

CERTIFICATION OF ENROLLMENT

ENGROSSED SENATE BILL 5375

Chapter 4, Laws of 2018

65th Legislature
2018 Regular Session

ANDY HILL CANCER RESEARCH ENDOWMENT

EFFECTIVE DATE: June 7, 2018

Passed by the Senate January 18, 2018
Yeas 48 Nays 0

CYRUS HABIB

President of the Senate

Passed by the House January 22, 2018
Yeas 94 Nays 1

FRANK CHOPP

Speaker of the House of Representatives

Approved January 30, 2018 2:35 PM

JAY INSLEE

Governor of the State of Washington

CERTIFICATE

I, Brad Hendrickson, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **ENGROSSED SENATE BILL 5375** as passed by Senate and the House of Representatives on the dates hereon set forth.

BRAD HENDRICKSON

Secretary

FILED

January 30, 2018

**Secretary of State
State of Washington**

ENGROSSED SENATE BILL 5375

Passed Legislature - 2018 Regular Session

State of Washington

65th Legislature

2017 Regular Session

By Senators Fain, Braun, Angel, Brown, Becker, O'Ban, Miloscia, Schoesler, Bailey, Sheldon, Warnick, King, Rivers, Fortunato, Rossi, Baumgartner, Wilson, Honeyford, Padden, Zeiger, Ranker, Darneille, Palumbo, Pedersen, Pearson, Frockt, and Hasegawa

Read first time 01/20/17. Referred to Committee on Health Care.

1 AN ACT Relating to the Andy Hill cancer research endowment; and
2 amending RCW 43.348.010, 43.348.020, 43.348.030, 43.348.040,
3 43.348.050, 43.348.060, 43.348.070, 43.348.080, and 42.56.270.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 43.348.010 and 2015 3rd sp.s. c 34 s 2 are each
6 amended to read as follows:

7 The definitions in this section apply throughout this chapter
8 unless the context clearly requires otherwise.

9 (1) (~~"Authority" means the cancer research endowment authority~~
10 ~~created in this chapter.~~

11 ~~(2))~~ "Board" means the governing board of the (~~authority~~)
12 endowment.

13 ~~((3))~~ (2) "Cancer" means a group of diseases involving
14 unregulated cell growth.

15 ~~((4))~~ (3) "Cancer patient advocacy organizations" means groups
16 with offices in the state that promote cancer prevention and advocate
17 on behalf of cancer patients.

18 ~~((5))~~ (4) "Cancer research" means advanced and applied research
19 and development relating to the causes, prevention, and diagnosis of
20 cancer and care of cancer patients including the development of
21 tests, genetic analysis, medications, processes, services, and

1 technologies to optimize cancer therapies and their manufacture and
2 commercialization and includes the costs of recruiting scientists and
3 establishing and equipping research facilities.

4 ~~((6) "CARE fund" or)~~ (5) "Fund" means the Andy Hill cancer
5 research ~~((endowment))~~ fund created in RCW 43.348.060(1)(b).

6 ~~((7))~~ (6) "Commercial entity" means a for-profit entity located
7 in the state that develops, manufactures, or sells goods or services
8 relating to cancer prevention or care.

9 ~~((8))~~ (7) "Committee" means an independent expert scientific
10 review and advisory committee established under RCW 43.348.050.

11 ~~((9))~~ (8) "Contribution agreement" means any agreement
12 authorized under this chapter in which a private entity or a public
13 entity other than the state agrees to provide to the ~~((authority))~~
14 endowment contributions for the purpose of cancer research,
15 prevention, or care.

16 ~~((10))~~ (9) "Costs" means the costs and expenses associated with
17 the conduct of research, prevention, and care including, but not
18 limited to, the cost of recruiting and compensating personnel,
19 securing and financing facilities and equipment, and conducting
20 clinical trials.

21 ~~((11))~~ (10) "Department" means the department of commerce.

22 (11) "Endowment" means the Andy Hill cancer research endowment.

23 (12) "Health care delivery system" means hospitals and clinics
24 providing care to patients in the state.

