



Open Government Impact Statement

80th Oregon Legislative Assembly
2019 Regular Session

Measure: HB 2574

Only impacts on Original or Engrossed
Versions are Considered Official

Prepared by: Cameron D. Miles
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SUMMARY

Requires Department of Land Conservation and Development to establish electronic information system to receive, consolidate and organize public record information concerning shellfish mariculture in Oregon. Appropriates moneys to department for program for biennium beginning July 1, 2019.

Requires State Department of Agriculture to administer and enforce program to regulate commercial mariculture of shellfish on tidelands owned by counties or port districts. Appropriates moneys to department for program for biennium beginning July 1, 2019.

Requires State Department of Fish and Wildlife to establish and administer program for community outreach and instruction regarding opportunities for recreational harvesting of shellfish. Appropriates moneys to department for program for biennium beginning July 1, 2019.

Declares emergency, effective July 1, 2019.

OPEN GOVERNMENT IMPACT

Legislative Counsel has not adopted standards for drafting measures that establish exemptions from disclosure of public records.

This measure has an indeterminate open government impact. It is not clear what types of exempt records would be provided to the Department of Land Conservation and Development, whether the proposed electronic information system would serve only as a repository for records or if new records would be created by combining information from multiple sources. Even if new records were to be created by combining exempt and non-exempt information, it is not clear whether this measure creates a new exemption from the disclosure of public records or if it merely instructs the Department of Land Conservation and Development to always claim the existing exemption for exempt records of another agency found in ORS 192.355 (10).

Based on the preceding discussion, it is also indeterminate as to how this measure would impact public interests in disclosure that would be served if the public records were subject to mandatory disclosure.