

CERTIFICATION OF ENROLLMENT

HOUSE BILL 1077

Chapter 293, Laws of 2007

60th Legislature
2007 Regular Session

SENSITIVE FISH AND WILDLIFE DATA--DISCLOSURE

EFFECTIVE DATE: 07/22/07

Passed by the House April 16, 2007
Yeas 94 Nays 1

FRANK CHOPP

Speaker of the House of Representatives

Passed by the Senate April 9, 2007
Yeas 37 Nays 9

BRAD OWEN

President of the Senate

Approved May 2, 2007, 3:15 p.m.

CHRISTINE GREGOIRE

Governor of the State of Washington

CERTIFICATE

I, Richard Nafziger, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **HOUSE BILL 1077** as passed by the House of Representatives and the Senate on the dates hereon set forth.

RICHARD NAFZIGER

Chief Clerk

FILED

May 3, 2007

**Secretary of State
State of Washington**

HOUSE BILL 1077

AS AMENDED BY THE SENATE

Passed Legislature - 2007 Regular Session

State of Washington 60th Legislature 2007 Regular Session

By Representatives Blake and Kretz

Read first time 01/10/2007. Referred to Committee on State
Government & Tribal Affairs.

1 AN ACT Relating to the public disclosure of sensitive fish and
2 wildlife data; amending RCW 42.56.430; and adding a new section to
3 chapter 77.12 RCW.

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

1 colleges and universities. Sensitive fish and wildlife data may be
2 released to tribal governments. Sensitive fish and wildlife data may
3 also be released to the owner, lessee, or right-of-way or easement
4 holder of the private land to which the data pertains. The release of
5 sensitive fish and wildlife data may be subject to a confidentiality
6 agreement, except upon release of sensitive fish and wildlife data to
7 the owner, lessee, or right-of-way or easement holder of private land
8 who initially provided the data. Sensitive fish and wildlife data does
9 not include data related to reports of predatory wildlife as specified
10 in section 2 of this act. Sensitive fish and wildlife data must meet
11 at least one of the following criteria of this subsection as applied by
12 the department of fish and wildlife(~~(, however, sensitive wildlife data~~
13 ~~may be released to government agencies concerned with the management of~~
14 ~~fish and wildlife resources. As used in this subsection, sensitive~~
15 ~~wildlife data includes)):~~

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

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

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

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

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

27 (iii) There is a known demand to visit, take, or disturb(~~(, and the~~
28 ~~species behavior or ecology renders it especially vulnerable)) the~~

29 species; or
30 (iv) The species has an extremely limited distribution and
31 concentration; and

32 (3) The personally identifying information of persons who acquire
33 recreational licenses under RCW 77.32.010 or commercial licenses under
34 chapter 77.65 or 77.70 RCW, except name, address of contact used by the
35 department, and type of license, endorsement, or tag; however, the
36 department of fish and wildlife may disclose personally identifying
37 information to:

1 (a) Government agencies concerned with the management of fish and
2 wildlife resources;

3 (b) The department of social and health services, child support
4 division, and to the department of licensing in order to implement RCW
5 77.32.014 and 46.20.291; and

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

8 NEW SECTION. **Sec. 2.** A new section is added to chapter 77.12 RCW
9 to read as follows:

10 The department shall post on its internet web site all reported
11 predatory wildlife interactions, including reported human safety
12 confrontations or sightings as well as the known details of reported
13 depredations by predatory wildlife on humans, pets, or livestock,
14 within ten days of receiving the report. The posted material must
15 include, but is not limited to, the location and time, the known
16 details, and a running summary of such reported interactions by
17 identified specie and interaction type within each affected county.
18 For the purposes of this section and RCW 42.56.430, "predatory
19 wildlife" means grizzly bears, wolves, and cougars.

Passed by the House April 16, 2007.

Passed by the Senate April 9, 2007.

Approved by the Governor May 2, 2007.

Filed in Office of Secretary of State May 3, 2007.