

0:0:0.0 --> 0:0:0.790

Emily Harris (Guest)

Can you start recording?

0:0:1.680 --> 0:0:9.870

Emily Harris (Guest)

You are recording already. OK, great. So, Umm, welcome everybody to the legislative subcommittee of the Oregon Public Reference Advisory Council, October 20th.

0:0:11.210 --> 0:0:28.120

Emily Harris (Guest)

We have a pretty short and continued focused agenda. We'll, I'll just read it through so we can approve it. I also first just want to say thanks to everybody for all that work that got done last week when I was gone, yay. Looked was great to come back to. I haven't been able to see the meeting because the recording hasn't been.

0:0:29.80 --> 0:0:39.770

Emily Harris (Guest)

Rendered I think is the right word yet, but I got briefed on it by Todd. So and and read the document. So thank you everybody on the agenda today is to keep on discussing.

0:0:41.50 --> 0:1:11.500

Emily Harris (Guest)

Our our revised legislative proposals, hopefully we can work through the non public interest concepts and then return to the public interest concepts. We did designate this meeting as a time to bring specific language to the public interest concepts in that first version. That's that Steve had put out a couple weeks ago. So so we'll we'll try to get some time for for sure do that presuming that people are prepared and OK with that and we'll have some time for public comment and then we will.

0:1:11.640 --> 0:1:20.560

Emily Harris (Guest)

Try to wrap up 10 minutes before the end. Our scheduled time is to end at 4:30 to look at the calendar and make sure we're on track with our goals.

0:1:20.980 --> 0:1:25.550

Emily Harris (Guest)

Umm. So everybody approved. Can I get a motion to approve the agenda?

0:1:29.650 --> 0:1:30.450

ALBERT Todd \* PRA

So moved.

0:1:31.0 --> 0:1:31.540

Scott Stauffer

2nd.

0:1:31.100 --> 0:1:31.620

Mark Landauer

2nd.

0:1:30.730 --> 0:1:35.460

Emily Harris (Guest)

OK, great. All in favor of approving the agenda, any revisions to it?

0:1:37.70 --> 0:1:37.580

Emily Harris (Guest)

OK.

0:1:38.50 --> 0:1:38.610

Tyler Janzen, AOC (Guest)

Aye.

0:1:38.380 --> 0:1:38.690

Emily Harris (Guest)

I.

0:1:40.10 --> 0:1:40.300

Scott Stauffer

Hi.

0:1:40.130 --> 0:1:46.10

Emily Harris (Guest)

OK, great. OK. And it looks like we have plenty of folks. And Michael Cohen just popped on and popped off, so.

0:1:47.0 --> 0:1:48.830

Emily Harris (Guest)

Steve was at a question. Yeah, hand up or?

0:1:49.930 --> 0:1:51.840

Suo, Steve

Yeah, I I'm just wondering.

0:1:53.510 --> 0:2:20.60

Suo, Steve

You know, we we had sort of designated today to talk about the public interest at least, and we have leftover non public interest from last week. Do we want to maybe set a time limit for if we're we're going to discuss the leftover material from last week, do we do first do we wanna set a timeout for that or do we want to do public interest 1st and see what time is leftover available for for the for the remainders.

0:2:22.970 --> 0:2:23.690

Suo, Steve

Or neither.

0:2:22.580 --> 0:2:26.190

Emily Harris (Guest)

That's a great question. I think we should definitely try to get to both of them today.

0:2:26.280 --> 0:2:37.250

Emily Harris (Guest)

And let's take the next 30 minutes and see what we can get through on the non public interest concepts. It seemed like there was a lot of discussion that.

0:2:39.50 --> 0:2:51.380

Emily Harris (Guest)

Already happened last week, even without necessarily agreement. And then at 3:30, let's assess and then plan to try to move to public interest at that point, that sound reasonable to people?

0:2:54.70 --> 0:2:54.810

Emily Harris (Guest)

Yeah. OK.

0:2:56.260 --> 0:2:57.410

Emily Harris (Guest)

OK so.

0:2:58.680 --> 0:3:2.330

Emily Harris (Guest)

You know, again acknowledging that I I wasn't here and haven't been able to actually watch the meeting.

0:3:2.410 --> 0:3:13.380

Emily Harris (Guest)

Umm, but I'm looking at the document which is the revising ORS 192 etcetera. It agreed upon concepts is in yellow, which is basically.

0:3:14.270 --> 0:3:26.630

Emily Harris (Guest)

A group. Todd, correct me if I'm wrong here, but is Steve's plain language approach to some non public interest concepts with the parts that people agreed on language agreed on in the last meetings highlighted in yellow? Is that correct?

0:3:27.340 --> 0:3:37.230

ALBERT Todd \* PRA

Correct. Although then it's slightly amended in that it also includes a few things from Steve's concept that didn't then catch that weren't caught from mine that I added at the end.

0:3:38.330 --> 0:3:44.440

ALBERT Todd \* PRA

So it's mostly Steves parts we agreed to in yellow and then the very end of the few things that I thought we need to still talk about from my concept.

0:3:44.840 --> 0:3:47.350

Emily Harris (Guest)

OK, that fit into these different sections.

0:3:48.130 --> 0:3:48.610

ALBERT Todd \* PRA

Yes.

0:3:48.960 --> 0:3:57.420

Emily Harris (Guest)

OK, great. And I know you just posted a public comment with some some suggested language from Alan Kessler that addresses.

0:3:58.270 --> 0:4:5.870

Emily Harris (Guest)

I think the sections that you've got through and talked about a lot but didn't conclude so. So we'll start with those, but yeah, Mark, you got your hand up.

0:4:6.780 --> 0:4:18.230

Mark Landauer

Yeah, just quickly, I wanna be sure that while we're doing this that we're working all from the same document. And if that document could be shared with this on the screen, I think that would be very helpful. Thank you.

0:4:18.530 --> 0:4:20.30

Emily Harris (Guest)

Sure. Let me try to do that.

0:4:20.720 --> 0:4:33.580

Emily Harris (Guest)

So it's it's posted as well, so it's called revising ORS 192.311 DASH 329. under score agreed upon concepts in yellow and I will.

0:4:34.380 --> 0:4:36.870

ALBERT Todd \* PRA

And Emily, I just dropped the link to it in our chat as well.

0:4:36.710 --> 0:4:40.780

Emily Harris (Guest)

Oh, thank you. That's great. I will share my screen.

0:4:41.500 --> 0:4:42.630

Emily Harris (Guest)

If I will show my screen.

0:4:43.810 --> 0:4:44.60

Emily Harris (Guest)

Here.

0:4:47.330 --> 0:4:48.490

Emily Harris (Guest)

Do you see my screen?

0:4:50.380 --> 0:4:50.750

ALBERT Todd \* PRA

Yes.

0:4:51.190 --> 0:4:59.710

Emily Harris (Guest)

OK, when I share my screen I have trouble seeing the rest of you, so let me see. Ohh, I'm back. OK, you can still see my screen.

0:5:1.640 --> 0:5:1.930

Emily Harris (Guest)

OK.

0:5:1.980 --> 0:5:2.420

ALBERT Todd \* PRA

Yes.

0:5:3.220 --> 0:5:4.60

Emily Harris (Guest)

Fantastic.

0:5:7.580 --> 0:5:8.70

Scott Stauffer

Emily.

0:5:5.650 --> 0:5:8.770

Emily Harris (Guest)

OK, so let's yeah.