25 (13) "Life sciences research" means advanced and applied research
26 and development intended to improve human health, including
27 scientific study of the developing brain and human learning and
28 development, and other areas of scientific research and development
29 vital to the state's economy.

30 (14) "Prevention" means measures to prevent the development and
31 progression of cancer, including education, vaccinations, and
32 screening processes and technologies, and to reduce the risk of
33 cancer.

34 (15) "Program" means the Andy Hill cancer research endowment
35 program created in RCW 43.348.040.

36 (16) "Program administrator" means a private nonprofit
37 corporation qualified as a tax-exempt entity under 26 U.S.C. Sec.
38 501(c)(3) of the federal internal revenue code, with expertise in
39 conducting or managing research granting activities, funds, or
40 organizations.

1 **Sec. 2.** RCW 43.348.020 and 2015 3rd sp.s. c 34 s 3 are each
2 amended to read as follows:

3 (1) The Andy Hill cancer research endowment ((~~authority~~)) is
4 created. The powers of the ((~~authority~~)) endowment are vested in and
5 must be exercised by a board. The board consists of thirteen members
6 appointed by the governor:

7 (a) Two members must be appointed from nominations submitted by
8 the presidents of the University of Washington and Washington State
9 University;

10 (b) Two members must be appointed from nominations submitted by
11 the Fred Hutchinson cancer research center, Seattle cancer care
12 alliance, and the Seattle children's research institute;

13 (c) Two members must be appointed from nominations submitted by
14 patient advocacy organizations;

15 (d) Two members must be appointed from nominations submitted by
16 representatives of businesses or industries engaged in the
17 commercialization of life sciences research or cancer research;

18 (e) One member must be appointed from a list of at least three
19 nominated by the speaker of the house of representatives;

20 (f) One member must be appointed from a list of at least three
21 nominated by the president of the senate;

22 (g) One member must be appointed from nominations submitted by
23 entities or systems that provide health care delivery services;

24 (h) One member (~~((must be appointed))~~) must be appointed from
25 nominations provided by private sector donors to the fund. However,
26 the governor may reject all nominations and request a new list from
27 which the governor must select the member; and

28 (i) The remaining member must be a member of the public.

29 (2) In soliciting nominations and appointing members, the
30 governor must seek to identify individuals from throughout the state
31 having relevant knowledge, experience, and expertise with regard to
32 (a) cancer research, prevention, and care; (b) health care consumer
33 issues; (c) government finance and budget; and (d) the
34 commercialization of life sciences or cancer research. In soliciting
35 nominations and appointing members, the governor must seek
36 individuals who will contribute to the geographic diversity of the
37 board, with the goal that at least five board members be from
38 counties with a population less than one million persons.
39 Appointments must be made on or before July 1, 2016.

1 (3) The term of a member is four years from the date of their
2 appointment except the initial term of the members in subsection
3 (1)(d) through (i) of this section must be two years to create a
4 staggered appointment process. A member may be appointed to not more
5 than two full consecutive terms. A member appointed by the governor
6 may be removed by the governor for cause under RCW 43.06.070 and
7 43.06.080. The members may not be compensated but may be reimbursed,
8 solely from the fund, for expenses incurred in the discharge of their
9 duties under this chapter.

10 (4) Seven members of the board constitute a quorum.

11 (5) The members must elect a chair, treasurer, and secretary
12 annually, and other officers as the members determine necessary, and
13 may adopt bylaws or rules for their own government.

14 (6) Meetings of the board must be held in accordance with the
15 open public meetings act, chapter 42.30 RCW, and at the call of the
16 chair or when a majority of the members so requests. Meetings of the
17 board may be held at any location within or out of the state, and
18 members may participate in a meeting of the board by means of a
19 conference telephone or similar communication equipment under RCW
20 23B.08.200.

