

Exemptions Criteria Worksheet

1. Exemption: RCW 42.56.010(2)**2. Session Law:** Laws of 1995, chapter 397**3. Category:** Definitions**4. Cross-ref.:** RCW 40.14.100**5. Date Enacted:** 1995

6. (Text of exemption) For the office of the secretary of the senate and the office of the chief clerk of the house of representatives, public records means legislative records as defined in RCW 40.14.100 and also means the following: All budget and financial records; personnel leave, travel, and payroll records; records of legislative sessions; reports submitted to the legislature; and any other record designated a public record by any official action of the senate or the house of representatives.

7. Exemption protects: ☐ Safety ☐ Privacy ☐ Financial ☒ Other (explain):

Legislative records that do NOT relate to: correspondence, amendments, reports, minutes of committee meetings, testimony, budget, financial and payroll records, and reports submitted to legislature.

8. Purpose (including purpose of accompanying legislation if applicable):

The bill and bill reports contain no purpose clause. The purpose may have been to exempt communications between legislators, and between legislators and constituents.

9. Information covered: ☒ About gov't function ☐ Collected/held by gov't

☐ Public funds ☐ Public official ☐ Vital gov't Interest ☐ Confidential/private ☐ Other

Describe:

10. Stakeholders:

1. Secretary of the Senate	Contacted: <input checked="" type="checkbox"/> yes <input type="checkbox"/> no
2. Chief Clerk of the House	Contacted: <input checked="" type="checkbox"/> yes <input type="checkbox"/> no
3. Secretary of State	Contacted: <input checked="" type="checkbox"/> yes <input type="checkbox"/> no
4.	Contacted: <input type="checkbox"/> yes <input type="checkbox"/> no

11. Add'l bill

Information: Floor debate: ☐ yes ☒ no

Bill Reports: ☒ yes ☐ no

12. Comments (including significant court decisions; related WACs sections, or other).

Bill reports are attached but are not very informative about the reason for enacting a specific definition for public records for the Legislature.

Staff Member: Jean Wilkinson

SubCommittee:

Notes:

1. **Exemption.** RCW citation for exemption.
2. **Category.** Category of exceptions based on RCW 42.56.230 - .610.
3. **Session Law.** List session law for exemption and any amendments.
4. **Cross-reference.** List any other statute that also addresses this exemption.
5. **Date Enacted.** Enactment date and date of any amendments.
6. **Text.** Inset complete text of exemption.
7. **Exemption Protects.** These are broad categories of the types of interests the exemption is designed to protect. The mere fact that an exception falls into one of these categories is not meant to suggest it's legitimate or a proper exemption. More detail would be provided in the "purpose" section.
 - "Safety" would including information that, if disclosed, would put an individual or the general public at risk. Example: .240(3) witness identities in criminal investigations.
 - "Privacy" would including public employees' privacy and the privacy of citizens and businesses that provide information to public agencies. Example: .250(3) addresses/ phone numbers of public employees.
 - "Financial" would include financial information for citizens or businesses that is provided to a public agency, but the provider would not give to a competitor or the general public. Many of these exemption are contained in section .270 and .400.
 - "Other" would be for exemptions serving other purposes.
8. **Purpose** (including purpose of complete legislation if applicable). This provides details about specific purpose of the exemption and the interests it protects. This would come for the enacting legislation, the legislative history and testimony from the exemption's supporters. This also allows us to evaluate the harms that will be caused if the information is released. For example, the purpose of the real estate appraisal exemption is to prevent the public from having to pay more for property than they would in a standard arms-length transaction.
9. **Information covered.** This category helps us know what information is being withheld so we can know the public's interest in knowing this information. The description would provide details, such as whether the exempt material are applications or statistical information or communications or reports. There can of course be multiple types of information the is covered.
 - "About gov't function." Record provides insight into the function of government.
 - "Collected/held by gov't." Records reflect information collected by the public agency and/or are the actual materials collected by the agency from third parties or employees.
 - "Public funds." Records reflect expenditure of public funds.
 - "Public official." Record reflects actions of public official.
 - "Vital gov't interest." Record reflects information related to a vital government interest that if disclosed, would jeopardize that interest the public's detriment.
 - "Confidential/private." Records contain confidential or private information.
10. **Stakeholders.** The Act requires that we consider input from stakeholders.
11. **Add'l bill information.** Provided to assist in finding additional legislative history.
12. **Comments.** Place for miscellaneous comments including significant court decisions, related sections of the Washington Administrative Code, or other comments.