0:5:9.380 --> 0:5:12.30

Scott Stauffer

Can you zoom in a little bit on your screen?

0:5:12.490 --> 0:5:13.140

Emily Harris (Guest)

I can.

0:5:13.790 --> 0:5:14.410

Emily Harris (Guest)

Probably.

0:5:15.160 --> 0:5:15.980

Scott Stauffer

Yeah, yeah.

0:5:18.760 --> 0:5:19.340

Emily Harris (Guest)

Is that better?

0:5:18.990 --> 0:5:20.870

Scott Stauffer

Great. Great. Much better. Thank you.

0:5:21.60 --> 0:5:26.710

Emily Harris (Guest)

Legible. OK, so we got through the search, duplicate and review definition of what can be.

0:5:27.450 --> 0:5:29.140

Emily Harris (Guest)

Charged for and.

0:5:32.300 --> 0:5:49.100

Emily Harris (Guest)

Could I ask somebody who was who was here to summarize where we were on the the combination of how costs must be itemized communication to reduce costs and communication to promote requesters rights? Steve, you have your hand up. Are you in a position to do that?

0:5:49.700 --> 0:5:59.270

Suo, Steve

Yeah, I'll. I'll try. And so on the, on the itemization of cost, I think there were concerns raised that this would be.

0:5:59.680 --> 0:6:5.20

Suo, Steve

A a mandate on governments that could be costly and could have a fiscal impact.

0:6:6.760 --> 0:6:17.390

Suo, Steve

And feeling among some requesters or some people that it might not provide useful information, or not every requester might need this information or want it.

0:6:19.50 --> 0:6:33.160

Suo, Steve

We so we did not really reach an agreement on that. And then on communication, promote requesters rights, there was not a lot of discussion of that. I think we decided to move on because we time was short.

0:6:34.840 --> 0:6:52.430

Suo, Steve

I did wanna propose unless anybody has if I'm missing something. So maybe somebody can point out. But I did want to propose kind of a maybe a potential way of addressing these two sections. I think in both cases, when we're talking about cost itemization and then some of these concepts that, Todd.

0:6:53.310 --> 0:7:0.180

Suo, Steve

Uh. Crafted to you know, to for communications. They're both forms of communication.

0:7:1.80 --> 0:7:15.400

Suo, Steve

Trying to provide information from the public body to the request or so that the requester can formulate a better request or a narrower request. I think that's the thrust of all this. Or to understand why the cost is what the cost is.

0:7:17.440 --> 0:7:45.810

Suo, Steve

I, Alan Kessler, who who spoke about this at our at toward the end of our last meeting, offered up two paragraphs of language that I think would address both, and I think they his proposal would it gives the public body more flexibility and the manner in which they supply the information it gives the request or the option to ask for an item, not an itemization, but information that would clarify that the reason.

0:7:46.790 --> 0:7:55.40

Suo, Steve

Something costs what it what it costs, so it might may offer a way forward that would encapsulate both of these sections and.

0:7:56.260 --> 0:8:4.630

Suo, Steve

The the proposal that I have in under this week's agenda, I would withdraw some regardless. I think his his does the trick.

0:8:5.250 --> 0:8:7.460

Suo, Steve

Umm. So maybe it's worth discussing.

0:8:8.80 --> 0:8:37.630

Emily Harris (Guest)

OK. So let me just make sure I understand right, Steve, you are suggesting that in the in the in the highlighted in yellow document that's on my screen, how costs must be itemized and the communication to reduce costs segment could both be scrapped in favor of the the, the, the the Kessler proposed language which maybe is on your screens now I just switched to browser tabs, can you guys see that that is that's what's shared?

0:8:38.30 --> 0:8:46.260

Emily Harris (Guest)

So just this line, a requester who has been notified of the fee of the public body like that would cover those two segments.

0:8:46.920 --> 0:8:53.850

ALBERT Todd \* PRA

Emily, I'm sorry to interrupt. Can we switch to the posted version of this document? Because it contains redacted information that has the redactions in them.

0:8:54.230 --> 0:8:54.800

Emily Harris (Guest)

Oh, sorry.

0:8:56.250 --> 0:8:59.130

Emily Harris (Guest)

Yes, I don't have that up though, so.

0:8:58.650 --> 0:9:0.80

ALBERT Todd \* PRA

I'll I'll drop the link to you.

0:9:0.690 --> 0:9:1.60

Emily Harris (Guest)

OK.

0:9:13.940 --> 0:9:14.670

Emily Harris (Guest)

OK this.

0:9:20.30 --> 0:9:21.150

Emily Harris (Guest)

Is this the correct one?

0:9:21.940 --> 0:9:23.20

ALBERT Todd \* PRA

Yes, thanks.

0:9:23.640 --> 0:9:24.350

Emily Harris (Guest)

OK, OK.

0:9:26.920 --> 0:9:34.620

Emily Harris (Guest)

Umm is, so Steve, is this what you're proposing? It would be this. I'll. I'll zoom in a bit too. Be this language from a requester.

0:9:35.340 --> 0:9:35.730

Suo, Steve

Yes.

0:9:36.300 --> 0:9:39.320

Emily Harris (Guest)

This language would be replaced.

0:9:39.960 --> 0:9:40.440

Emily Harris (Guest)

Umm.



0:9:41.660 --> 0:9:43.780

Emily Harris (Guest)

The Yeah, the both sections.

0:9:44.420 --> 0:9:48.990

Emily Harris (Guest)

Communicating at how costs must be itemized and communicating to reduce costs.

0:9:51.450 --> 0:9:52.600

Emily Harris (Guest)

Yeah, my understanding you right.

0:9:54.120 --> 0:9:59.980

Suo, Steve

Yeah, I mean it, it offers a lot less of this extensive guidance on ways on.

0:10:0.840 --> 0:10:3.790

Suo, Steve

Mechanisms that could be helpful to the requester.

0:10:5.160 --> 0:10:6.130

Suo, Steve

I think all of what?

0:10:6.850 --> 0:10:19.900

Suo, Steve

Todd is proposed is helpful, but the greater succinctness of what Alan is proposing gets at one form of communication with the requester. That could be helpful, and it might be small enough.

0:10:20.570 --> 0:10:22.540

Suo, Steve

Of a chunk for us to bite off.

0:10:23.780 --> 0:10:37.80

Emily Harris (Guest)

OK, I'm going to ask Michael to. He's got his hand up to comment and then let's take a couple minutes after that comment and just serve it as a chance to actually reread both segments. So it's fresh in our discussion. Michael, go ahead.

0:10:40.30 --> 0:10:49.340

Kron Michael C

Yeah, I was just gonna say I I prefer Mr Kessler's language too. I do. I think that it could be a little bit shortened even more. I think you can just say.

0:10:50.120 --> 0:10:58.140

Kron Michael C

A requester has been notified of a fee under ORS and we don't need the public body considers bit to be in there.

0:10:59.490 --> 0:11:1.830

Kron Michael C

But I like. I like this in general.

0:11:3.90 --> 0:11:13.680

Kron Michael C

I kind of like what's in todods about narrowing, which isn't really covered by this, so I would suggest maybe that's the thing we wanna talk about, but otherwise I think.

0:11:14.600 --> 0:11:20.330

Kron Michael C

But Kessler has suggested here makes a lot more sense to me than than what was initially proposed.