21 **Sec. 3.** RCW 43.348.030 and 2015 3rd sp.s. c 34 s 4 are each
22 amended to read as follows:

23 The ((~~authority~~)) endowment has all the general powers necessary
24 to carry out its purposes and duties and to exercise its specific
25 powers. In addition to other powers specified in this chapter, the
26 ((~~authority~~)) endowment may:

27 (1) Sue and be sued in its own name;

28 (2) Make and execute agreements, contracts, and other
29 instruments, with any public or private person or entity, including
30 commercial entities, in accordance with this chapter;

31 (3) Employ, contract with, or engage independent counsel,
32 financial advisors, auditors, other technical or professional
33 assistants, and such other personnel as are necessary or desirable to
34 implement this chapter;

35 (4) Exercise any other power reasonably required to implement the
36 purposes of this chapter; and

37 (5) Delegate any of its powers and duties if consistent with the
38 purposes of this chapter.

1 **Sec. 4.** RCW 43.348.040 and 2015 3rd sp.s. c 34 s 5 are each
2 amended to read as follows:

3 (1) The Andy Hill cancer research endowment program is created.
4 The purpose of the program is to make grants to public and private
5 entities, including commercial entities, to fund or reimburse the
6 entities pursuant to agreement for the promotion of cancer research
7 to be conducted in the state. The ((~~authority~~)) endowment is to
8 oversee and guide the program, including the solicitation, selection,
9 and award of grants.

10 (2) The board must develop a plan for the allocation of projected
11 amounts in the ((~~CARE~~)) fund, which it must update annually,
12 following at least one annual public hearing. The plan must provide
13 for appropriate funding continuity and take into account the
14 projected speed at which revenues will be available and amounts that
15 can be spent during the plan period.

16 (3) The ((~~authority~~)) endowment must solicit requests for grant
17 funding and evaluate the requests by reference to factors such as:
18 (a) The quality of the proposed research or program; (b) its
19 potential to improve health outcomes of persons with cancer, with
20 particular attention to the likelihood that it will also lower health
21 care costs, substitute for a more costly diagnostic or treatment
22 modality, or offer a breakthrough treatment for a particular cancer
23 or cancer-related condition or disease; (c) its potential for
24 leveraging additional funding; (d) its potential to provide
25 additional health care benefits or benefit other human diseases or
26 conditions; (e) its potential to stimulate life science, health care,
27 and biomedical employment in the state; (f) the geographic diversity
28 of the grantees within Washington; (g) evidence of potential royalty,
29 sales, or licensing revenue, or other commercialization-related
30 revenue and contractual means to recapture such income for purposes
31 of this chapter; and (h) evidence of public and private
32 collaboration.

33 (4) The ((~~authority~~)) endowment may not award a grant for a
34 proposal that was not recommended by an independent expert scientific
35 review and advisory committee under RCW 43.348.050.

36 (5) The ((~~authority~~)) endowment must issue an annual report to
37 the public that sets forth its activities with respect to the
38 ((~~CARE~~)) fund, including grants awarded, grant-funded work in
39 progress, research accomplishments, prevention, and care activities,
40 and future program directions with respect to cancer research,

1 prevention, and care. Each annual report regarding activities of the
2 (~~cancer research endowment~~) program and (~~CARE~~) fund must include,
3 but not be limited to, the following: The number and dollar amounts
4 of grants; the grantees for the prior year; the (~~authority's~~)
5 endowment's administrative expenses; an assessment of the
6 availability of funding for cancer research, prevention, and care
7 from sources other than the (~~authority~~) endowment; a summary of
8 research, prevention, and care-related findings, including promising
9 new areas for investment; and a report on the benefits to Washington
10 of its programs to date.

11 (6) The (~~authority's~~) endowment's first annual report must
12 include a proposed operating plan for the design, implementation, and
13 administration of an endowment program supporting the purposes of the
14 (~~authority~~) endowment and program.

15 (7) The (~~authority~~) endowment must adopt policies to ensure
16 that all potential conflicts have been disclosed and that all
17 conflicts have been eliminated or mitigated.

18 (8) The (~~authority~~) endowment must establish standards to
19 ensure that recipients of grants for cancer research, prevention, or
20 care purchase goods and services from Washington suppliers to the
21 extent reasonably possible.

