

SENATE BILL REPORT

ESHB 1465

As Reported by Senate Committee On:
Natural Resources & Parks, March 28, 2017

Title: An act relating to exempting from public disclosure certain information regarding reports on wolf depredations.

Brief Description: Exempting from public disclosure certain information regarding reports on wolf depredations.

Sponsors: House Committee on State Govt, Elections & IT (originally sponsored by Representatives Short, Lytton, Kretz, Koster, Schmick and Fitzgibbon).

Brief History: Passed House: 3/07/17, 95-2.

Committee Activity: Natural Resources & Parks: 3/21/17, 3/28/17 [DPA].

Brief Summary of Amended Bill

- Exempts personally identifiable information of persons assisting or reporting wolf depredations from public disclosure.

SENATE COMMITTEE ON NATURAL RESOURCES & PARKS

Majority Report: Do pass as amended.

Signed by Senators Pearson, Chair; Hawkins, Vice Chair; Van De Wege, Ranking Minority Member; Fortunato and McCoy.

Staff: Kelsey Morfitt (786-7407)

Background: The Department of Fish and Wildlife (DFW) manages and protects the state's fish and wildlife resources. Statute authorizes the taking of wildlife by DFW.

Wolf depredations are when a wolf injures or kills a pet or livestock. Predatory wildlife includes grizzly bears, wolves, and cougars.

Sheep, cattle, or horses killed or injured by bears, cougars, or wolves, with a minimum loss of \$500, are eligible for state compensation through DFW. Compensation for other animal losses depends on availability of federal and private funds.

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.

The Public Records Act (PRA) mandates disclosure of public records unless the record is specifically exempted. Public records include any writing containing information relating to the conduct of government or the performance of any governmental or proprietary function prepared, owned, used, or retained by any state or local agency regardless of physical form or characteristics.

Under the PRA, certain information collected by DFW is exempt from public disclosure. For example, the PRA exempts recreational and commercial licensees' personally identifiable information.

Summary of Amended Bill: The personally identifiable information of persons reporting wolf depredations or assisting in the removal of predators are exempt from public disclosure under the PRA. This includes all persons who report depredation information to DFW, such as landowners, landowners' families, and landowners' employees.

This PRA exemption does not include DFW employees and contractors. This exemption expires June 30, 2022.

EFFECT OF NATURAL RESOURCES & PARKS COMMITTEE AMENDMENT(S):

- Clarifies the public records exemption for a location connected to a depredation.
- Removes the DFW employee and contractor exemption.
- Removes the legislative reporting requirement regarding the employee and contractor exemption.

Appropriation: None.

Fiscal Note: Available.

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 on Engrossed Substitute House Bill: *The committee recommended a different version of the bill than what was heard.* PRO: Wolf recovery is an emotional topic and some people do not want to work with DFW on nonlethal removals because some people have received death threats, harassment, and abuse. Ranchers and public employees deserve protection for themselves and their families. Transparency is important, but it should not be used to propagate fear and harm.

CON: The newspapers do not need information about private individuals, but the public should know about the actions of the agency and the employees and contractors that carry out those actions. If wolves are removed in secret, then eventually all animals could be removed in secret.

Persons Testifying: PRO: Representative Shelly Short, Prime Sponsor; Tom Davis, WA Farm Bureau; Donny Martorello, DFW.

CON: Rowland Thompson, Allied Daily Newspapers of WA.

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