0:11:21.220 --> 0:11:39.850

Emily Harris (Guest)

OK, so you've got a jump and you've read them all, and now what you wanna say so let's let's take just a few minutes. If everybody wouldn't mind to refresh your memory. And that's just especially giving me some time to read these sections. And when you talk about the narrowing segment, Michael, that is.

0:11:40.680 --> 0:11:46.740

Emily Harris (Guest)

That is where in the documents we're looking at right now or is that not, is that has that, has that been dropped somehow like?

0:11:47.480 --> 0:11:47.750

Emily Harris (Guest)

What?

0:11:48.420 --> 0:11:48.990

Emily Harris (Guest)

Where is that?

0:11:48.930 --> 0:11:52.960

Kron Michael C

I'm sorry, I in in Todd's it's in the.

0:11:57.20 --> 0:11:57.420

Emily Harris (Guest)

Sorry.

0:11:53.730 --> 0:12:4.870

Kron Michael C

Well, it's hard to know on your screen. I think it's above where you are. It's it's got a number. Hold on. It's in communications.

0:12:5.500 --> 0:12:6.250

Emily Harris (Guest)

Mm-hmm.

0:12:6.180 --> 0:12:11.970

Kron Michael C

Use costs. It's under I guess for C and I just.

0:12:12.770 --> 0:12:31.90

Kron Michael C

I think that that is actually useful, but I don't. I mean I guess I don't really know if there is any examples of of people refusing to do that, so I don't know, maybe it's not important, but that's the one piece that I think isn't really in Kessler's proposal that I kind of liked about what's in here.

0:12:31.510 --> 0:12:36.300

Emily Harris (Guest)

Right. It has the good faith part. OK, let's take a couple minutes if you if everybody doesn't mind and.

0:12:39.590 --> 0:12:43.740

Emily Harris (Guest)

I'm gonna read them on my screen so you can follow along, but you can also, you know, access them yourself.

0:14:12.450 --> 0:14:15.550

Emily Harris (Guest)

OK, I'm done reading. Is everybody else done reading or?

0:14:16.290 --> 0:14:16.900

Emily Harris (Guest)

Want more time?

0:14:22.330 --> 0:14:22.720

Emily Harris (Guest)

Todd.

0:14:26.410 --> 0:14:26.620

Emily Harris (Guest)

Yeah.

0:14:24.770 --> 0:14:34.940

ALBERT Todd \* PRA

Well, I accidentally gave a thumbs up, which did mean I was done breeding, but I was actually trying to raise and so I guess it all worked out. If we're ready, I just wanna offer my comments or observations to get us started.

0:14:35.860 --> 0:14:50.920

ALBERT Todd \* PRA

So I realized this is a statute not like a presentation or a legal argument, and also that we're trying to create the narrowest type of proposal that would likely to get passed in the legislature while effectuating meaningful change for requesters and public bodies.

0:14:51.760 --> 0:15:5.700

ALBERT Todd \* PRA

That being said, I see these concepts as linked and important to keep together. They're sort of a through line here. We've, you know, the majority of us agreed that public bodies should now have to estimate their cost based on the elements of review.

0:15:5.780 --> 0:15:35.900

ALBERT Todd \* PRA

Were, you know, Mary forgetting them? You know I'm talking about review, duplication and search, and so even now, a public body has to estimate its cost so that it could then pass on those costs to a requester. So if we're gonna try to go forward with this scheme where they now have to do it based on these three elements and would have to do that for themselves first to determine how they're going to pass on these costs to the requester, I'm not sure how much we'll work a public body would then have to do to provide that detail to the requester when giving them their fee estimate.

0:15:36.880 --> 0:16:7.120

ALBERT Todd \* PRA

I understand there may be some additional work creating fee estimates that match the itemization of these three elements, but I'm not sure it would be a heavy or overburdensome load that they would have to do, and if the flip side of that is creating common language and understanding between public bodies and requesters to talk about how these costs are comprised, I think the benefits outweigh the cost. And if that, and if having the elements broken to having the elements of cost broken down this way are linked to itemization, I think the third chain link in that chain.

0:16:7.210 --> 0:16:27.340

ALBERT Todd \* PRA

And which is an important concept to retain is requirements to communicate around cost and other issues. And while I wouldn't say I dislike Alan's suggestion, I think if we wanna go for a more simpler way for public bodies to have to engage with requesters over issues I could support Alan's.

0:16:28.180 --> 0:16:56.890

ALBERT Todd \* PRA

Version of that, but I would want to specifically call out electronic records. That is the new frontier that we were all working in. We don't necessarily have to drill down to specific types of electronic medium, but I think as more and more of our work migrates onto these platforms and public bodies are struggling with understanding their own systems and how to communicate that information to requesters, I think it's really important we make clear that they need to do so when attempting to clarify requests, including around electronic records and some of the.

0:16:57.770 --> 0:17:6.480

ALBERT Todd \* PRA

Specifics that do go into public electronic records around things like data dictionaries or other terms of art that I think are gonna be with us for a while.

0:17:7.610 --> 0:17:15.560

ALBERT Todd \* PRA

So I'm in favor of potentially including Alan's with some changes, but I I'm also in favor of keeping the requirement that V estimates be itemized.

0:17:16.660 --> 0:17:19.890

Emily Harris (Guest)

I'm gonna just change my screen sharing here, so sorry if it gets.

0:17:20.820 --> 0:17:23.490

Emily Harris (Guest)

Strange on your screen so you can see both documents side by side.

0:17:24.630 --> 0:17:29.320

Emily Harris (Guest)

Tyler did you? Were you putting your hand up? I'd love to hear from some of the agency city government folks.

0:17:31.910 --> 0:17:35.590

Tyler Janzen, AOC (Guest)

I inadvertently had my hand up, but I I can chime in if you'd like me to.

0:17:37.230 --> 0:18:5.640

Tyler Janzen, AOC (Guest)

Yeah, I like. I like Mr Kessler's a simplicity. And his approach here. I think this is sort of gets the gist of what we've been talking about, which is, you know, when asked by a request for a public body should have to require, you know, provide some more information about. OK, here's how we calculated this, this sum. And I think it dovetails nicely with the work we did last week on search, duplication and review. I find if there's.

0:18:5.740 --> 0:18:10.30

Tyler Janzen, AOC (Guest)

A little bit of language added in there about electronic records just specifying that.

0:18:11.270 --> 0:18:41.270

Tyler Janzen, AOC (Guest)

Overall, I think I think this is the the gist of where we're going and I think I I like this a little more than than Todd original approach on those two sections. The more I was thinking about it particularly and I don't know if you can Scroll down annually, but it's the section after the how cost must be itemized. It was the communication to reduce costs. The more I was thinking about BC and D, the more I was thinking that this could be cracking a door open to sort of vexatious ongoing requests if you're just.

0:18:41.440 --> 0:19:10.350

Tyler Janzen, AOC (Guest)

If somebody's trying to, you know, go in and they don't like the answer that they've got or the explanation on the fee, they might then ask about, OK, what's the metadata, what's the how is this recognized? And suddenly we're sucking up time and losing efficiency. So I think that Mr Kessler's is a good first step. And again, I think it works really well with what we did last week in terms of giving requesters and public bodies the same language from which they're speaking.

0:19:13.250 --> 0:19:23.70

Emily Harris (Guest)

One thing I like about the it's not seeing the hands. I'll chime in here about the like the BC&D which on the screen now under the communication to reduce costs.

0:19:24.0 --> 0:19:28.700

Emily Harris (Guest)

Go into a lot of detail. UM, the thing that I think overall.