22 **Sec. 5.** RCW 43.348.050 and 2015 3rd sp.s. c 34 s 6 are each
23 amended to read as follows:

24 (1) In addition to any advisory boards the (~~authority~~)
25 endowment determines to establish, the (~~authority~~) endowment must
26 establish one or more independent expert scientific review and
27 advisory committees for the purposes of evaluating grant proposals
28 for cancer research and recommending grants to be made from the
29 (~~CARE~~) Andy Hill cancer research fund; advising the (~~authority~~)
30 endowment during the development and review of its strategic plans
31 for cancer research; and advising the (~~authority~~) endowment on
32 scientific and other matters in furtherance of the cancer research
33 purposes of (~~chapter 34, Laws of 2015 3rd sp. sess~~) this chapter.

34 (2) Each independent expert scientific review and advisory
35 committee must consist of individuals with nationally recognized
36 expertise in the scientific, clinical, ethical, commercial, and
37 regulatory aspects of cancer research, prevention, and care. The
38 board must appoint the members of the committee. Preliminary review
39 of grant proposals may be made by a panel of such committee or an

1 independent contractor chosen by the board upon recommendation of the
2 committee, but all recommendations for grants to be made from the
3 ((CARE)) fund may be made only upon majority vote of the committee.

4 **Sec. 6.** RCW 43.348.060 and 2015 3rd sp.s. c 34 s 7 are each
5 amended to read as follows:

6 (1) The program administrator must provide services to the board
7 and has the following duties and responsibilities:

8 (a) Jointly with the board, solicit and receive gifts, grants,
9 and bequests, and enter into contribution agreements with private
10 entities and public entities, including commercial entities, in order
11 to use those moneys to fund grants awarded by the ((authority))
12 endowment;

13 (b) Establish ((a)) an Andy Hill cancer research ((endowment))
14 fund ((to be known as the CARE fund)). The ((CARE)) fund must be a
15 separate private account outside the state treasury into which grants
16 and contributions received from public and private sources as well as
17 state matching funds must be deposited, and from which funds for
18 grants awarded by the ((authority)) endowment must be disbursed. Once
19 moneys in the Andy Hill cancer research endowment fund match transfer
20 account are subject to an agreement under RCW 43.348.080(6) and are
21 deposited in the ((CARE)) fund under this section, the moneys in the
22 ((CARE)) fund are not considered state money, common cash, or revenue
23 to the state;

24 (c) Manage the ((CARE)) fund, its obligations, and investments as
25 to achieve the maximum possible rate of return on investment in the
26 ((CARE)) fund;

27 (d) Establish policies and procedures to facilitate the orderly
28 process of grant application, review, selection, and notification;
29 and

30 (e) Distribute ((CARE)) funds to selected entities through grant
31 agreements. Grant agreements must set forth the terms and conditions
32 of the grant and must include, but not be limited to: (i)
33 Deliverables to be provided by the recipient pursuant to the grant;
34 (ii) the circumstances under which the grant amount would be required
35 to be repaid or the circumstances under which royalty, sales, or
36 licensing revenue, or other commercialization-related revenue would
37 be required to be shared; and (iii) indemnification, dispute
38 resolution, and any other terms and conditions as are customary for
39 grant agreements or are deemed reasonable by the board. The program

1 administrator may negotiate with any grantee the costs associated
2 with performing scientific activities funded by grants.

3 (2) Periodically, but not less often than every three years, the
4 ((~~authority~~)) endowment and the department must conduct a request for
5 proposals and retain the services of an independent auditor with
6 experience in performance auditing of research granting entities
7 similar to the ((~~authority~~)) endowment. The independent auditor must
8 review the ((~~authority's~~)) endowment's strategic plan, program, and
9 program administrator and publish a report assessing their
10 performance and providing recommendations for improvement. The
11 ((~~authority~~)) endowment must hold at least one public hearing at
12 which the results of each audit are presented and discussed.

