

MINUTES
Public Records Exemptions Accountability Committee
(“Sunshine Committee”)
Virtual Meeting held via Zoom Webinar
John A. Cherberg Building – Conference Room ABC – Olympia, WA

July 29, 2025

Members Present: Vice Chair Rowland Thompson, Sen. Jeff Wilson, Sen. Sharon Shewmake, Rep. Rob Chase, Tricia Smith, Melissa Luck, and David Zeeck

Members Absent: Rep. Larry Springer and Jennifer Steele

Staff Present: Assistant Attorney General Lisa Petersen (Committee Counsel), Kelly Gonzalez, and Elizabeth Mateo (Committee Staff)

1) Call to Order

1.1 Introduction / Roll Call and Establishment of Quorum

Vice Chair Rowland Thompson called the meeting of the Sunshine Committee (Committee) to order at 9:09 a.m., July 29, 2025, remotely via Zoom Webinar and at the John A. Cherberg Building, Conference Room ABC, Olympia, WA.

Seven out of nine members were present at the beginning of the meeting. A quorum was established.

1.2 Adoption of Agenda for July 29, 2025

Motion: To adopt the July 29, 2025 agenda. Moved by David Zeeck, seconded by Sen. Shewmake. Approved unanimously.

1.3 Review and Approve November 12, 2024 Meeting Minutes

Motion: To adopt the November 12, 2024 meeting minutes. Moved by David Zeeck, seconded by Sen. Wilson. Approved unanimously.

2) New Business

2.1 Health Professionals – [RCW 42.56.350\(2\)](#) [Thompson] (No.171 on Schedule of Review)

Vice Chair Thompson explained that RCW 42.56.350(2) indicates health professionals are required by licensing forms to give an address of contact at the time of filing. For many years that was their home address. In 2005 they made a change so that they could use their home address for filing but also could use an alternate address. If they give a professional address as their alternate address, that address will be disclosable and their residential address will be withheld.

Motion: To recommend retaining the exemption in RCW 42.56.350(2) as is. Moved Rowland Thompson, seconded by Sen. Wilson. Approved unanimously.

2.2 Mediation Communication – [RCW 7.75.050](#) [Thompson] (No.227 on Schedule of Review)

Vice Chair Thompson explained RCW 7.75.050 is regarding mediation communication. This RCW was created in the 1980s and allows cities and counties to set up voluntary dispute resolution centers. The outcome of disputes is disclosable, but communications by both parties with mediators are confidential as in work product. Vice Chair Thompson feels it is a reasonable exemption and not aware of a dispute to this exemption.

Motion: To recommend retaining the exemption in RCW 7.75.050 as is. Moved by David Zeeck, seconded by Sen. Shewmake. Approved unanimously.

2.3 Financial, Commercial and Proprietary Information – [RCW 7.88.020](#) and [RCW 7.88.030](#) [Thompson] (No.228 on Schedule of Review)

Vice Chair Thompson explained that RCWs 7.88.020 and 7.88.030 deal with records submitted by financial institutions and is a statute created in 1997 to try to create a voluntary compliance review. Financial institutions, such as banks and credit unions, do their own stress tests of their financial viability and then submit documents to the Department of Financial Institution. These documents are exempt and confidential and can't be used in any legal proceedings against the financial institutions to try to cause institutions to voluntarily monitor themselves and cannot be used in a legal procedure.

David Zeeck mentioned he considers these two elements together because RCW 7.88.030 deals with the exceptions of confidentiality and talks about ways confidentiality can be breeched.

Motion: David Zeeck moved to accept the continuation of exemptions RCW 7.88.020 and RCW 7.88.030 as a package to keep them as is. Approved unanimously.