0:19:29.630 --> 0:20:0.260

Emily Harris (Guest)

I'd like to see us finesse into something. Is this is this good faith working with each other? That is something that I think happens, but the problem, the tensions come up when it doesn't happen. So I wonder if that's something we could somehow keep in there, but I don't know that it needs to go into such detail about e-mail and database. But I agree, Todd that you know giving it a clear direction in electronic records.

0:20:0.620 --> 0:20:5.70

Emily Harris (Guest)

It's probably important as we're looking forward. Emily, you had your hand up.

0:20:7.370 --> 0:20:12.260

Emily Gothard - She/Her

I like kesslers language. One of the concerns that I have about.

0:20:14.70 --> 0:20:24.240

Emily Gothard - She/Her

Well, primarily the. I think it is and but also see is that you know subject lines and.

0:20:25.140 --> 0:20:39.600

Emily Gothard - She/Her

Well, really, actually, it's mostly the emails, subject lines of emails and senders and recipients could potentially still be information that has to be reviewed and redacted. And depending on the volume of the request, that could be a lot and so.

0:20:39.680 --> 0:20:48.270

Emily Gothard - She/Her

Umm, that is requiring the public body to do a bunch of work to help them narrow their request.

0:20:50.130 --> 0:20:51.880

Emily Gothard - She/Her

I don't know. I have some concerns about that.

0:20:54.720 --> 0:20:55.40

Emily Harris (Guest)

Sometime.

0:20:55.120 --> 0:20:56.960

Emily Harris (Guest)

That happens now.

0:20:57.900 --> 0:21:8.70

Emily Harris (Guest)

But it might not be right to necessarily spell it out. And you know, like I've dealt with public bodies that have like, well, let can I get you this section and let's see what you really want from it, but maybe this.

0:21:8.840 --> 0:21:10.950

Emily Harris (Guest)

I hear you that he just goes into too much depth.

0:21:11.420 --> 0:21:17.630

Emily Harris (Guest)

Umm. Let's see who's got the ends up. My. Did Michael have? Or Todd, did you? You had your hand up next, I think.

0:21:19.220 --> 0:21:46.150

ALBERT Todd \* PRA

I think so. I will just say, uh, Emily, that you know, it is kind of the best practice to recommend working with requesters when it comes to e-mail on things like records, custodians, timeframes, keywords, cause that actually can help narrow the process. I can understand your concern about making it an affirmative obligation, but that's why I think good faith, if we utilize the good faith language in any version of these, it gives the public body the ability to say, well, actually in fact, we can't disclose this because of existing.

0:21:47.30 --> 0:22:15.820

ALBERT Todd \* PRA

Exemptions, workload requirements, what have you. But to dovetail with that, I wanted to say that in whichever concept we use, I actually am in favor of keeping that a public body has to respond or deny the ability, like the request for this underlying information. Let's say we're talking about trade secrets, proprietary software, what have you maybe good faith is enough to cover that. But I kind of like making it clear to public bodies that, hey, actually, yeah, you have this duty to communicate, but when necessary, you're perfectly permitted to deny.

0:22:16.230 --> 0:22:23.610

ALBERT Todd \* PRA

As well, if you know if you're following the law, and so I don't want that to be sort of lost in the shuffle about what public bodies think they're being told to do here.

0:22:26.70 --> 0:22:26.560

Emily Harris (Guest)

Michael.

0:22:30.890 --> 0:22:44.800

Kron Michael C

Sorry, I'm having trouble navigating my meat button today, so I just just to sort of respond I guess to the things that have been said. I think that having a good faith requirement, at least maybe for a request.

0:22:45.820 --> 0:23:9.530

Kron Michael C

Over a certain threshold that if the requests are in good faith, ask the public body to help narrow a

request that the public body has a good obligation to try and do that in good faith, if they can, I think anything that goes beyond that just becomes way too prescriptive, you know, with respect to the metadata or the other types of.

0:23:10.630 --> 0:23:11.800

Kron Michael C  
Electronic. Sort of.

0:23:12.510 --> 0:23:42.90

Kron Michael C  
Attachments to data. Those are in themselves public records and a public records request, or who wants them, can request them, and then the public body is required to grant or deny that request. I don't. I don't think we need to call it out separately here. And I think if we just have a good faith requirement to help someone who's also trying in good faith to like, get a manageable request, that gets them that what they need is really what we want.

0:23:45.130 --> 0:23:47.310

Emily Harris (Guest)  
Great. Thanks Michael. Tyler.

0:23:49.550 --> 0:24:4.800

Tyler Janzen, AOC (Guest)  
Ohh, I'd just from talking to a few of my Members. I feel like one thing that I was flagged for me was that a good faith requirement does invite a lot of litigation. I think it's similar to reasonable. It's in the eye of the beholder. So just the flag there.

0:24:6.310 --> 0:24:8.40

Tyler Janzen, AOC (Guest)  
Something that I've heard from my members.

0:24:8.730 --> 0:24:30.500

Emily Harris (Guest)  
How do you deal with that then? Like, what's the answer? Cause, yeah, they're. They're that. That's true. Reasonable. Can be interpreted. Good faith can be interpreted. But to try to to try to, like encourage, you know, positive communication between requesters, which is something we've heard is that is really important and successful from people with all kinds of experience around public records.

0:24:32.560 --> 0:24:35.420

Emily Harris (Guest)  
Let's see what's a what's a another approach, do you think?

0:24:36.290 --> 0:24:50.960

Tyler Janzen, AOC (Guest)  
No, I think we've, I think we've tackled the first part. If we go with what we with what we've adopted last week and we have at least clarified like a similar framework for what you are allowed to charge with if we're going with search duplication and review, hopefully that eases.



0:24:51.990 --> 0:25:12.640

Tyler Janzen, AOC (Guest)

You know if if we go with something like Mr Kessler's language, which says the public body has to respond when asked, how did you come up with this number? And then we can look back at the statute in both the request and the public body. Can look at that state and say, OK, I'm allowed to charge search, duplication and review. Maybe we've cracked that nut.

0:25:13.370 --> 0:25:13.780

Tyler Janzen, AOC (Guest)

I'm.

0:25:13.710 --> 0:25:17.380

Emily Harris (Guest)

Oh, I was sorry. I thought you were a good faith in terms of helping narrow.

0:25:18.870 --> 0:25:19.300

Tyler Janzen, AOC (Guest)

Umm.

0:25:22.20 --> 0:25:22.200

Emily Harris (Guest)

And.

0:25:20.930 --> 0:25:22.750

Tyler Janzen, AOC (Guest)

Let me let me think on that one.

0:25:23.190 --> 0:25:40.580

Emily Harris (Guest)

Sorry. Umm OK, I see. Uh. Mindy Lane, your hand up. I just wanna keep going with the Council for a for a minute before we get to public comment. What? I think I'm hearing is some coalescing around using the language that Mr Kessler provided. But.

0:25:41.960 --> 0:25:50.370

Emily Harris (Guest)

Keeping in possibly you know one line about working together in good faith to narrow requests and Todd.

0:25:51.540 --> 0:25:58.750

Emily Harris (Guest)

You want to you. You felt it was important to and I don't not totally clear myself on where this would go, but.

0:26:0.420 --> 0:26:1.850

Emily Harris (Guest)

That the public body you know.

0:26:2.330 --> 0:26:15.950

Emily Harris (Guest)

Could, should should close it or deny it. Be clear about that communication. So I'm not quite sure where that fits in, but those are the two pieces I'm hearing. Maybe we want to fold in, but move toward Mr Kessler language instead.

