

HOUSE BILL REPORT

HB 2682

As Passed Legislature

Title: An act relating to exempting hop grower lot information used in the state department of agriculture export document from public disclosure.

Brief Description: Exempting hop grower lot information used in the state department of agriculture export document from public disclosure.

Sponsors: Representatives Buys, Blake, Dent, Chandler and Fitzgibbon; by request of Department of Agriculture.

Brief History:

Committee Activity:

Agriculture & Natural Resources: 1/23/18, 1/30/18 [DP].

Floor Activity:

Passed House: 2/12/18, 97-0.

Passed Senate: 2/27/18, 48-0.

Passed Legislature.

Brief Summary of Bill

- Exempts from public disclosure certain information used on Department of Agriculture-issued export documents related to hops.

HOUSE COMMITTEE ON AGRICULTURE & NATURAL RESOURCES

Majority Report: Do pass. Signed by 15 members: Representatives Blake, Chair; Chapman, Vice Chair; Buys, Ranking Minority Member; Dent, Assistant Ranking Minority Member; Chandler, Fitzgibbon, Kretz, Lytton, Orcutt, Pettigrew, Robinson, Schmick, Springer, Stanford and Walsh.

Staff: Rebecca Lewis (786-7339).

Background:

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

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.

into one of the various specific exemptions in the PRA or otherwise provided in law. The stated policy of the PRA favors disclosure and requires narrow application of the listed exemptions.

The PRA lists exemptions for certain information relating to agriculture and livestock. These exemptions include:

- information on the purchase, sale, or production of individual American ginseng growers or dealers;
- information for issuance of certificates of compliance for packers and shippers of fruits and vegetables;
- certain herd inventory management information for animal disease traceability submitted to the Department of Agriculture (WSDA) by an individual or business; and
- financial statements used to determine whether an applicant meets the minimum net worth requirements to operate a public livestock market.

The Chemical and Hop Laboratory, a part of the Plant Protection Division of the WSDA, conducts physical grading and chemical analysis of hops, by lot, for several reasons including to determine if a lot meets label guarantees. Laboratory data is included in export documents issued by the WSDA.

Summary of Bill:

Hop grower lot numbers and associated laboratory results used by the WSDA to issue export documents are exempt from public disclosure under the PRA.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) This bill provides a narrow exemption to protect certain quality information related to hops from disclosure by way of public records requests. Hops are graded for a variety of quality information that is associated with unique grower and lot numbers, and is collected to verify that each crop meets exporting standards. In order to export hops to the European Union (EU), the WSDA must verify that the crop meets EU standards before issuing export documents. It is important to make sure this information is not disclosed to prevent contracts from being reverse-engineered and avoid potential unfair competition. This bill would allow the WSDA to provide export documents without exposing certain trade information.

(Opposed) None.

Persons Testifying: Representative Buys, prime sponsor; and Brad White, Department of Agriculture.

Persons Signed In To Testify But Not Testifying: None.