RCW 42.56.010
Definitions.

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

(1) "Agency" includes all state agencies and all local agencies. "State agency" includes every state office, department, division, bureau, board, commission, or other state agency. "Local agency" includes every county, city, town, municipal corporation, quasi-municipal corporation, or special purpose district, or any office, department, division, bureau, board, commission, or agency thereof, or other local public agency.

(2) "Public record" includes 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. For the office of the secretary of the senate and the office of the chief clerk of the house of representatives, public records means legislative records as defined in RCW 40.14.100 and also means the following: All budget and financial records; personnel leave, travel, and payroll records; records of legislative sessions; reports submitted to the legislature; and any other record designated a public record by any official action of the senate or the house of representatives.

(3) "Writing" means handwriting, typewriting, printing, photostating, photographing, and every other means of recording any form of communication or representation including, but not limited to, letters, words, pictures, sounds, or symbols, or combination thereof, and all papers, maps, magnetic or paper tapes, photographic films and prints, motion picture, film and video recordings, magnetic or punched cards, discs, drums, diskettes, sound recordings, and other documents including existing data compilations from which information may be obtained or translated.

[2007 c 197 § 1; 2005 c 274 § 101.]

RCW 40.14.100**Legislative records — Defined.**

As used in RCW 40.14.010 and 40.14.100 through 40.14.180, unless the context requires otherwise, "legislative records" shall be defined as correspondence, amendments, reports, and minutes of meetings made by or submitted to legislative committees or subcommittees and transcripts or other records of hearings or supplementary written testimony or data thereof filed with committees or subcommittees in connection with the exercise of legislative or investigatory functions, but does not include the records of an official act of the legislature kept by the secretary of state, bills and their copies, published materials, digests, or multi-copied matter which are routinely retained and otherwise available at the state library or in a public repository, or reports or correspondence made or received by or in any way under the personal control of the individual members of the legislature.

[1971 ex.s. c 102 § 2.]

1995

SESSION LAWS

OF THE

STATE OF WASHINGTON

REGULAR SESSION

FIFTY-FOURTH LEGISLATURE

Convened January 9, 1995. Adjourned April 23, 1995.

1ST SPECIAL SESSION

FIFTY-FOURTH LEGISLATURE

Convened April 24, 1995. Adjourned May 23, 1995.

2ND SPECIAL SESSION

FIFTY-FOURTH LEGISLATURE

Convened May 24, 1995. Adjourned May 25, 1995.



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Chapter 6, Laws of 1969.

DENNIS W. COOPER
Code Reviser

(c) The expenditure, alone or in conjunction with another expenditure or other expenditures of the same person in support of or opposition to that candidate, has a value of five hundred dollars or more. A series of expenditures, each of which is under five hundred dollars, constitutes one independent expenditure if their cumulative value is five hundred dollars or more.

~~(25)(a)~~ "Intermediary" means an individual who transmits a contribution to a candidate or committee from another person unless the contribution is from the individual's employer, immediate family as defined for purposes of RCW 42.17.640 through 42.17.790, or an association to which the individual belongs.

~~(b)~~ A treasurer or a candidate is not an intermediary for purposes of the committee that the treasurer or candidate serves.

~~(c)~~ A professional fund-raiser is not an intermediary if the fund-raiser is compensated for fund-raising services at the usual and customary rate.

~~(d)~~ A volunteer hosting a fund-raising event at the individual's home is not an intermediary for purposes of that event.

~~((48))~~ ~~(26)~~ "Legislation" means bills, resolutions, motions, amendments, nominations, and other matters pending or proposed in either house of the state legislature, and includes any other matter that may be the subject of action by either house or any committee of the legislature and all bills and resolutions that, having passed both houses, are pending approval by the governor.

~~((49))~~ ~~(27)~~ "Lobby" and "lobbying" each mean attempting to influence the passage or defeat of any legislation by the legislature of the state of Washington, or the adoption or rejection of any rule, standard, rate, or other legislative enactment of any state agency under the state Administrative Procedure Act, chapter 34.05 RCW. Neither "lobby" nor "lobbying" includes an association's or other organization's act of communicating with the members of that association or organization.