0:26:18.410 --> 0:26:20.440

Emily Harris (Guest)

I see some hands going up. So mark.

0:26:22.880 --> 0:26:31.790

Mark Landauer

So so I do have a question because and honestly I'm a little confused which I've described to you before. Shouldn't be surprising to you all.

0:26:33.910 --> 0:26:39.370

Mark Landauer

Are we? I I understand we're considering the language that was forwarded.

0:26:41.180 --> 0:26:47.200

Mark Landauer

By Mr Kessler, forgive me. I'm I'm I have COVID, so I'm trying to get through this.

0:26:48.540 --> 0:27:7.110

Mark Landauer

Are we talking also about the communication to reduce cost and incorporating a sentence or two into this while dropping BC and D? From this I I I'm trying to understand really.

0:27:7.870 --> 0:27:14.580

Mark Landauer

It what it is we're trying to achieve here I I would love to be able to condense.

0:27:15.550 --> 0:27:44.390

Mark Landauer

BC&D into one sentence if it was possible because I frankly look at it and it makes my eyes glaze over and I've got COVID, which is kind of tough. Alright, so if that's the direction we're working towards, I'm comfortable with that. If we're talking about Kessler language on top of BC and D, I'm beginning to get a feel even more Weezy. So that's my comment.

0:27:45.850 --> 0:28:0.20

Emily Harris (Guest)

We're talking about the Council language to replace this, how costs must be itemized largely, and then what I think I'm hearing is what a largely what you've just summarized mark of of.

0:28:1.250 --> 0:28:8.50

Emily Harris (Guest)

And this custom language also replaces 4A under communication to reduce costs, but this BC and D.

0:28:9.370 --> 0:28:20.30

Emily Harris (Guest)

What I'm hearing is, is this idea to consolidate it, you know, keep some language about narrowing and good faith and. And, you know, when you're going to deny a request, deny it.

0:28:21.270 --> 0:28:22.430

Emily Harris (Guest)

Does that help clarify?

0:28:25.0 --> 0:28:29.740

Emily Harris (Guest)

OK, I'm really sorry that you have COVID. Let's see, Steve, I think you had your hand up next.

0:28:31.110 --> 0:28:43.980

Suo, Steve

Yeah, I I guess I wanted to echo that. That's my understanding that I I imagine in vision the Kessler language replacing the itemization language and then what I'm I think what people are saying is?

0:28:44.800 --> 0:29:1.560

Suo, Steve

They would like to have some sort of good faith language that would that would replace BC and D under communication and would I think you could sort of echo the Kessler language and saying a request or may request.

0:29:2.310 --> 0:29:11.390

Suo, Steve

Uh may seek additional information from the public body that may help to narrow their request and the public body shall in that situation.

0:29:12.120 --> 0:29:15.590

Suo, Steve

Work in good faith to provide the information.

0:29:17.650 --> 0:29:18.750

Emily Harris (Guest)

So also very simple.

0:29:19.760 --> 0:29:41.230

Suo, Steve

Something much broader than than these very specific terms, which personally like I think it's helpful to have the specific terms because it lays out kind of a road map for people and it's also all may rather than prescriptive, but moving beyond that, I think where the consensus lies is like broad guidance is better. So I think we could do it in one or two sentences.

0:29:41.640 --> 0:29:51.560

Emily Harris (Guest)

I mean, I I don't know if some of this could be lifted into guidance, for example, that Todd's office might provide to the public like as examples or or or things seems like that, Todd.

0:29:54.690 --> 0:30:21.490

ALBERT Todd \* PRA

I'm just gonna say while I support uh using Alan's language to replace the commute, the sections that we currently have labeled communication to reduce costs and communication to promote requests or rights, I think actually that's not true. I'm sorry, just Alan's language to replace communication to reduce costs. I do not support using it to replace the itemization of the estimates. I think if public bodies are going to be required to be breaking down fees into this way, I don't.

0:30:22.140 --> 0:30:42.250

ALBERT Todd \* PRA

See why they shouldn't be conveying that information to requesters when they provide via estimates and when they provide final bills. I just think it adds a communication continues with this establishment of a common language and lays the groundwork for better public records requests. But I do support utilizing Allen's language with some of the changes we said here to replace communication to reduce costs.

0:30:42.990 --> 0:30:48.480

Emily Harris (Guest)

OK. And the difference is like get the how cost must be itemized and the customer language?

0:30:49.130 --> 0:31:19.200

Emily Harris (Guest)

First of all, this means and how cost must be itemized. The public body has to do it, not wait for a request, and it's really specific in what the public body has to provide. You were saying, like you were saying that you can't see that if you're gonna go, we're gonna go with this language of search, duplicate and review. You can't see that it's going to be any more work to say the number of hours worked on suit duplicate or review and the compensation. And I'm curious from public bodies. Is that true?

0:31:19.270 --> 0:31:20.150

Emily Harris (Guest)

Like what?

0:31:21.120 --> 0:31:47.250

Emily Harris (Guest)

Would it be? Would it be additional work? Umm, obviously there's a difference between needing to do something when you provide the fee estimate and waiting for a request for a breakdown cause you might not always get a request for a breakdown, but would you need to go through all these steps of figuring out the number of hours worked in each activity and the hourly compensation of the lowest paid employee? Would you need to go through that to figure out your bottom line fee anyway that you're going to give to the person?

0:31:48.630 --> 0:31:50.400

Mark Landauer

But it's OK.

0:31:48.170 --> 0:32:18.700

ALBERT Todd \* PRA

Right. And if I could just also just add to the rest of that thought. Sorry Mark, you know the the communication piece we're working on, including the language submitted by Alan I think is more about

sort of understanding how public body organizes and names and maintains its record. So a request or can more effectively ask for specific records instead of feeling like they need to say any and all or being really broad or vague and encouraging them to speak with their public body and frankly encouraging the public body to answer them back. But you know, when it comes to public bodies already need to provide free estimates.

0:32:18.790 --> 0:32:52.240

ALBERT Todd \* PRA

The requesters, and they need to do so with an understanding of what their costs will be. And so when they provide a free estimate to requester, it should be reflective of the work they did behind the scenes. Remember, fee estimate is just a fee estimate, right? It's not buying on the public body to the extent that if it does less work, it refunds the money. And if it's going to be more expensive, it asks for additional payment of fees. So if they're doing all that work anyway and they have to also provide a request or with a fee estimate, and if they don't collect all the fees at the time that they provide the estimate that need to provide a request or with the final bill.

0:32:52.420 --> 0:33:10.460

ALBERT Todd \* PRA

And I'm not sure where the heavy lift is. And again, I don't. I don't wanna disrespect frontline staff members who do this work every day, but I'm not sure how this adds and it really large additional cost to just push out the information they've already had to compile for themselves. And I don't think it the communication suggestions from Alan get to this issue.

0:33:11.570 --> 0:33:12.90

Emily Harris (Guest)

Thanks.

0:33:11.820 --> 0:33:41.510

Mark Landauer

And I think just to follow up, I I I think Todd basically made the point. You know it if a fee is gonna exceed \$25, folks, you have to provide the estimate to the requester, right? If you don't have a sense for what the heck it is you're charging for, it's a guess and you should be able to document this. You should be able to do it.

