

SENATE BILL REPORT

HB 1876

As Passed Senate, February 27, 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: Passed House: 2/12/24, 86-11.

Committee Activity: State Government & Elections: 2/16/24, 2/20/24 [DP, w/oRec].

Floor Activity: Passed Senate: 2/27/24, 48-0.

Brief Summary of Bill

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

SENATE COMMITTEE ON STATE GOVERNMENT & ELECTIONS

Majority Report: Do pass.

Signed by Senators Hunt, Chair; Valdez, Vice Chair; Hasegawa and Kuderer.

Minority Report: That it be referred without recommendation.

Signed by Senators Wilson, J., Ranking Member; Dozier and Fortunato.

Staff: Greg Vogel (786-7413)

Background: The Public Records Act (PRA), enacted in 1972 as part of Initiative 276, requires that all state and local government agencies make all public records available for public inspection and copying unless certain statutory exemptions apply. Specific references

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.

in the PRA and other statutes remove certain information from application of the PRA, provide exceptions to the public disclosure and copying of certain information, or designate certain information as confidential. The provisions requiring public records disclosure must be interpreted liberally while the exemptions are interpreted narrowly to effectuate the general policy favoring disclosure.

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 WDFW, or other location data that could compromise the viability of a certain fish or wildlife population. 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.

Creates Committee/Commission/Task Force that includes Legislative members: No.

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

Staff Summary of Public Testimony: PRO: This bill does not make any Washington information confidential, if it's not already confidential, it's solely about coordinating the west coast fisheries. We've failed in getting Dungeness crab and Chinook salmon to respect state lines, and so when we manage those fisheries, Oregon and California will share their data. The type of data is a logbook data of fishing locations and catch. There is kind of a competitive disadvantage, if you have to share that type of information.

Persons Testifying: PRO: Tom McBride, WDFW.

Persons Signed In To Testify But Not Testifying: No one.