



# MEMORANDUM

Prepared for: Oregon State Senate  
Date: January 26, 2022  
By: Leslie Porter, Analyst  
Re: Legislative Review of Executive Appointments

LPRO: LEGISLATIVE POLICY AND RESEARCH OFFICE

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## PUBLIC RECORDS ADVISORY COUNCIL

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The Governor has appointed the following individuals to the Public Records Advisory Council subject to Senate confirmation.<sup>1</sup>

### New Appointee

Tyler Janzen of Salem

### Reappointees

Emily Harris of Portland  
Mark Landauer of Portland  
Steve Suo of Estacada

### Term

Harris: January 1, 2021 – December 31, 2023  
Janzen: March 1, 2022 – December 31, 2024  
Landauer: January 1, 2021 – December 31, 2024  
Suo: January 1, 2021 – December 30, 2023

### Appointment/Confirmation Authority

[ORS 192.481 \(2021\)](#)

### Statement of Economic Interest<sup>2</sup>

Not required.

### Statutory Requirements<sup>3</sup>

The council consists of 14 members, nine of whom are appointed by the Governor and subject to confirmation of the Senate.<sup>4</sup> Membership must include:

- the Secretary of State or a designee (WOON);
- the Attorney General or a designee (KRON);
- the Director of the Oregon Department of Administrative Services or a designee (CRAWFORD);

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<sup>1</sup> [Or. Const. art. III sect. 4](#), [ORS 171.562 \(2021\)](#), [ORS 171.565 \(2021\)](#).

<sup>2</sup> [ORS 244.050 \(2021\)](#).

<sup>3</sup> [ORS 182.100 \(2021\)](#) for affirmative action policy and [ORS 236.115 \(2021\)](#) for diversity criteria.

<sup>4</sup> [ORS 192.481 \(2021\)](#).

- a representative of the news media who is a member in good standing of a professional journalism association and who is appointed by the Governor (**HARRIS**);
- two additional representatives of the news media who are appointed by the Governor (KEARNS MOORE, **SUO**);
- a representative of the cities of this state who is appointed by the Governor (JOHNSON);
- a representative of the counties of this state who is appointed by the Governor (**JANZEN**);
- a representative of the special districts of this state who is appointed by the Governor (**LANDAUER**);
- a representative of the public sector workforce who is appointed by the Governor (VACANT);
- a member of the public who is appointed by the Governor (HERNANDEZ);
- a Senator who is appointed by the President of the Senate and who serves as an ex officio nonvoting member (THATCHER);
- a Representative who is appointed by the Speaker of the House of Representatives and who serves as an ex officio nonvoting member (POWER); and
- the Public Records Advocate, who serves as chair of the council (ALBERT).

Appointed members serve two-year terms and are eligible for reappointment. A majority of the voting members of the council constitutes a quorum for the transaction of business. The council must meet at least once every six months and at other times and places specified by the call of the chair or of a majority of the members of the council.

## Duties and Authority

The council works with the Public Records 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.<sup>5</sup>

The council must:<sup>6</sup>

- nominate three qualified individuals to serve as the Public Records Advocate who may be removed for cause by the Governor or upon motion of the council with the consent of the Governor;
- periodically survey state agency and other public body practices and procedures for: receiving public records requests, identifying the existence of records responsive to the requests and gathering and disclosing responsive records; determining fee estimates and imposing or waiving fees; and determining and applying exemptions from required disclosure of public records;
- periodically examine practices for receiving and processing public records requests in other jurisdictions;

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<sup>5</sup> Oregon Public Records Advocate, *Public Records Advisory Council*, <https://www.oregon.gov/prs/Pages/advisory-council.aspx> (last visited July 30, 2020).

<sup>6</sup> [ORS 192.461 to 192.483 \(2021\)](#).

- identify inefficiencies and inconsistencies in application of the public records law that impede transparency in public process and government;
- make recommendations on changes in law, policy, or practice that could enhance transparency in public process and government, and facilitate rapid dissemination of public records to requesters;
- make recommendations on the role of the Public Records Advocate as facilitator in disputes between custodians of public records and public record requesters; and
- submit to the Governor and to the Legislative Assembly a biennial report that describes the findings of the council since the council's last report which may include recommendations for legislation.

The council may:<sup>7</sup>

- prepare reports and studies at its discretion; and
- adopt rules governing the operations of the office of the Public Records Advocate, including but not limited to rules establishing procedures for the conduct of facilitated dispute resolution.

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<sup>7</sup> [ORS 192.843 \(2021\)](#).

## Executive Appointments Board Roster

### Public Records Advisory Council

Agency: Governor's Office

Authorization: SB 106

Members: Min: 13 Max: 13

Term Length: 2 years Limit: 2

Senate confirmation required? Yes

**Policy Area:** Intergovernmental Relat

**Board Contact:**

Todd Albert

OR

503-871-9036

todd.albert@oregon.gov

### Current Appointments:

#### Member Name and Address (Alphabetical)

|  |                    |
|--|--------------------|
| Emily G Harris<br>News media rep—ORS 192.481(2)(d)—Three years<br>Term(s): 01-01-2021 - 12-31-2023<br>11-25-2019 - 09-30-2021        | Position Number: 1 |
| Tony Hernandez<br>Public rep—ORS 192.481(2)(j)—Four years<br>Term(s): 01-01-2018 - 12-31-2021  | Position Number: 8 |
| Tyler Janzen<br>County rep—ORS 192.481(2)(g)—Three years<br>Term(s): 03-01-2022 - 12-31-2024   | Position Number: 5 |
| Shasta Kearns Moore<br>Additional media rep—ORS 192.481(2)(e)—Four years<br>Term(s): 01-01-2022 - 12-31-2025                         | Position Number: 2 |
| Mark J Landauer<br>Special Districts rep—ORS 192.481(2)(h)—Four years<br>Term(s): 01-01-2021 - 12-31-2024<br>10-01-2017 - 09-30-2021 | Position Number: 6 |
| Steve Suo<br>Additional media rep—ORS 192.481(2)(e)—Three years<br>Term(s): 01-01-2021 - 12-30-2023<br>10-01-2017 - 09-30-2021       | Position Number: 3 |

### Vacant Appointments:

| Pos | Member   | Appointed By | Term Begin | Term End   |
|-----|--|--------------|------------|------------|
| 4   | Scott J Winkels<br>City rep—ORS 192.481(2)(f)—Four years | Governor     | 10/01/2017 | 09/30/2021 |
| Pos | Member   | Appointed By | Term Begin | Term End   |
| 9   | Ginger P McCall<br>Public Records Advocate               | Governor     | 03/31/2018 | 03/30/2022 |