

SENATE BILL REPORT

SB 6087

As Reported by Senate Committee On:
Agriculture, Water & Rural Economic Development, January 17, 2012

Title: An act relating to information regarding agriculture and livestock.

Brief Description: Regarding disclosure of information relating to agriculture and livestock.

Sponsors: Senators Hatfield, Schoesler, Hobbs, Shin and Roach.

Brief History:

Committee Activity: Agriculture, Water & Rural Economic Development: 1/16/12, 1/17/12
[DP].

SENATE COMMITTEE ON AGRICULTURE, WATER & RURAL ECONOMIC DEVELOPMENT

Majority Report: Do pass.

Signed by Senators Hatfield, Chair; Shin, Vice Chair; Honeyford, Ranking Minority Member; Becker, Delvin, Haugen, Hobbs and Schoesler.

Staff: Bob Lee (786-7404)

Background: The Department of Agriculture (AGR) administers the animal disease control program and the livestock identification program. The purpose of the animal disease control program is to prevent the spread of infectious, contagious, communicable, or other dangerous diseases within the state and from other states and provinces. AGR has several powers and duties including establishing quarantines, inspection and testing of animals, inspection of vehicles transporting animals, requiring certificates of veterinary inspection. AGR is authorized to enter property to conduct tests or other inspections of animals.

The livestock identification program provides a means to determine ownership of livestock. It has an ancillary benefit in that it also is useful in aiding animal disease traceability. AGR continues to work with the industry on improving the system to trace the origin of animal diseases and to determining what other animals the infected animal may have come into contact.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

In the process of administering animal disease and identification programs, AGR collects information that is considered as proprietary pertaining to numbers of animals, locations, purchase and sale information, and information related to livestock diseases or injury.

There is an existing exemption from public disclosure requirements for information submitted to AGR for the purpose of the National Animal Identification System (NAIS). The United States Department of Agriculture (USDA) has since withdrawn NAIS, which was intended to provide a national animal disease tracking capability. This exemption did not prevent disclosure to local, state, or federal officials, nor to disclosure of information used in reportable animal health investigations once they are complete.

Summary of Bill: Reference to NAIS is eliminated and replaced with herd inventory management for animal disease traceability. The types of information that are not subject to public disclosure are listed and include animal ownership, numbers of animals, locations, contact information, movements of livestock, financial information, purchase and sale information, account numbers, unique identifiers issued by government to private entities, and information related to livestock diseases that would identify a specific animal, person, or location. Retained is the ability to furnish this information to other governmental agencies. Also retained is the ability to disclose information relating to a reportable animal health investigation once the investigation is complete.

Records of international livestock importation that identify a particular animal, business, or individual received from the United States Department of Homeland Security (DHS) or USDA, and which are not disclosable by the federal agency under federal law, are exempt from state disclosure requirements.

Records related to the entry of prohibited agricultural products for importation into the state received from DHS or USDA that are not disclosable by the federal agency under federal law are exempt from state disclosure requirements.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: None.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: Adapting the existing exemption provides comfort to livestock producers that their competitors won't be able to access proprietary information, thus making producers more willing to submit the information needed by AGR to trace animals and control animal diseases. Adding an exemption from state disclosure laws for information that is exempt from federal disclosure requirements will allow the federal agencies to more freely share information on importation of livestock and agricultural products and improve the effectiveness of the program.

Persons Testifying: Pro: Jack Field, WA Cattlemen's Assn.; Mark Streuli, AGR.