13 **Sec. 7.** RCW 43.348.070 and 2015 3rd sp.s. c 34 s 8 are each
14 amended to read as follows:

15 The program administrator may create additional legal entities
16 and take such action as may be necessary or advisable to enable the
17 ((~~CARE~~)) fund to accept charitable contributions. In addition, the
18 program administrator may provide technical assistance, information,
19 and training to private employers and other potential donors to
20 establish programs that facilitate charitable contributions to the
21 ((~~CARE~~)) fund including tobacco use premium surcharge programs.

22 **Sec. 8.** RCW 43.348.080 and 2015 3rd sp.s. c 34 s 9 are each
23 amended to read as follows:

24 (1) The Andy Hill cancer research endowment fund match transfer
25 account is created in the custody of the state treasurer as a
26 nonappropriated account to be used solely and exclusively for the
27 ((~~cancer research endowment~~)) program created in RCW 43.348.040. The
28 purpose of the account is to provide matching funds for the ((~~CARE~~))
29 fund and administrative costs. Expenditures to fund or reimburse the
30 program administrator are not subject to the requirements of
31 subsection (4) of this section.

32 (2) Revenues to the account must consist of deposits into the
33 account, legislative appropriations, and any gifts, grants, or
34 donations received by the department for this purpose.

35 (3) The legislature must appropriate a state match, up to a
36 maximum of ten million dollars annually, beginning July 1, 2016, and
37 each July 1st following the end of the fiscal year from tax
38 collections and penalties generated from enforcement of state taxes

1 on cigarettes and other tobacco products by the state liquor and
2 cannabis board or other federal, state or local law or tax
3 enforcement agency, as determined by the department of revenue. Tax
4 collections include any cigarette tax, other tobacco product tax, and
5 retail sales and use tax.

6 (4) Expenditures, in the form of matching funds, from the account
7 may be made only upon receipt of proof from the program administrator
8 of nonstate or private contributions to the ((~~CARE~~)) fund for the
9 ((~~cancer research endowment~~)) program. Expenditures, in the form of
10 matching funds, may not exceed the total amount of nonstate or
11 private contributions.

12 (5) Only the director of the department or the director's
13 designee may authorize expenditures from the Andy Hill cancer
14 research endowment fund match transfer account. Such authorization
15 must be made as soon as practicable following receipt of proof as
16 required under subsection (4) of this section.

17 (6) The department must enter into an appropriate agreement with
18 the program administrator to demonstrate exchange of consideration
19 for the matching funds.

20 **Sec. 9.** RCW 42.56.270 and 2017 c 317 s 17 are each amended to
21 read as follows:

22 The following financial, commercial, and proprietary information
23 is exempt from disclosure under this chapter:

24 (1) Valuable formulae, designs, drawings, computer source code or
25 object code, and research data obtained by any agency within five
26 years of the request for disclosure when disclosure would produce
27 private gain and public loss;

28 (2) Financial information supplied by or on behalf of a person,
29 firm, or corporation for the purpose of qualifying to submit a bid or
30 proposal for (a) a ferry system construction or repair contract as
31 required by RCW 47.60.680 through 47.60.750 or (b) highway
32 construction or improvement as required by RCW 47.28.070;

33 (3) Financial and commercial information and records supplied by
34 private persons pertaining to export services provided under chapters
35 43.163 and 53.31 RCW, and by persons pertaining to export projects
36 under RCW 43.23.035;

37 (4) Financial and commercial information and records supplied by
38 businesses or individuals during application for loans or program
39 services provided by chapters 43.325, 43.163, 43.160, 43.330, and

1 43.168 RCW, or during application for economic development loans or
2 program services provided by any local agency;

3 (5) Financial information, business plans, examination reports,
4 and any information produced or obtained in evaluating or examining a
5 business and industrial development corporation organized or seeking
6 certification under chapter 31.24 RCW;

7 (6) Financial and commercial information supplied to the state
8 investment board by any person when the information relates to the
9 investment of public trust or retirement funds and when disclosure
10 would result in loss to such funds or in private loss to the
11 providers of this information;

