
SUBSTITUTE SENATE BILL 6158

State of Washington

59th Legislature

2006 Regular Session

By Senate Committee on Natural Resources, Ocean & Recreation
(originally sponsored by Senators Jacobsen, Oke, Spanel, Doumit and Shin)

READ FIRST TIME 01/30/06.

1 AN ACT Relating to clarifying the public disclosure of sensitive
2 fish and wildlife data; amending RCW 42.56.430; and providing an
3 effective date.

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

5 **Sec. 1.** RCW 42.56.430 and 2005 c 274 s 423 are each amended to
6 read as follows:

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

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

16 (2) Sensitive fish and wildlife data ((obtained)). Sensitive fish
17 and wildlife data may be released to the following entities and their
18 agents for fish, wildlife, land management purposes, or scientific
19 research needs: Government agencies, public utilities, and accredited

1 colleges and universities. Sensitive wildlife data may also be
2 released to the owner, lessee, or right of way or easement holder of
3 the private land to which the data pertains. The release of sensitive
4 fish and wildlife data may be subject to a confidentiality agreement.
5 Sensitive fish and wildlife data must meet the following criteria of
6 this subsection as applied by the department of fish and wildlife((
7 ~~however, sensitive wildlife data may be released to government agencies~~
8 ~~concerned with the management of fish and wildlife resources. As used~~
9 ~~in this subsection, sensitive wildlife data includes)):~~

10 (a) The nesting sites or specific locations of endangered species
11 designated under RCW 77.12.020, or threatened or sensitive species
12 classified by rule of the department of fish and wildlife;

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

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

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

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

20 (iii) There is a known demand to visit, take, or disturb, ~~((and))~~
21 or the species behavior or ecology renders it especially vulnerable or
22 the species has an extremely limited distribution and concentration;
23 and

24 (3) The personally identifying information of persons who acquire
25 recreational licenses under RCW 77.32.010 or commercial licenses under
26 chapter 77.65 or 77.70 RCW, except name, address of contact used by the
27 department, and type of license, endorsement, or tag; however, the
28 department of fish and wildlife may disclose personally identifying
29 information to:

30 (a) Government agencies concerned with the management of fish and
31 wildlife resources;

32 (b) The department of social and health services, child support
33 division, and to the department of licensing in order to implement RCW
34 77.32.014 and 46.20.291; and

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

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

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