0:33:41.700 --> 0:34:2.960

Mark Landauer

I as a receipt, as Todd said, if it's if it took more time or it took additional review, you know the the price or the charge is gonna be different. You're you should be able to itemize it. So I I thanks for explaining that Todd because I I I don't know if it really does create a new.

0:34:5.230 --> 0:34:19.240

Mark Landauer

I I knew burden to the extent that it's gonna create a whole lot more work. I I I just. I don't think that it does particularly for those jobs that are over \$2525.

0:34:20.630 --> 0:34:35.990

Emily Harris (Guest)

Thank you both. I'm noting that I we're past my 3:30 deadline to talk about this, but let's go through the comments and see if we can't come to a decision on at least this section and then move on to the public interest stuff that's remaining. Let's see, I think, Scott, you had your hand up next.

0:34:38.220 --> 0:34:40.130

Scott Stauffer

I think Steve had his hand right before me.

0:34:40.430 --> 0:34:41.710

Emily Harris (Guest)

OK, Steve, thank you, Scott.

0:34:43.40 --> 0:34:43.640

Suo, Steve

Yeah, I guess.

0:34:43.720 --> 0:35:10.290

Suo, Steve

And in the interest of time, I I, I I did envision Kessler's language replacing how class must be itemized. Because I I I thought at from last week that there were concerns about the Holocaust must be itemized. But if there if people are comfortable with it, I certainly support it as as Todd crafted it and if public bodies feel that it's.

0:35:10.930 --> 0:35:22.560

Suo, Steve

That it is work that they're already doing then then I think we should move forward. I I would move that we take a vote on the language as written rather than the Kessler language.

0:35:23.940 --> 0:35:24.170

Emily Harris (Guest)

And.

0:35:23.720 --> 0:35:46.320

Mark Landauer

I I'm sorry, I'm uncomfortable with. As written. Steve, forgive me for going out of line, and if we do it in a parliamentary way, I'll explain my my concerns because I think Michael Crone had some very important suggestions to this language that I think would improve it and shorten it.

0:35:49.810 --> 0:35:50.240

Emily Harris (Guest)

Umm.

0:35:51.730 --> 0:36:2.470

Emily Harris (Guest)

I'm mark. I I'm. I'm sorry. I didn't understand where whether you're talking about concerns with as written the how cost must be itemized in the language in the.

0:36:3.140 --> 0:36:9.950

Emily Harris (Guest)

I guess it's Steve's document, but the the the one that's on the screen in front of you under, that's the one you have concerns with us as written.

0:36:11.150 --> 0:36:13.620

Emily Harris (Guest)

What exactly is the language you have concerns with as written?

0:36:15.440 --> 0:36:15.840

Mark Landauer

Well.

0:36:16.560 --> 0:36:26.640

Mark Landauer

Steve is the one who basically pushed for a vote on the language as written, and I don't think I'm prepared at this point because.

0:36:27.520 --> 0:36:45.90

Mark Landauer

Michael Croan made a suggestion that I thought made a lot of sense and that was shortening this by basically referencing where a public body can charge people by statute, and then continuing on with the language. I think some of this language is a little bit.

0:36:46.480 --> 0:36:49.590

Mark Landauer

Confusing. Nevertheless, go ahead.

0:36:47.560 --> 0:37:1.100

Emily Harris (Guest)

We're not talking about Mark. Are you talking about the how cost must be itemized section or are you talking about this communication to reduce costs? ABC D Section which section because Michael's suggestion was talking about the communication to reduce cost.

0:37:2.710 --> 0:37:7.980

Mark Landauer

I was. I thought that Steve was asking for a vote on the Kessler language.

0:37:9.830 --> 0:37:22.400

Suo, Steve

No, I was asking for a vote on the language that's on the screen here. I. Michael. I I'm sorry. Todd has said he feels it's important that we keep an A cost itemization requirement.

0:37:23.870 --> 0:37:45.600

Suo, Steve

Kessler's proposal was an alternative to that. It's not a it's not an itemization requirement. It's upon request shall provide some information about costs, so less prescriptive. So if people are comfortable with an itemization, that's Todd preferred direction. And I say we see whether that support exists.

0:37:45.820 --> 0:38:9.450

Emily Harris (Guest)

Let's let's see where what the temperature is here for just this section of how costs must be itemized, which is written in bold, the fee can starts with the fee components of search, duplicating, review versus the how costs must be itemized versus the Kessler language of requesting an explanation for the basis of the fee.

0:38:11.540 --> 0:38:41.730

Emily Harris (Guest)

Can I get a a hand raises on how many people would be more comfortable? And I'm not talking about this communication to reduce cost stuff at all, just talking about how costs must be itemized, whether it's a list that comes with the fee estimate, or whether it is information that's provided a reasonable sufficient detail to allow a reasonable person to understand it's provided upon request, could to go around and and can people say whether they prefer.

0:38:41.800 --> 0:38:44.10

Emily Harris (Guest)

Yeah, itemization or the upon request.

0:38:44.530 --> 0:38:45.0

Emily Harris (Guest)

Umm.

0:38:46.70 --> 0:38:52.510

Emily Gothard - She/Her

I'd like to hear from Scott before we do that. He's had his hand up for a while and I'm curious what his thoughts are on it.

0:38:55.40 --> 0:38:55.330

Emily Harris (Guest)

OK.

0:38:54.810 --> 0:39:25.430

Scott Stauffer

Thank you. And this has been a great conversation and I appreciate I, I do think there's a consensus building here to me there, I I don't see this as a burden on on frontline staff. I think a good, best practice, public records officers already been doing this. And if you're gonna be charging a fee, you're already writing this calculation. So releasing it, we have a standard form that has those exact number of hours and and the cost per hour we already we already do that and I can't speak for every city in the state of Oregon but I think a lot of us already have that. So I'm not.

0:39:25.590 --> 0:39:35.500

Scott Stauffer

Super worried about it. I I think we are the the final comments before I start talking was narrowing down. This is a difference between the provided up front or do we wait to be asked for it?

0:39:36.990 --> 0:39:59.20

Scott Stauffer

Frankly, if I am not having to do that front, I think I'll continue to provide it up front because that's still think that's the best practice. So if I had to choose between these two right now, I honestly was thinking



which way would I vote because I have no real major concern with either in either direction because I don't think it would stop me and a good number of cities from providing it for the request. We have to ask for fees for.

0:40:8.140 --> 0:40:8.440

Emily Harris (Guest)

OK.

0:39:59.670 --> 0:40:12.310

Scott Stauffer

We're already in provide that information anyway, because we have to run the calculation anyway, so I'm sorry to have to sit on the fence on this one. I I could get behind either and I appreciate that there is a consensus, I think hope building towards it and thank you.

0:40:12.770 --> 0:40:14.950

Emily Harris (Guest)

OK. Yeah. It sounds like actually this a lot of.

0:40:15.860 --> 0:40:24.950

Emily Harris (Guest)

Could go either way, so I'll put you in both columns and Scott and Emily, did you have another comment besides wanting to just check, make sure that you heard Scott's comments before?

0:40:26.20 --> 0:40:26.840

Emily Harris (Guest)

Expressing your opinion.

0:40:30.130 --> 0:40:30.370

Emily Harris (Guest)

OK.

0:40:27.120 --> 0:40:31.810

Emily Gothard - She/Her

No, I'm a little bit on the fence too, so that's part of why I wanted to hear from Scott.

0:40:31.960 --> 0:40:34.670

Emily Harris (Guest)

OK, great. Todd, I think you're in the up front.

