

DRAFT Summary points from Legislative subcommittee meeting 11/12/21

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Purpose

-for review and amendment at subcommittee meeting 12/2/21

-for report back to full PRAC at 12/9/21 meeting

- Costs* will be our legislative priority
 - Aiming for bill in 2023 session
 - *discussion on framing: “costs” captures the issue more fully and accurately than “fees” - open government is a legal responsibility & public good, comes with a cost. Question is how does society best distribute that cost.

- Other potential legislative goals discussed
 - Clarifying the legal definitions [ORS 192.311] of public body to include local elected officials, and public record to capture changing media formats, including social media, going forward.
 - Called “low hanging fruit” / seemed fairly straightforward
 - Possible attach to 2022 bill, deemed unlikely
 - Plan for some testimony on this; possible inclusion in a larger bill
 - Revise system of public body appeals of an AG/DA opinion; currently body must sue the requestor
 - Needs more discussion
 - Possible testimony on this; possible inclusion in a larger bill

- Plan of work
 - Legislative subcommittee to meet Dec 2 and 17 2021, then Fridays 1-3 pm every three weeks, beginning Jan 7 2022.
 - (2022 dates, subject to change: 1/7, 1/28, 2/18, 3/11, 4/1, 4/22, 5/13, 6/3, 6/24, 7/15, 8/5, 8/26, 9/16, 10/7, 10/28, 11/18, 12/9.)
 - 2022 Jan-June testimony and other research, coalition building, early drafting
 - 2022 July-Sept bill drafting
 - Areas of research and testimony
 - Costs and cost bearing at Oregon state agencies and local governments
 - Consistency, services attributed to costs, cost tracking practices, sources of funding. (turn into questions
 - Testimony, new research, past PRA research
 - Costs and cost bearing in other state laws
 - Sources of funding, limits on charges by dollar figure, time spent, level of employee, etc. (turn into questions)
 - Potential resources (*verify all descriptions of laws with current statutes*)
 - National Conference of State Legislatures/[Pam Greenberg](#) tracks public records

- National League of Cities; doesn't immediately show research on this
 - Reporters Committee for Freedom of the Press's [Open Government Guide](#) allows point-by-point comparison among states (a little cumbersome)
 - Muckrock's [state-by-state record law guide](#), including [highest cost within a state](#)
 - A [basic primer](#) from Ballotpedia, last updated 5/21
 - A [360 review](#) comparing access to public records at different agencies in Florida, including costs.
 - One [state-by-state infographic rating](#); costs are just one component
- Federal law
 - Potential areas of testimony (specific people or types experience/ expertise of interest)
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 - Plan to request research assistance on most appropriate areas from LPRO (Legislative Policy and Research Office) with support from Sen. Thatcher. *Thank you Senator!*