12 (7) Financial and valuable trade information under RCW 51.36.120;

13 (8) Financial, commercial, operations, and technical and research
14 information and data submitted to or obtained by the clean Washington
15 center in applications for, or delivery of, program services under
16 chapter 70.95H RCW;

17 (9) Financial and commercial information requested by the public
18 stadium authority from any person or organization that leases or uses
19 the stadium and exhibition center as defined in RCW 36.102.010;

20 (10)(a) Financial information, including but not limited to
21 account numbers and values, and other identification numbers supplied
22 by or on behalf of a person, firm, corporation, limited liability
23 company, partnership, or other entity related to an application for a
24 horse racing license submitted pursuant to RCW 67.16.260(1)(b),
25 marijuana producer, processor, or retailer license, liquor license,
26 gambling license, or lottery retail license;

27 (b) Internal control documents, independent auditors' reports and
28 financial statements, and supporting documents: (i) Of house-banked
29 social card game licensees required by the gambling commission
30 pursuant to rules adopted under chapter 9.46 RCW; or (ii) submitted
31 by tribes with an approved tribal/state compact for class III gaming;

32 (11) Proprietary data, trade secrets, or other information that
33 relates to: (a) A vendor's unique methods of conducting business; (b)
34 data unique to the product or services of the vendor; or (c)
35 determining prices or rates to be charged for services, submitted by
36 any vendor to the department of social and health services for
37 purposes of the development, acquisition, or implementation of state
38 purchased health care as defined in RCW 41.05.011;

39 (12)(a) When supplied to and in the records of the department of
40 commerce:

1 (i) Financial and proprietary information collected from any
2 person and provided to the department of commerce pursuant to RCW
3 43.330.050(8); and

4 (ii) Financial or proprietary information collected from any
5 person and provided to the department of commerce or the office of
6 the governor in connection with the siting, recruitment, expansion,
7 retention, or relocation of that person's business and until a siting
8 decision is made, identifying information of any person supplying
9 information under this subsection and the locations being considered
10 for siting, relocation, or expansion of a business;

11 (b) When developed by the department of commerce based on
12 information as described in (a)(i) of this subsection, any work
13 product is not exempt from disclosure;

14 (c) For the purposes of this subsection, "siting decision" means
15 the decision to acquire or not to acquire a site;

16 (d) If there is no written contact for a period of sixty days to
17 the department of commerce from a person connected with siting,
18 recruitment, expansion, retention, or relocation of that person's
19 business, information described in (a)(ii) of this subsection will be
20 available to the public under this chapter;

21 (13) Financial and proprietary information submitted to or
22 obtained by the department of ecology or the authority created under
23 chapter 70.95N RCW to implement chapter 70.95N RCW;

24 (14) Financial, commercial, operations, and technical and
25 research information and data submitted to or obtained by the life
26 sciences discovery fund authority in applications for, or delivery
27 of, grants under chapter 43.350 RCW, to the extent that such
28 information, if revealed, would reasonably be expected to result in
29 private loss to the providers of this information;

30 (15) Financial and commercial information provided as evidence to
31 the department of licensing as required by RCW 19.112.110 or
32 19.112.120, except information disclosed in aggregate form that does
33 not permit the identification of information related to individual
34 fuel licensees;

35 (16) Any production records, mineral assessments, and trade
36 secrets submitted by a permit holder, mine operator, or landowner to
37 the department of natural resources under RCW 78.44.085;

38 (17)(a) Farm plans developed by conservation districts, unless
39 permission to release the farm plan is granted by the landowner or

1 operator who requested the plan, or the farm plan is used for the
2 application or issuance of a permit;

3 (b) Farm plans developed under chapter 90.48 RCW and not under
4 the federal clean water act, 33 U.S.C. Sec. 1251 et seq., are subject
5 to RCW 42.56.610 and 90.64.190;

6 (18) Financial, commercial, operations, and technical and
7 research information and data submitted to or obtained by a health
8 sciences and services authority in applications for, or delivery of,
9 grants under RCW 35.104.010 through 35.104.060, to the extent that
10 such information, if revealed, would reasonably be expected to result
11 in private loss to providers of this information;