0:40:35.350 --> 0:40:35.790

Emily Harris (Guest)

Column.

0:40:36.900 --> 0:40:38.790

ALBERT Todd \* PRA

Yes. Itemization please.

0:40:39.240 --> 0:40:41.400

Emily Harris (Guest)

OK, let's see Tyler.

0:40:45.710 --> 0:40:50.170

Tyler Janzen, AOC (Guest)

Are are we talking about the the two documents here and which one we're going with?

0:40:51.180 --> 0:41:19.530

Emily Harris (Guest)

Yeah, we're talking about this idea of whether an agency needs to itemize costs when they provide the fee estimate or which is in the the language in bold, or whether it's a request an agency would need to provide. It's much less specific language about exactly what they would need to provide, but need to provide sufficient detail to permit a reasonable person to understand the purpose of the fee only upon request.

0:41:23.480 --> 0:41:27.950

Tyler Janzen, AOC (Guest)

It's like good faith standard, part of the the the language.

0:41:28.350 --> 0:41:39.400

Emily Harris (Guest)

No, the good faith standard has actually just been in a different set like it's written right now in a different component of communication about narrowing requests.

0:41:41.280 --> 0:41:41.610

Tyler Janzen, AOC (Guest)

OK.

0:41:40.870 --> 0:42:10.840

Emily Harris (Guest)

The Umm Kessler language, which is in the e-mail document, was really, from what I understand, drafted in response to concerns that were raised at the last meeting about itemizing costs up front. And now it seems like maybe that people have thought through that a little bit differently. So where are we landing on agencies doing itemization up front with their fee estimate when they're when they are required to provide a free Fe estimate, or whether they would need to, they would only.

0:42:10.940 --> 0:42:12.280

Emily Harris (Guest)

Itemize upon request.

0:42:17.110 --> 0:42:31.360

Tyler Janzen, AOC (Guest)

It's been a I mean, I'm looking at, frankly, I'm. I'm I'm struggling because I'm looking at the fact that, you know, we have the alternative before us, which came in today at noon and I'm I've been hearing from Members who are concerned about it.

0:42:36.280 --> 0:42:51.930

Tyler Janzen, AOC (Guest)

That was forced to go with one of the other. I think the up front makes sense. I share Todd's assessment that what, from what I understand, public bodies are doing that work up front so they can just provide that. And I don't think that it adds as much as Evan administrative burden.

0:42:52.830 --> 0:42:53.180

Emily Harris (Guest)

OK.

0:42:55.550 --> 0:42:56.400

Emily Harris (Guest)

Who am I not talking?

0:42:57.900 --> 0:42:58.360

Emily Harris (Guest)

Steve.

0:43:0.290 --> 0:43:1.360

Suo, Steve

Michael's got his hand up.

0:43:1.590 --> 0:43:3.790

Emily Harris (Guest)

Oh, I'm sorry. Thank you, Michael.

0:43:5.810 --> 0:43:36.650

Kron Michael C

Yeah, I just wanna make it clear. I think there is some administrative burden in this itemization, but my real primary objection to it is that I don't really think it's useful like I have never had a request or ask me, well, how much of this is time you're gonna spend duplicating versus searching versus reviewing the records. What, what Alan's language to me allows requesters to do that is much more useful, as is ask, well, what is it that I'm asking you for that is so expensive?

0:43:36.740 --> 0:43:39.420

Kron Michael C

And and therefore I just feel like it actually serves.

0:43:40.190 --> 0:43:47.760

Kron Michael C

A useful purpose as opposed to being just kind of like a bureaucratic line item we we don't currently break.

0:43:48.590 --> 0:44:8.900

Kron Michael C

Our bills down this way, I don't know how easily we could start doing that versus not. I mean, it may be that it's correct that it's a minor administrative burden, but my my real thing about it is I just don't think

it adds that much value because it's not a question I've ever been asked by anyone requesting public records.

0:44:9.410 --> 0:44:15.440

Emily Harris (Guest)

OK, so if you had to go in one call or the other, it sounds like you would go in the wait until the asked column.

0:44:16.410 --> 0:44:27.100

Kron Michael C

And then be required to explain it in a way that is actually like gonna help them understand what's actually going on and understanding the cost. Yeah, to me, that's that's much more useful.

0:44:27.510 --> 0:44:30.750

Emily Harris (Guest)

OK, Mark, where would you land on this?

0:44:32.430 --> 0:44:45.840

Mark Landauer

Well, aside from the fact that at the last meeting I thought we had dispensed of this component of the itemization, I'm far more supportive of the Kessler approach.

0:44:46.390 --> 0:44:51.100

Mark Landauer

Umm I for the reasons stated by Michael.

0:44:52.730 --> 0:44:53.340

Mark Landauer

You know.

0:44:59.740 --> 0:45:0.30

Emily Harris (Guest)

I.

0:44:54.240 --> 0:45:8.520

Mark Landauer

I honestly, we had dispensed of this itemization last week, but now we're back to it, and that's fine. That's fine. If you're asking me which of the two I prefer. Emily, it is the Kessler approach.

0:45:9.550 --> 0:45:29.400

Emily Harris (Guest)

OK, my understanding is this was this particular piece of it wasn't actually decided in the last meeting this whether to itemize or not. So obviously wasn't here, but this is the, this is what I understand what I understand was approved was this search duplicate and review as being the things you can charge for so.

0:45:30.950 --> 0:45:34.650

Emily Harris (Guest)

Steve, where did you did you land one call or the other?

0:45:37.790 --> 0:45:43.400

Suo, Steve

I I could I could support either I I think really it's a matter of what's gonna fly.

0:45:44.710 --> 0:45:50.90

Suo, Steve

I I think I I guess I'd like to hear from Todd. What about?

0:45:51.10 --> 0:46:1.500

Suo, Steve

The cast our proposal is lacking in terms of the the type of cost information that we want for requesters to be able to have it in in your proposal.

0:46:3.360 --> 0:46:12.850

ALBERT Todd \* PRA

Fair question, Steve. You know, it puts the burden on the request or to understand what its government is doing when the government is already compiling this information for its own purposes.

0:46:13.620 --> 0:46:33.420

ALBERT Todd \* PRA

So requester to Michael's point may not know to ask these kinds of questions. Well, how long did it take to search? Why did it take you a month to search? They may not understand because they come to us at differing levels of authority and knowledge about the public records law, their government operations, what records are called, what kinds of records are held, trust in government?

0:46:34.200 --> 0:47:7.10

ALBERT Todd \* PRA

That they may not know, they can ask may not be willing to ask, but if they start with this initial common language with the public body that gives them a bare bone understanding as to what the basis of these fees are, that can help them. Why not have to take an affirmative duty to start asking these questions, but rather have this information provided to them and to have a better understanding of what they're looking at so they could start asking more sophisticated questions about what is search consist of? Why does it take so long to duplicate? Why does your attorney to review this information for what looks like really basic redactions?

0:47:7.350 --> 0:47:42.240

ALBERT Todd \* PRA

I think it levels the playing field a little bit and takes a burden off requesters who are essentially receiving a government service from having to, like, take this action and first start asking questions. I think it's great that communication recommendations generally will perhaps follow Alan's language, but I think when you're being asked to pay for a service, when I get a gas bill, it's not just like a block, it's not a line that just says hey, pay \$100 or whatever. It breaks down my usage over the month and like painstaking detail, I don't see why this government service where the again the government is already compiling this information shouldn't then be translated or transmitted to the.