~~((20))~~ ~~(28)~~ "Lobbyist" includes any person who lobbies either in his or her own or another's behalf.

~~((21))~~ ~~(29)~~ "Lobbyist's employer" means the person or persons by whom a lobbyist is employed and all persons by whom he or she is compensated for acting as a lobbyist.

~~((22))~~ ~~(30)~~ "Person" includes an individual, partnership, joint venture, public or private corporation, association, federal, state, or local governmental entity or agency however constituted, candidate, committee, political committee, political party, executive committee thereof, or any other organization or group of persons, however organized.

~~((23))~~ ~~(31)~~ "Person in interest" means the person who is the subject of a record or any representative designated by that person, except that if that person is under a legal disability, the term "person in interest" means and includes the parent or duly appointed legal representative.

~~((24))~~ ~~(32)~~ "Political advertising" includes any advertising displays, newspaper ads, billboards, signs, brochures, articles, tabloids, flyers, letters, radio or television presentations, or other means of mass communication, used for the

purpose of appealing, directly or indirectly, for votes or for financial or other support in any election campaign.

~~((25))~~ ~~(33)~~ "Political committee" means any person (except a candidate or an individual dealing with his or her own funds or property) having the expectation of receiving contributions or making expenditures in support of, or opposition to, any candidate or any ballot proposition.

~~((26))~~ ~~(34)~~ "Primary" means the procedure for nominating a candidate to state office under chapter 29.18 or 29.21 RCW or any other primary for an election that uses, in large measure, the procedures established in chapter 29.18 or 29.21 RCW.

~~(35)~~ "Public office" means any federal, state, county, city, town, school district, port district, special district, or other state political subdivision elective office.

~~((27))~~ ~~(36)~~ "Public record" includes 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. For the office of the secretary of the senate and the office of the chief clerk of the house of representatives, public records means legislative records as defined in RCW 40.14.100 and also means the following: All budget and financial records; personnel leave, travel, and payroll records; records of legislative sessions; reports submitted to the legislature; and any other record designated a public record by any official action of the senate or the house of representatives.

~~((28))~~ ~~(37)~~ "Recall campaign" means the period of time beginning on the date of the filing of recall charges under RCW 29.82.015 and ending thirty days after the recall election.

~~(38)~~ "State legislative office" means the office of a member of the state house of representatives or the office of a member of the state senate.

~~(39)~~ "State office" means state legislative office or the office of governor, lieutenant governor, secretary of state, attorney general, commissioner of public lands, insurance commissioner, superintendent of public instruction, state auditor, or state treasurer.

~~(40)~~ "State official" means a person who holds a state office.

~~(41)~~ "Surplus funds" mean, in the case of a political committee or candidate, the balance of contributions that remain in the possession or control of that committee or candidate subsequent to the election for which the contributions were received, and that are in excess of the amount necessary to pay remaining debts incurred by the committee or candidate prior to that election. In the case of a continuing political committee, "surplus funds" mean those contributions remaining in the possession or control of the committee that are in excess of the amount necessary to pay all remaining debts when it makes its final report under RCW 42.17.065.

~~((29))~~ ~~(42)~~ "Writing" means handwriting, typewriting, printing, photostating, photographing, and every other means of recording any form of

FINAL BILL REPORT

ESSB 5684

PARTIAL VETO

C 397 L 95

Synopsis as Enacted

Brief Description: Consolidating and revising public disclosure laws.

Sponsors: Senate Committee on Law & Justice (originally sponsored by Senators Smith, Winsley, Gaspard, Oke, Wood and Hale; by request of Public Disclosure Commission).

Senate Committee on Law & Justice

Background: The Public Disclosure Commission (PDC) is charged with enforcement of laws related to public records, campaign financing, lobbyist registration and reporting, political advertising, reporting of financial affairs of public officials, and campaign contribution limitations. In exercising its enforcement authority, the PDC often becomes aware of problems and concerns with existing law that can be addressed by amending the law. These changes can range from very minor technical changes to significant policy adjustments.

The types of problems identified by the PDC include multiple definition sections with different definitions for the same word or phrase, different restrictions for candidates for state or local office, the need for clarification of a number of procedures, the need to simplify some operating procedures, the elimination of unnecessary reporting requirements, and addressing technological changes.