2.4 Health Care – Concealed Pistols – [RCW 9.41.097\(2\)](#) [Thompson] (No.230 on Schedule of Review)

Vice Chair Thompson explained RCW 9.41.097(2) deals with health care information submitted as part of the background checks done by the state patrol under the state system for concealed pistols. The healthcare authority, mental health intuitions, and other healthcare facilities are required to supply mental health information when requested under these background checks. Mental health information is protected by HIPPA. This information continues to need to be protected under state and federal law. The committee received a letter from Washington State Medical Association (WSMA) asking that this be continued.

Vice Chair Thompson recommended this to be continued because of the complication with HIPPA and with the fact people do not need to have their mental health information disclosed through public records requests.

David Zeeck pointed out that this information is available to legislative investigators, law enforcement, and crime victims. He thinks exemption is appropriate.

Motion: To recommend retaining the exemption in RCW 9.41.097(2) as is. Moved by Sen. Wilson, seconded by Sen. Shewmake. Approved unanimously.

2.5 State Government – [RCW 43.21F.060\(1\)](#) [Thompson] (No. 341 on Schedule of Review)

Vice Chair Thompson explained RCW 42.21F.060(1) deals with financial information that the Department of Commerce Energy Office obtains through a required survey. There are a series of records that the department asks for, such as forward-looking documents that show the state of the customer base, plans for future expansion, and talk about how they intend to pay for them. These are proprietary documents. Information is confidential since this information can be valuable in the marketplace. Penalty for an employee who knowingly discloses this information and can be fined and detained if convicted. Lunell Haught sent a comment that no public employee should be subject to any criminal penalties for disclosure of this information.

The committee considered oral public comment from Lunell Haught, Executive Director of the Washington Coalition for Open Government.

A discussion followed regarding different situations when the public has a right to know how energy is being used.

Vice Chair Thompson responded that this is not Electronic Facility Siting Commission (EFSC) or Utilities Transportation Commission (UTC). Much of that information is disclosable, it's a different process. This is for proprietary information collected from private businesses by the energy office for use by the executives to monitor how things are going as mentioned in the exemption section (a) Sales volume; section (b) Forecast of energy requirements and (c) Energy costs.

Rep. Chase mentioned in chat about similar penalties for whistleblowers. Vice Chair Thompson explained that the term whistleblower is a specific term under state law. A discussion ensued about specific whistleblower procedures.

Motion: To recommend retaining the exemption in RCW 42.21F.060(1) as is. Moved by David Zeeck, seconded by Sen. Shewmake. Yes – 6 (Thompson, Wilson, Shewmake, Smith, Zeeck, Luck). Abstention – (Chase). Motion passed.

2.6 State Government – [RCW 43.52.612](#) [Thompson] (No.348 on Schedule of Review)

Vice Chair Thompson explained RCW 43.52.612 is an exemption for the building of a nuclear facility. During the contracting process, there's a requirement to submit a wide range of information, all of which is disclosable except for financial health information.

Motion: To recommend retaining the exemption in RCW 43.52.612 as is. Moved by David Zeeck, seconded by Rep. Chase. Approved unanimously.

3) Public Comment

Hillary Norris, Policy Analyst with Washington State Medical Association, submitted written comment in support of continuing RCW 42.56.350(2) and RCW 9.41.097(2) prior to the meeting.

4) Committee Business

4.1 Report on Committee Vacancies

Vice Chair Thompson mentioned the need to get on a number of statewide elected officials to get a renewal of various people to this committee. David Zeeck's and Melissa Luck's terms have ended. Larry Springer's term has ended. There is a need to get people renewed or new people appointed. Vice Chair Thompson hopes that a new Chair is appointed before the next meeting.

4.2 Assignment of Exemptions & Review Updates

Vice Chair Thompson explained that there was a list of exemptions sent to committee members. Toby Nixon was the Chair but left due to his new responsibilities at Bluetooth. Vice Chair Thompson tried to clear up all the exemptions assigned to Toby Nixon. A list of exemptions and examples of work product will be sent to the new members.

5) Adjourn

The Committee adjourned at 10:02 a.m.