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SENATE BILL 6158

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State of Washington                      59th Legislature                      2006 Regular Session

By Senators Jacobsen, Oke, Spanel, Doumit and Shin

Read first time 01/09/2006.                      Referred to Committee on Natural Resources, Ocean & Recreation.

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 by the department of  
17 fish and wildlife, however, sensitive fish and wildlife data may be  
18 released to government agencies, public utilities, and their agents,  
19 and accredited colleges and universities concerned with ((the

1 ~~management of~~) fish and wildlife resources. Sensitive fish and  
2 wildlife data pertaining to the management of fish and wildlife  
3 resources on private land may be released to the owner of the land,  
4 lessee of the land, holder of a right of way or easement on the land,  
5 and their agent or agents. As used in this subsection, sensitive fish  
6 and wildlife data includes:

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

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

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

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

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

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

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

27 (a) Government agencies concerned with the management of fish and  
28 wildlife resources;

29 (b) The department of social and health services, child support  
30 division, and to the department of licensing in order to implement RCW  
31 77.32.014 and 46.20.291; and

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

34 NEW SECTION. **Sec. 2.** This act takes effect July 1, 2006.

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