

CERTIFICATION OF ENROLLMENT
ENGROSSED SUBSTITUTE HOUSE BILL 1465

65th Legislature
2017 Regular Session

Passed by the House April 20, 2017
Yeas 92 Nays 4

Speaker of the House of Representatives

Passed by the Senate April 19, 2017
Yeas 45 Nays 4

President of the Senate

Approved

Governor of the State of Washington

CERTIFICATE

I, Bernard Dean, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **ENGROSSED SUBSTITUTE HOUSE BILL 1465** as passed by House of Representatives and the Senate on the dates hereon set forth.

Chief Clerk

FILED

**Secretary of State
State of Washington**

ENGROSSED SUBSTITUTE HOUSE BILL 1465

AS AMENDED BY THE SENATE

Passed Legislature - 2017 Regular Session

State of Washington **65th Legislature** **2017 Regular Session**

By House State Government, Elections & Information Technology
(originally sponsored by Representatives Short, Lytton, Kretz,
Koster, Schmick, and Fitzgibbon)

READ FIRST TIME 02/17/17.

1 AN ACT Relating to exempting from public disclosure certain
2 information regarding reports on wolf depredations; amending RCW
3 42.56.430 and 77.12.885; adding a new section to chapter 42.56 RCW;
4 and providing an expiration date.

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

6 **Sec. 1.** RCW 42.56.430 and 2008 c 252 s 1 are each amended to
7 read as follows:

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

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

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

1 and universities. Sensitive fish and wildlife data may be released to
2 tribal governments. Sensitive fish and wildlife data may also be
3 released to the owner, lessee, or right-of-way or easement holder of
4 the private land to which the data pertains. The release of sensitive
5 fish and wildlife data may be subject to a confidentiality agreement,
6 except upon release of sensitive fish and wildlife data to the owner,
7 lessee, or right-of-way or easement holder of private land who
8 initially provided the data. Sensitive fish and wildlife data does
9 not include data related to reports of predatory wildlife as
10 specified in RCW 77.12.885. Sensitive fish and wildlife data must
11 meet at least one of the following criteria of this subsection as
12 applied by the department of fish and wildlife:

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

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

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

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

22 (ii) There is a history of malicious take of that species and the
23 species behavior or ecology renders it especially vulnerable;

24 (iii) There is a known demand to visit, take, or disturb the
25 species; or

26 (iv) The species has an extremely limited distribution and
27 concentration;

28 (3) The following information regarding any damage prevention
29 cooperative agreement, or nonlethal preventative measures deployed to
30 minimize wolf interactions with pets and livestock:

31 (a) The name, telephone number, residential address, and other
32 personally identifying information of any person who has a current
33 damage prevention cooperative agreement with the department,
34 including a pet or livestock owner, and his or her employees or
35 immediate family members, who agrees to deploy, or is responsible for
36 the deployment of, nonlethal, preventative measures; and

37 (b) The legal description or name of any residential property,
38 ranch, or farm, that is owned, leased, or used by any person included
39 in (a) of this subsection;

1 (4) The following information regarding a reported depredation by
2 wolves on pets or livestock:

3 (a) The name, telephone number, residential address, and other
4 personally identifying information of:

5 (i) Any person who reported the depredation;

6 (ii) Any pet or livestock owner, and his or her employees or
7 immediate family members, whose pet or livestock was the subject of a
8 reported depredation; and

9 (iii) Any department of fish and wildlife employee, range rider
10 contractor, or trapper contractor who directly:

11 (A) Responds to a depredation; or

12 (B) Assists in the lethal removal of a wolf; and

13 (b) The legal description, location coordinates, or name that
14 identifies any residential property, or ranch or farm that contains a
15 residence, that is owned, leased, or used by any person included in

16 (a) of this subsection;

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

23 (a) Government agencies concerned with the management of fish and
24 wildlife resources;

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

28 (c) Law enforcement agencies for the purpose of firearm
29 possession enforcement under RCW 9.41.040; and

30 ~~((+4))~~ (6) Information that the department of fish and wildlife
31 has received or accessed but may not disclose due to confidentiality
32 requirements in the Magnuson-Stevens fishery conservation and
33 management reauthorization act of 2006 (16 U.S.C. Sec. 1861(h)(3) and
34 (i), and Sec. 1881a(b)).

35 **Sec. 2.** RCW 77.12.885 and 2007 c 293 s 2 are each amended to
36 read as follows:

37 Except for the personal information on reported depredations by
38 wolves that is exempted from disclosure as provided in RCW 42.56.430,
39 the department shall post on its internet web site all reported

1 predatory wildlife interactions, including reported human safety
2 confrontations or sightings as well as the known details of reported
3 depredations by predatory wildlife on humans, pets, or livestock,
4 within ten days of receiving the report. The posted material must
5 include, but is not limited to, the location and time, the known
6 details, and a running summary of such reported interactions by
7 identified specie and interaction type within each affected county.
8 For the purposes of this section and RCW 42.56.430, "predatory
9 wildlife" means grizzly bears, wolves, and cougars.

10 NEW SECTION. **Sec. 3.** A new section is added to chapter 42.56
11 RCW to read as follows:

12 By December 1, 2021, the public records exemptions accountability
13 committee, in addition to its duties in RCW 42.56.140, must prepare
14 and submit a report to the legislature that includes recommendations
15 on whether the exemptions created in section 1, chapter . . . , Laws
16 of 2017 (section 1 of this act) should be continued or allowed to
17 expire. The report should focus on whether the exemption continues to
18 serve the intent of the legislature in section 1, chapter . . . , Laws
19 of 2017 (section 1 of this act) to provide protections of personal
20 information during the period the state establishes and implements
21 new policies regarding wolf management. The committee must consider
22 whether the development of wolf management policy, by the time of the
23 report, has diminished risks of threats to personal safety so that
24 the protection of personal information in section 1, chapter . . . ,
25 Laws of 2017 (section 1 of this act) is no longer an ongoing
26 necessity.

27 NEW SECTION. **Sec. 4.** This act expires June 30, 2022.

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