

HOUSE BILL REPORT

HB 1876

As Passed House:
February 12, 2024

Title: An act relating to confidential fisheries information collected by other states and maintaining that confidentiality under the public records act.

Brief Description: Concerning confidential fisheries information collected by other states and maintaining that confidentiality under the public records act.

Sponsors: Representatives Springer, McEntire, Reeves and Thai; by request of Department of Fish and Wildlife.

Brief History:

Committee Activity:

State Government & Tribal Relations: 1/17/24, 1/26/24 [DP].

Floor Activity:

Passed House: 2/12/24, 86-11.

Brief Summary of Bill

- Exempts from public disclosure certain confidential fishery-related information collected by other states.

HOUSE COMMITTEE ON STATE GOVERNMENT & TRIBAL RELATIONS

Majority Report: Do pass. Signed by 6 members: Representatives Ramos, Chair; Stearns, Vice Chair; Cheney, Ranking Minority Member; Christian, Assistant Ranking Minority Member; Gregerson and Mena.

Staff: Connor Schiff (786-7093).

Background:

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

The Public Records Act (PRA) requires state and local agencies to make their written records available to the public for inspection and copying upon request, unless the information fits into one of the various specific exemptions in the PRA or is otherwise provided in law. The stated policy of the PRA favors disclosure and requires narrow application of the listed exemptions.

The PRA exempts from public disclosure certain sensitive fish and wildlife data that is collected and shared by the Washington Department of Fish and Wildlife (WDFW) for research and management purposes. Sensitive fish and wildlife data generally includes location data or nesting sites of endangered or threatened wildlife as designated by the Fish and Wildlife Commission or the WDFW, or other location data that could compromise the viability of a certain fish or wildlife population. Sensitive fish and wildlife data does not include reported predatory wildlife interactions. Release of sensitive fish and wildlife data is subject to a confidentiality agreement, except for the release of sensitive fish and wildlife data to the owner, lessee, or right-of-way or easement holder of private land who initially provided the data.

Summary of Bill:

Fishery-related information that is collected by another state and is regarded as confidential under the laws of that state is exempt from public disclosure under the Public Records Act.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill contains multiple effective dates. Please see the bill.

Staff Summary of Public Testimony:

(In support) Fisheries are managed in cooperation with other states because fish move across state lines. Data is shared between states to effectively manage species that move across state lines. Commercial fisheries are required to maintain logbooks. Access to logbooks would give others a competitive advantage. The Department of Fish and Wildlife (WDFW) thought that this information was exempt under the Public Records Act but recently WDFW learned that there is no clear exemption for this information. A clear exemption is necessary for data sharing.

(Opposed) None.

Persons Testifying: Tom McBride, Department of Fish and Wildlife.

Persons Signed In To Testify But Not Testifying: None.