



Testimony in Opposition: HB 4140
House Rules Committee
February 10, 2022
Genoa Ingram

The Oregon Fire District Directors Association (OFDDA), formed in 1950, serves the elected public officials of over 200 Fire Protection Districts throughout Oregon, all Special Districts formed under ORS Chapter 478. The five-member governing boards, who serve without compensation, are responsible for the financial and management oversight of rural fire protection districts.

The OFDDA opposes HB 4140 due to the additional cost burden it will place on rural fire protection districts. While our members understand that some may be confused regarding the enforcement of public meetings statutes, the enforcement has long rested with the Oregon Department of Justice and instructions on proper comportment and compliance of those statutes are clearly outlined in the [Attorney General's Public Records and Meetings Manual](#).

On its face, HB 4140 does not appear to be a bad bill. But in truth, it is a solution looking for a problem. Should a complainant mistakenly call the Oregon Government Ethics Commission regarding enforcement of public records or meeting laws, they are immediately referred to the Department of Justice for redress.

Section 4 seeks to amend ORS 244.255 as follows:

244.255. (1) The Oregon Government Ethics Commission shall estimate in advance the expenses that it will incur during a biennium in carrying out the provisions of ORS 171.725 to 171.785, [and] 171.992 and 192.610 to 192.690 and this chapter. The commission shall also determine what percentage of the expenses should be borne by the following two groups of public bodies:

- (a) Public bodies in state government; and*
- (b) Local governments, local service districts and special government bodies that are subject to the Municipal Audit Law.*

This means that any local government body that is subject to the Municipal Audit Law (such as fire districts) will be forced to fund the investigation and enforcement activities of these additional cases. Since Special Districts (including fire districts) were deprived by the legislature of any funds allocated to Oregon from the American Rescue Plan Act, fire districts simply cannot afford to bear this additional burden, particularly given the additional expenses and challenges brought on by COVID-19.

On behalf of Oregon's rural fire protection districts, we urge you to oppose HB 4140.