In 1993, the Legislature enacted a law establishing a Commission on Ethics in Government and Campaign Practices. This legislation was in response to the reported illegal use of legislative staff for campaign purposes, and other concerns with ethical standards for both campaign practices and state employment.

Legislation was drafted to implement the recommendations of the commission. This legislation was introduced in the form of two bills, one focused on campaign reform and one focused on state employee ethics issues. The ethics bill was enacted by the Legislature in 1994. Many of the campaign reform recommendations have been merged with the proposed legislation from the PDC.

Summary: The three existing definition sections in public disclosure statutes are merged and amended. The definition for "caucus of the state legislature" is replaced by a definition for "caucus political committee" throughout this chapter. "Contribution" does not include legal or accounting services donated to a political party, caucus political committee, or a candidate. "Gift" is defined the same as in the ethics statutes.

Campaigns must file only a weekly report on contributions deposited in a bank, instead of every time a deposit is made. The PDC must allow filer participation in any PDC system designed for electronic filing of reports.

Only the name and address is required for each person who has contributed \$100 or more to a campaign. Unnecessary reporting requirements for contributions, expenditures, and gifts are deleted.

Electronic filing of reports is permitted. The file transfer date is the received date for electronic filing.

The late contribution limit does apply to county central committees and legislative district committees.

The restriction on mailings by state legislators during election years terminates on the last day for certification of election results.

The PDC is required to publish the lobbyist pictorial directory every two years instead of annually.

Detailed staff and salary reports must be provided by the Legislature annually.

Elected officials and state officers must certify with their financial affairs statement that they are aware of the prohibitions on use of public facilities. Activities regarding initiatives to the Legislature are exempt from the prohibition on use of public facilities to the same extent activities regarding other ballot measures are permitted.

Gifts to the spouse or children of elected officials and state officers are attributable to the official or employee unless an independent relationship exists between the giver and the spouse or child. Elected officials and state officers must report gifts of food and beverage in excess of \$50, and payments of expenses for appearances, course fees, or travel that are accepted.

Members of the Executive Ethics Board, the Legislative Ethics Board, and the Commission on Judicial Conduct must file financial affairs statements.

Public disclosure statutes are amended to specifically address access to and production of public records in the possession of the Senate and the House of Representatives.

The PDC procedure for renewing reporting modifications is simplified. PDC rules relating to campaign finance or political advertising that would take effect after June 30 of a general election year will take effect no earlier than the day after the election.

Sponsor identification is required only on the first page of political advertising rather than on every page. Language is added that clarifies that the top five contributors must be listed when the advertising is an independent expenditure by a sponsor other than a party organization. Sponsor identification does not have to appear in a printed box.

The contribution limit from caucuses and political parties is based on the number of eligible voters in a jurisdiction at the time of the most recent election. Voter registration, get-out-the-vote activities, sample ballots, precinct judges, and political committee internal organization and fund raising without direct association with individual candidates are exempt from contribution limits.

Language that prohibits employers or labor organizations from demanding the appearance of political neutrality from their employees is deleted.

The full amount of a loan to a campaign for any public office is attributed as a contribution to both the lender and guarantor. The requirement that a loan must be secured or guaranteed in order to not be subject to contribution limits is deleted.

The prohibition against state officials soliciting funds within a government agency for a candidate, political party or political committee is extended to local officials. The prohibition against state officials and employees providing an advantage to employees or job applicants based on contributions to political parties or political committees is extended to local officials and employees.

The prohibition on soliciting money in return for media support applies to candidates for all public offices.

Reimbursing another person for a contribution to a candidate for any public office is prohibited.

Contributions must be disposed of as surplus funds if the candidate for any public office wants to use the funds for a campaign for a different office than the one for which they are solicited and the contributor does not give permission.

Internal communications, volunteer services, and incidental expenses, not to exceed \$50, personally paid by volunteer campaign workers are excluded from the definition for independent expenditure.

Ethics boards are required to define measurable expenditure with regard to use of public facilities for political purposes.

Surplus campaign funds may be transferred without limit to the caucus political committee. Surplus funds may also be used for nonreimbursed office related expenses.

Lobbyist reporting requirements are revised to conform to the reporting requirements in the state ethics law.