12 (19) Information gathered under chapter 19.85 RCW or RCW
13 34.05.328 that can be identified to a particular business;

14 (20) Financial and commercial information submitted to or
15 obtained by the University of Washington, other than information the
16 university is required to disclose under RCW 28B.20.150, when the
17 information relates to investments in private funds, to the extent
18 that such information, if revealed, would reasonably be expected to
19 result in loss to the University of Washington consolidated endowment
20 fund or to result in private loss to the providers of this
21 information;

22 (21) Market share data submitted by a manufacturer under RCW
23 70.95N.190(4);

24 (22) Financial information supplied to the department of
25 financial institutions or to a portal under RCW 21.20.883, when filed
26 by or on behalf of an issuer of securities for the purpose of
27 obtaining the exemption from state securities registration for small
28 securities offerings provided under RCW 21.20.880 or when filed by or
29 on behalf of an investor for the purpose of purchasing such
30 securities;

31 (23) Unaggregated or individual notices of a transfer of crude
32 oil that is financial, proprietary, or commercial information,
33 submitted to the department of ecology pursuant to RCW
34 90.56.565(1)(a), and that is in the possession of the department of
35 ecology or any entity with which the department of ecology has shared
36 the notice pursuant to RCW 90.56.565;

37 (24) Financial institution and retirement account information,
38 and building security plan information, supplied to the liquor and
39 cannabis board pursuant to RCW 69.50.325, 69.50.331, 69.50.342, and
40 69.50.345, when filed by or on behalf of a licensee or prospective

1 licensee for the purpose of obtaining, maintaining, or renewing a
2 license to produce, process, transport, or sell marijuana as allowed
3 under chapter 69.50 RCW;

4 (25) Marijuana transport information, vehicle and driver
5 identification data, and account numbers or unique access identifiers
6 issued to private entities for traceability system access, submitted
7 by an individual or business to the liquor and cannabis board under
8 the requirements of RCW 69.50.325, 69.50.331, 69.50.342, and
9 69.50.345 for the purpose of marijuana product traceability.
10 Disclosure to local, state, and federal officials is not considered
11 public disclosure for purposes of this section;

12 (26) Financial and commercial information submitted to or
13 obtained by the retirement board of any city that is responsible for
14 the management of an employees' retirement system pursuant to the
15 authority of chapter 35.39 RCW, when the information relates to
16 investments in private funds, to the extent that such information, if
17 revealed, would reasonably be expected to result in loss to the
18 retirement fund or to result in private loss to the providers of this
19 information except that (a) the names and commitment amounts of the
20 private funds in which retirement funds are invested and (b) the
21 aggregate quarterly performance results for a retirement fund's
22 portfolio of investments in such funds are subject to disclosure;

23 (27) Proprietary financial, commercial, operations, and technical
24 and research information and data submitted to or obtained by the
25 liquor and cannabis board in applications for marijuana research
26 licenses under RCW 69.50.372, or in reports submitted by marijuana
27 research licensees in accordance with rules adopted by the liquor and
28 cannabis board under RCW 69.50.372; (~~and~~)

29 (28) Trade secrets, technology, proprietary information, and
30 financial considerations contained in any agreements or contracts,
31 entered into by a licensed marijuana business under RCW 69.50.---
32 (section 16, chapter 317, Laws of 2017), which may be submitted to or
33 obtained by the state liquor and cannabis board; and

34 (29) Financial, commercial, operations, and technical and
35 research information and data submitted to or obtained by the Andy
36 Hill cancer research endowment program in applications for, or
37 delivery of, grants under chapter 43.348 RCW, to the extent that such
38 information, if revealed, would reasonably be expected to result in
39 private loss to providers of this information.

Passed by the Senate January 18, 2018.
Passed by the House January 22, 2018.
Approved by the Governor January 30, 2018.
Filed in Office of Secretary of State January 30, 2018.

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