.

33 (fff) Proprietary data, trade secrets, or other information that  
34 relates to: (i) A vendor's unique methods of conducting business; (ii)  
35 data unique to the product or services of the vendor; or (iii)  
36 determining prices or rates to be charged for services, submitted by  
37 any vendor to the department of social and health services for purposes

1 of the development, acquisition, or implementation of state purchased  
2 health care as defined in RCW 41.05.011.

3 (ggg) The personally identifying information of persons who acquire  
4 and use transponders or other technology to facilitate payment of  
5 tolls. This information may be disclosed in aggregate form as long as  
6 the data does not contain any personally identifying information. For  
7 these purposes aggregate data may include the census tract of the  
8 account holder as long as any individual personally identifying  
9 information is not released. Personally identifying information may be  
10 released to law enforcement agencies only for toll enforcement  
11 purposes. Personally identifying information may be released to law  
12 enforcement agencies for other purposes only if the request is  
13 accompanied by a court order.

14 (hhh) Financial, commercial, operations, and technical and research  
15 information and data submitted to or obtained by the life sciences  
16 discovery fund authority in applications for, or delivery of, grants  
17 under chapter 43.350 RCW, to the extent that such information, if  
18 revealed, would reasonably be expected to result in private loss to the  
19 providers of this information.

20 (iii) Records of mediation communications that are privileged under  
21 chapter 7.07 RCW.

22 (jjj) Information revealing the location of the pipeline of natural  
23 gas and hazardous liquid pipelines, and information revealing the  
24 location of pipeline pressure regulators, compressor stations, metering  
25 facilities, taps, breakout tanks, cathodic protection test sites, or  
26 valves. However, natural gas and hazardous liquid pipeline location  
27 information contained on maps or map images of no greater detail than  
28 a scale of one to twenty-four thousand is not exempt. This information  
29 continues to be exempt from public disclosure if an agency:

30 (i) Provides to a pipeline operator pipeline information, otherwise  
31 exempt under this subsection, relating to that operator's pipeline; or

32 (ii) Shares pipeline information with another agency.

33 (2) Except for information described in subsection (1)(c)(i) of  
34 this section and confidential income data exempted from public  
35 inspection pursuant to RCW 84.40.020, the exemptions of this section  
36 are inapplicable to the extent that information, the disclosure of  
37 which would violate personal privacy or vital governmental interests,

1 can be deleted from the specific records sought. No exemption may be  
2 construed to permit the nondisclosure of statistical information not  
3 descriptive of any readily identifiable person or persons.

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

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

14 **Sec. 2.** RCW 42.56.330 and 2005 c 274 s 413 are each amended to  
15 read as follows:

16 The following information relating to public utilities and  
17 transportation is exempt from disclosure under this chapter:

18 (1) Records filed with the utilities and transportation commission  
19 or attorney general under RCW 80.04.095 that a court has determined are  
20 confidential under RCW 80.04.095;

21 (2) The residential addresses and residential telephone numbers of  
22 the customers of a public utility contained in the records or lists  
23 held by the public utility of which they are customers, except that  
24 this information may be released to the division of child support or  
25 the agency or firm providing child support enforcement for another  
26 state under Title IV-D of the federal social security act, for the  
27 establishment, enforcement, or modification of a support order;

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

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

1 (5) The personally identifying information of persons who acquire  
2 and use transit passes and other fare payment media including, but not  
3 limited to, stored value smart cards and magnetic strip cards, except  
4 that an agency may disclose this information to a person, employer,  
5 educational institution, or other entity that is responsible, in whole  
6 or in part, for payment of the cost of acquiring or using a transit  
7 pass or other fare payment media, or to the news media when reporting  
8 on public transportation or public safety. This information may also  
9 be disclosed at the agency's discretion to governmental agencies or  
10 groups concerned with public transportation or public safety;

11 (6) Records of any person that belong to a public utility district  
12 or a municipally owned electrical utility, unless the law enforcement  
13 authority provides the public utility district or municipally owned  
14 electrical utility with a written statement in which the authority  
15 states that it suspects that the particular person to whom the records  
16 pertain has committed a crime and the authority has a reasonable belief  
17 that the records could determine or help determine whether the  
18 suspicion might be true. Information obtained in violation of this  
19 subsection is inadmissible in any criminal proceeding; (~~and~~)

20 (7) Any information obtained by governmental agencies that is  
21 collected by the use of a motor carrier intelligent transportation  
22 system or any comparable information equipment attached to a truck,  
23 tractor, or trailer; however, the information may be given to other  
24 governmental agencies or the owners of the truck, tractor, or trailer  
25 from which the information is obtained. As used in this subsection,  
26 "motor carrier" has the same definition as provided in RCW 81.80.010;  
27 and

28 (8) Information revealing the location of the pipeline of natural  
29 gas and hazardous liquid pipelines, and information revealing the  
30 location of pipeline pressure regulators, compressor stations, metering  
31 facilities, taps, breakout tanks, cathodic protection test sites, or  
32 valves. However, natural gas and hazardous liquid pipeline location  
33 information contained on maps or map images of no greater detail than  
34 a scale of one to twenty-four thousand is not exempt. This information  
35 continues to be exempt from public disclosure if an agency:

36 (a) Provides to a pipeline operator pipeline information, otherwise  
37 exempt under this subsection, relating to that operator's pipeline; or

38 (b) Shares pipeline information with another agency.

1        NEW SECTION.   **Sec. 3.**   Section 1 of this act expires July 1, 2006.

2        NEW SECTION.   **Sec. 4.**   Section 2 of this act takes effect July 1,  
3        2006.

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