Votes on Final Passage:

Senate	48	0	
House	89	0	(House amended)
Senate			(Senate refused to concur)
House	96	0	(House amended)
Senate	47	0	(Senate concurred)

Effective: July 1, 1995 (Sections 1-32, 34 and 37)
July 23, 1995
September 1, 1995 (Section 33)

Partial Veto Summary: The section limiting required disclosure for each person who contributes \$100 or more to a campaign to only the name and address is vetoed.

The section deleting language that prohibits employers or labor organizations from demanding the appearance of political neutrality from their employees is vetoed.

SENATE BILL REPORT

SB 5684

As Reported By Senate Committee On:
Law & Justice, March 1, 1995

Title: An act relating to public disclosure.

Brief Description: Consolidating and revising public disclosure laws.

Sponsors: Senators Smith, Winsley, Gaspard, Oke, Wood and Hale; by request of Public Disclosure Commission.

Brief History:

Committee Activity: Law & Justice: 2/13/95, 3/1/95 [DPS].

SENATE COMMITTEE ON LAW & JUSTICE

Majority Report: That Substitute Senate Bill No. 5684 be substituted therefor, and the substitute bill do pass.

Signed by Senators Smith, Chair; C. Anderson, Vice Chair; Hargrove, Haugen, Johnson, Long, McCaslin, Quigley, Rinehart, Roach and Schow.

Staff: Martin Lovinger (786-7443)

Background: The Public Disclosure Commission (PDC) is charged with enforcement of laws related to public records, campaign financing, lobbyist registration and reporting, political advertising, reporting of financial affairs of public officials, and campaign contribution limitations. In exercising its enforcement authority, the PDC often becomes aware of problems and concerns with existing law that can be addressed by amending the law. These changes can range from very minor technical changes to significant policy adjustments.

The types of problems identified by the PDC include multiple definition sections with different definitions for the same word or phrase, different restrictions for candidates for state or local office, the need for clarification of a number of procedures, the need to simplify some operating procedures, the elimination of unnecessary reporting requirements, and addressing technological changes.

Summary of Substitute Bill: The three existing definition sections in public disclosure statutes are merged and amended. The definition for "caucus of the state legislature" is replaced by a definition for "caucus political committee," which replaces "caucus of the state legislature" throughout this chapter. "Contribution" does not include legal or accounting services donated to a political party, caucus political committee, or a candidate. "Gift" is defined the same as in the ethics statutes.

Campaigns must file only a weekly report on contributions deposited in a bank, instead of every time a deposit is made. The PDC must allow filer participation in any PDC system designed for electronic filing of reports.

Only the name and address is required for each person who has contributed \$100 or more to a campaign. Unnecessary reporting requirements for contributions, expenditures, and gifts are deleted.

Electronic filing of reports is permitted. The file transfer date is the received date for electronic filing.

The late contribution limit does apply to county central committees and legislative district committees.

The PDC is required to publish the lobbyist pictorial directory every two years instead of annually.

Detailed staff and salary reports must be provided by the Legislature annually.

Elected officials and state officers must certify with their financial affairs statement that they are aware of the prohibitions on use of public facilities.

Gifts to the spouse or children of state officials and employees are attributable to the official or employee unless an independent relationship exists between the giver and the spouse or child.

Members of the Executive Ethics Board, the Legislative Ethics Board, and the Commission on Judicial Conduct must file financial affairs statements.

The PDC procedure for renewing reporting modifications is simplified. The PDC must deal with questions of legislative intent on a case-by-case basis applying standard rules of statutory interpretation, rather than by rule.

Sponsor identification is required only on the first page of political advertizing rather than on every page. Language is added that clarifies that the top five contributors must be listed when the advertizing is an independent expenditure by a sponsor other than a party organization. Sponsor identification does not have to appear in a printed box.

The contribution limit from caucuses and political parties is based on the number of eligible voters in a jurisdiction at the time of the most recent election. Voter education and get out the vote activities, operational expenses, personnel costs for exempt activities, and party expenditures for a slate of three or more candidates are exempt from contribution limits.

The legislative caucuses must designate for the PDC by July 1, 1995, the caucus political committee. It may be a political committee that already exists and may receive transferred funds from an existing political committee organized and maintained a legislative caucus. The caucus political committee may establish two accounts. One is a contributions account which is subject to contribution limits. The other is an exempt activity account which is not subject to contribution limits.

Two or more entities are treated as one, if one is a subsidiary or branch of the other.

