



The Public Records Advisory Council supports the passage of SB 1506

10 February 2020

Oregon State Senate General Government and Emergency Preparedness Committee

Subject: Oregon Senate Bill 1506

Sent via email to: sggep.exhibits@oregonlegislature.com

Dear Senators Riley, Girod, Boquist, Golden, and Monnes Anderson:

I'm here today as the Chair of the Public Records Advisory Council, in order to express the support of the Public Records Advisory Council for the passage of Senate Bill 1506 as introduced. This bill was crafted by a majority of the members of the Public Records Advisory Council and enjoys bi-partisan, bi-cameral support. Representative Power and Senator Thatcher, who are both members of the PRAC, supported this bill as introduced.

The Office of the Public Records Advocate and the Public Records Advisory Council were created by Senate Bill 106 in 2017. The Public Records Advocate provides facilitated dispute resolution services for public records requestors and public bodies, provides free training on the public records law and best practices for making and processing public records requests, and leads the Public Records Advisory Council. The Council works with the Advocate and the State Archives Division to study and make recommendations concerning the Advocate's role, as well as practices, procedures, exemptions, and fees related to public records. Since their inception, the Council and Advocate have utilized their broad perspectives and collective knowledge to collect data and make recommendations on improving the application of the public records law in Oregon, as well as how the Council and Advocate can better serve Oregonians on public records issues.

The Council identified several statutory changes they would like to see, which resulted in the bill you have before you today. One proposed change declares the Office of the Public Records Advocate an independent state agency within the Executive Branch. Another change allows the Public Records Advisory Council to recruit and appoint a successful candidate to be Oregon's next Public Records Advocate, replacing the current process in which the Governor appoints the Advocate from a panel of three qualified individuals nominated by the Council. Together, these changes take steps to make the Advocate and Council more independent to serve the public without perceived bias or influence.

Moreover, if passed, the bill would broaden the Council's authority to collectively use its deep public records expertise to weigh in on legislation about the public records law. In creating the Council, SB 106 was silent on how or to whom the Council should make legislative recommendations. The new statutory language clarifies that the Council as a whole may directly request the introduction of legislation through legislators.

Finally, SB 1506 creates a system of electing council leadership instead of the Advocate serving as the de facto chair.

The Council would appreciate your support on this important proposal to ensure the independence and sustainability of the Advocate and the Council's work.



Stephanie Clark

Public Records Advisory Council Chair

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