

June 5, 2025

Chair Kayse Jama  
Members of the Senate Rules Committee  
Oregon State Capitol  
900 Court St. NE  
Salem, OR. 97301

Chair Jama and, Members of the Committee,

The Special Districts Association of Oregon (SDAO) represents approximately 950 districts with 32 types of districts across the state that play a crucial role in delivering essential public services to our citizens, including fire protection, water supply, sanitation, libraries, parks and recreation, irrigation and more. Our association and member districts are committed transparency, and while we appreciate the intent behind this legislation we are opposed to the dash one amendment to SB 1077.

For background, our association represents hundreds of small districts. In fact, over 350 of our members are run entirely by volunteers. Furthermore, seventy five percent of our membership have ten or fewer employees and forty percent of our members have an operational budget of less than \$100,000 a year. With this background we are concerned that the dash one amendment would require our smaller members to do more work processing public records requests and place new burdens on those districts.

The amendment would require public bodies to do more work to process public records – particularly when fee waivers or reductions are requested. This could be particularly problematic for small public bodies if confronted with a vexatious requestor. Many of our members are being forced to do more with less, and this bill will add to that burden. For example, under this proposal an individual can request, and the public body shall produce a detailed summary of how the costs are calculated that a reasonable person can understand **within 5 business** days of that request. Furthermore, under the amendment, if a custodian denies of a fee waiver or reduction the public body would be required to respond with a **written response in 5 business** days.

Another concern is that the amendment allows a public body to charge up to 500% to commercial requestors. However, if a public body simply wants to charge the cost of producing the records the measure still requires the custodian to pay 67% of the fee into the Public Records Fund. As a result, for a public body to simply break-even it will have to charge 300% of actual costs just to recover their own costs and then they will have to remit the remaining amount of the fee to the State. This extra accounting and paperwork will distract staff and resources from their primary missions.

Furthermore, under the proposal, requestors are allowed to appeal denials of fee waivers or reductions to the Department of Justice (Except in Multnomah County) who will then

conduct a de novo review of a case. Our members are accustomed to working with their local District Attorneys and are comfortable with the existing process.

We remain committed to transparency in governance, however, the amendment to SB 1077 will require additional work for our members without little to any benefit to public bodies.

Thank you for your consideration,

Sincerely,

A handwritten signature in black ink, appearing to read 'Mark Landauer', with a long horizontal flourish extending to the right.

Mark Landauer  
Lobbyist  
Special Districts Association of Oregon