

Submitter: Jeff Thompson

On Behalf Of:

Committee: Senate Committee On Judiciary

Measure, Appointment or Topic: SB1015

1. Administrative Burden and Cost

Opponents, particularly from state agencies or resource-strapped departments, might argue that the mandate to disclose all related public records imposes an excessive administrative burden. For example, they could highlight the time and cost of compiling, reviewing, and redacting sensitive information, especially for agencies with limited staff or funding. Testimony might emphasize that this could divert resources from core agency functions, such as public safety or health services.

2. Privacy and Confidentiality Concerns

Individuals or groups, including agency representatives or private entities interacting with the government, might oppose the bill due to potential breaches of privacy. They could argue that disclosing records might inadvertently reveal personal data, trade secrets, or legally protected information (e.g., attorney-client communications), even with exemptions in place. Opposition testimony might call for clearer safeguards or broader exemptions to protect sensitive data.

3. Chilling Effect on Agency Participation

Critics might contend that the disclosure requirement could discourage agencies from testifying on legislation altogether, fearing exposure of internal deliberations or politically sensitive decisions. This could reduce informed input during the legislative process, weakening policy debates. For instance, testimony might reference how agencies might hesitate to oppose controversial bills if it means revealing strategic or operational details.

4. Overreach of Legislative Authority

Some opponents, possibly including lawmakers or agency heads, might frame SB 1015 as an overreach into executive branch autonomy. They could argue that forcing agencies to justify their positions with extensive documentation undermines their discretion and expertise, turning a procedural step into a punitive measure. Rural representatives, like those who opposed SB 1154 in 2025, might echo sentiments of "unacceptable overreach," adapting the critique to this context.

5. Ambiguity in Implementation

Opposition testimony might focus on the bill's vagueness—e.g., what constitutes "all public records" or "related to the decision"? Without precise guidelines, agencies could face inconsistent enforcement or legal challenges, a concern likely raised by legal experts or advocacy groups like the Oregon Government Ethics Commission.