The full amount of a loan to a campaign for any public office is attributed as a contribution to both the lender and guarantor. The requirement that a loan must be secured or guaranteed in order to not be subject to contribution limits is deleted.

The prohibition against state officials soliciting funds within a government agency for a candidate, political party or political committee is extended to local officials and public employees.

The prohibition on soliciting money in return for media support applies to candidates for all public offices.

Reimbursing another person for a contribution to a candidate for any public office is prohibited.

Contributions must be disposed of as surplus funds if the candidate for any public office wants to use the funds for a campaign for a different office than the one for which they were solicited and the contributor does not give permission.

Internal communications, volunteer services, and incidental expenses, not to exceed \$50, personally paid by volunteer campaign workers are excluded from the definition for independent expenditure.

Ethics boards are required to define measurable expenditure with regard to use of public facilities for political purposes.

Elected officials and executive state officers are required to report gifts in the form of food and beverage that exceeds \$50 on a single occasion to an elected official or executive state officer or immediate members of the family.

Surplus campaign funds may be transferred without limit to the caucus political committee. Surplus funds may also be used for nonreimbursed office related expenses.

Substitute Bill Compared to Original Bill: The original bill specified that contributions that remain unspent after a primary election are not surplus funds if the candidate is a candidate in the general election.

In addition the original bill contained only the following provisions, all of which have been incorporated in the substitute bill:

Three definition sections, which include different definitions for some terms, are merged into one section. An accidental reference in the definition of "gift" to the code section governing public office funds, which was repealed by Initiative 134, is deleted.

The restrictions against unfair campaign practices and the broader definition of "contribution" in Initiative 134, but not the contribution limits, apply to all candidates for office.

When a contributor refuses to give permission to a candidate to use the contribution for a campaign for a different office, the contribution must be disposed of as surplus funds.

The contribution limit from caucuses and political parties is based on the number of eligible voters in a jurisdiction at the time of the most recent general election.

A report on contributions deposited in the bank is only required weekly, instead of every time a deposit is made.

Members of the Executive Ethics Board, Legislative Ethics Board, and Commission on Judicial Conduct are required to file financial affairs statements. The ethics boards, rather than the PDC, are authorized to adopt by rule for state officials and employees a definition of measurable expenditure with regard to use of public facilities for political purposes.

Sponsor identification is required on the first page of political advertising rather than on every page.

The PDC is authorized to implement an electronic filing program.

The PDC is required to publish the lobbyist pictorial directory every two years instead of annually.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill contains an emergency clause and section 14 takes effect on July 1, 1995. The remainder of the bill takes effect on December 1, 1995.

Testimony For: This bill will simplify some reporting requirements, better incorporate the provisions of Initiative 134 with other public disclosure statutes, and make PDC operations more efficient.

Testimony Against: None.

Testified: Melissa Warheit, Executive Director, PDC (pro); Vicki Rippie, PDC (pro); Carolyn Van Noy, Executive Director, Seattle Ethics and Elections Commission (pro); Chuck Sauvage, Common Cause.



Washington State Legislature

October 8, 2007

Thomas A. Carr, Chair
Public Records Exemptions Accountability Committee
c/o Seattle City Attorney
P.O. Box 94769
Seattle, WA 98124-4769

Dear Chairman Carr and Members:

We understand that the Committee may examine the bases for the Legislature's unique definition of "legislative records" as "public records" in RCW 42.56.010, which is different from that definition applicable to most other governmental entities.

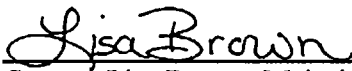
This legislative definition of "public record" is tied to the Legislature's understanding of its unique constitutional powers, rights and duties.


There are cases currently pending before the Washington Supreme Court where the nature and scope of legislative privilege is a central element in the dispute. It would seem prudent for the committee to refrain from moving forward on any examination of this definition of "public record" at least until the Supreme Court has issued its opinion.

If the Committee should decide to take up this matter, which is very important to the operations of the Legislature, we would ask that the Committee consider this only at a meeting where all four legislative appointees can be present.

Thank you for your consideration,


Speaker Frank Chopp
Washington State House of Representatives


Senator Lisa Brown, Majority Leader
Washington State Senate


Representative Richard DeBolt
House Republican Caucus Leader


Senator Mike Hewitt
Senate Republican Caucus Leader