
SENATE BILL 5963

State of Washington

59th Legislature

2005 Regular Session

By Senators Rasmussen, Schoesler, Shin and Delvin

Read first time 02/16/2005. Referred to Committee on Agriculture & Rural Economic Development.

1 AN ACT Relating to assuring security of livestock information
2 provided to governmental agencies; creating new sections; and providing
3 an expiration date.

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

5 NEW SECTION. **Sec. 1.** The legislature finds that there is a new
6 national emphasis on the development of mechanisms for tracking the
7 origin of the food supply for food safety and homeland security
8 purposes. Systems are being developed for the registration of
9 livestock premises and identification of livestock for disease trace-
10 back and trace-forward purposes for protection of human and livestock
11 health. In addition, there are requirements for increased reporting
12 and for preparation of detailed farm plans for livestock operations for
13 protection of state waters. The legislature finds that successful
14 implementation of each of these systems will require submission to
15 public agencies of significant information from livestock operations
16 that had previously been deemed to be solely private information.

17 The legislature also finds in many cases that livestock facilities
18 and the home are considered as an extension of each other for which
19 there is a clear expectation of the right to privacy. There are

1 concerns that information considered as confidential business
2 information can be obtained by competitors including, but not limited
3 to, acreage planted to various crops, current livestock numbers, feed
4 supplies, and price, yield, and production information. Information,
5 photographs, and maps of livestock operations including location of
6 points of access, water sources for livestock, milk storage facilities,
7 and feed storage facilities provided to government agencies for
8 legitimate purposes could also be detrimental to the security of the
9 food supply and to the livestock operation if provided to those who
10 intend to damage facilities or livestock, or by the accidental or
11 intentional introduction of deleterious substances or contagious
12 diseases to such operations.

13 The legislature finds that while pursuing one set of public policy
14 objectives, care needs to be given to ensure that another set of public
15 policy objectives are not unduly compromised.

16 NEW SECTION. **Sec. 2.** (1) The task force on livestock information
17 security is created. The task force shall be comprised of eleven
18 members appointed as follows:

19 (a) Two members of the house of representatives, one from each
20 major caucus, to be appointed by the speaker of the house of
21 representatives;

22 (b) Two members of the senate, one from each major caucus, to be
23 appointed by the president of the senate;

24 (c) Seven members, to be appointed jointly by the speaker of the
25 house of representatives and the president of the senate, from
26 nominations submitted by the following organizations:

27 (i) One representative of commercial shellfish growers, nominated
28 by an organization representing these growers;

29 (ii) One representative of an environmental interest organization
30 nominated by a statewide environmental organization;

31 (iii) One representative of egg producers nominated by a statewide
32 organization representing egg producers in the state;

33 (iv) One representative of fryer producers nominated by a statewide
34 organization of fryer producers in the state;

35 (v) One representative of beef cattle producers nominated by
36 statewide organizations representing beef cattle producers in the
37 state;

1 (vi) One representative of dairy producers nominated by statewide
2 organizations representing dairy producers in the state; and

3 (vii) One representative of cattle feedlots, nominated by a
4 statewide organization representing cattle feedlots.

5 (2) The task force shall conduct a comprehensive review of the
6 information that is required to be furnished or held by state or local
7 governmental agencies. The task force shall develop recommendations,
8 including recommended legislation, that delineates the information
9 obtained from livestock operations that:

10 (a) Should be made available to the general public upon request;

11 (b) Should be made available to the public only upon a showing that
12 it would serve a legitimate public purpose;

13 (c) Should be retained as confidential because it is business
14 information; or

15 (d) Should be retained as confidential because its release would be
16 detrimental to the security of the food supply or the livestock
17 operation through potential damage of facilities or livestock, or the
18 accidental or intentional introduction of deleterious substances or
19 contagious diseases.

20 (3) The task force shall also evaluate whether to require:
21 Positive identification of the requestor; maintaining a record of those
22 who submitted the request; notification of the livestock operator of
23 the request for information about his or her operation; and a
24 determination of the purpose of the information request before its
25 release.

26 (4) The task force members shall elect a chair and determine its
27 operating procedures. The task force shall be jointly staffed by the
28 office of program research and senate committee services as determined
29 by their respective staff directors.

30 (5) By December 15, 2005, the task force shall provide an interim
31 report of its recommendations, including draft legislation to implement
32 the recommendations, regarding documents produced to implement the
33 livestock nutrient management program. By December 15, 2006, the task
34 force shall provide a final report of its recommendations, including
35 draft legislation to implement the recommendations, regarding documents
36 produced to implement the livestock disease trace-forward and trace-
37 back system. The reports shall be submitted to the chief clerk of the

1 house of representatives and the secretary of the senate.

2 (6) This section expires June 30, 2007.

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