0:47:42.310 --> 0:47:45.710

ALBERT Todd \* PRA

Cluster when they're being asked to pay for this very same information.

0:47:51.550 --> 0:47:54.750

Emily Harris (Guest)

Yeah, I wasn't anticipating this. Take gonna what's gonna come?

0:47:56.360 --> 0:47:57.900

Emily Harris (Guest)

What's gonna what's gonna take so long?

0:47:58.360 --> 0:47:58.830

Emily Harris (Guest)

Umm.

0:48:0.310 --> 0:48:3.270

Emily Harris (Guest)

I'm curious as to like. What if we?

0:48:4.310 --> 0:48:22.350

Emily Harris (Guest)

Took out the specificity of what the estimates and statements needed to include, although it wouldn't be like a gas bill if you did that and I appreciate that detail, but and instead use language like sufficient detail to understand the amount and purpose you use it. Some of the language from Kessler's suggestion to.

0:48:24.790 --> 0:48:27.510

Emily Harris (Guest)

Putting it, putting it in there, I'm wondering if that if that might.

0:48:27.590 --> 0:48:32.760

Emily Harris (Guest)

And if that might be helpful, I see some hands up though. So Tyler?

0:48:35.630 --> 0:48:44.530

Tyler Janzen, AOC (Guest)

I I should have brought this up earlier as well, but I actually been there last week. I also was on the understanding that we were tabling these two sections.

0:48:44.650 --> 0:48:51.420

Tyler Janzen, AOC (Guest)

Umm I I'm just recognizing the lateness of the hour. What we have set out for ourselves as a 28th deadline.

0:48:52.640 --> 0:49:10.210

Tyler Janzen, AOC (Guest)

I think for whatever it's worth, we might be well served and starting to figure out what are we trying to

bite off in 2023 and what are we tabling for this group's continued work and the fact that we're getting so bogged down in this maybe means we should move on to where we have more unanimity.

0:49:11.720 --> 0:49:12.150

Emily Harris (Guest)

Michael.

0:49:17.300 --> 0:49:19.600

Emily Harris (Guest)

Microphone. Did you still have your hand up?

0:49:20.450 --> 0:49:22.270

Kron Michael C

I forgot to take it down. I'm sorry.

0:49:23.70 --> 0:49:23.660

Emily Harris (Guest)

OK.

0:49:26.860 --> 0:49:29.940

Emily Harris (Guest)

Uh, what seems to be I I don't think.

0:49:31.460 --> 0:49:37.570

Emily Harris (Guest)

Wanna go straight until like, what do we wanna get done in 2023 right now, but I.

0:49:38.910 --> 0:49:59.50

Emily Harris (Guest)

Just to be clear, my understanding going to this meeting was not that this had been tabled, so I apologize if people feel like they were coming into a discussion that they thought had been taken care of, but that is not what was communicated to me. That is not what the record shows here because of the what was highlighted in yellow is what was agreed on in the rest was available to our next steps to discuss.

0:49:58.590 --> 0:50:12.900

Mark Landauer

But but Emily was discussed, OK? And I'm sorry you didn't see the meeting, and I'm not trying to be problematic, but this this item was discussed and the group decided to table it. I'm happy to return to it.

0:50:11.300 --> 0:50:25.880

Emily Harris (Guest)

Mark, I'm gonna ask you to to not interrupt when other people are talking, and that includes me and other people. I was communicated what was communicated to me was it was discussed robustly and we were going to return to it to try to come to some conclusions. All right.

0:50:26.970 --> 0:50:47.780

Emily Harris (Guest)

I think that my sense is that at this point we don't need to spend more time on it, but we can possibly

come up with some language outside of this meeting that could be potentially acceptable to people looking at an entire package. It's really seems like there's not a strong consensus either way. A lot of people are down the middle, which actually bodes well for progress.

0:50:49.130 --> 0:50:57.700

Emily Harris (Guest)

So I think we should move on. We should plan to do that and we should move on to the other items of public interest.

0:50:59.80 --> 0:51:0.30

Emily Harris (Guest)

See you have behind up.

0:51:2.80 --> 0:51:31.920

Suo, Steve

Briefly I I will own some of this in terms of this confusion over what was tabled and not tabled, I was fully supportive of tabling both of these sections at the last meeting and I think we did, that was kind of the consensus of the group, also at the end of the meeting, we had testimony from Alan suggesting a different way forward and so I knew that we were gonna be talking about all the rest of the things that we hadn't addressed last week, today and so.

0:51:32.0 --> 0:51:52.650

Suo, Steve

I I brought this forward in attempt to try and capture whatever consensus could still be salvage from this, but I agree with that. I think we're we're past that. Like I think it's time to move on and you know, we could spend a lot of time trying to get to just the right thing. I don't think we're gonna get there so.

0:51:54.670 --> 0:51:57.240

Emily Harris (Guest)

OK. Mark, did you have another comment? And then Todd?

0:51:59.570 --> 0:52:8.830

Mark Landauer

Yeah. Forgive me for interrupting, Emily. I just. I wanted the record to be clear, OK? And again, I'm still willing to talk about Kessler.

0:52:10.150 --> 0:52:12.410

Mark Landauer

Because I I Kessler's language.

0:52:13.530 --> 0:52:23.940

Mark Landauer

But I want to do for the good of the order and move on as the as the chair wants to move. But I I sincerely do apologize for interrupting you, forgive me.

0:52:24.950 --> 0:52:32.990

Emily Harris (Guest)



No problem. That's really generous of you to apologize. Thank you. And I didn't mean to call you out so directly, but it's really difficult to run a meeting if some people are interrupting.

0:52:33.820 --> 0:52:38.310

Emily Harris (Guest)

And I think people who speak feel the same way who aren't running the meeting. Todd, did you have a comment?

0:52:39.500 --> 0:53:9.20

ALBERT Todd \* PRA

Yes, the first of all, my apologies because I was under the impression that we concluded last week's meeting by merely saying we couldn't get to those items last week. And so the continuation or we would continue the discussion this week, which is why it's still there and anything that we had agreed to veto either permanently or for the session, I would have crossed out. But I thought we was just tabled until this week, which is why it's still there and it's still being discussed and obviously it's an item of contention. However, I do think we have general agreement around the next two sections and could possibly get to those today.

0:53:9.460 --> 0:53:35.60

ALBERT Todd \* PRA

Communication to reduce cost. There's we seem to be moving in favor of Alan's language, with maybe a few modifications and communication to promote requesters rights was, I think, almost universally agreed to last time have a written policy, put it on your website if it exists, and if you don't do that, you can't charge fees. So I actually feel like we could get to those two sections and then of course, that leaves if we want to keep itemization or not, and then dealing with public interest for next time, presumably.

0:53:38.450 --> 0:53:38.950

Emily Harris (Guest)

OK.

0:53:40.40 --> 0:53:42.310

Emily Harris (Guest)

You're saying we should just leave public interest till next time?

0:53:43.770 --> 0:53:50.270

ALBERT Todd \* PRA

Yeah. I mean, if we wanna deal with these next two sections that we could agree with and maybe then just go for a vote on itemization.

0:53:51.190 --> 0:53:56.100

ALBERT Todd \* PRA

And then next time, it's only public interest, it might be doable that works everybody.

0:53:56.700 --> 0:54:6.520

Emily Harris (Guest)

They gotta make more sense time wise. I know that some folks are here like our moon are prepared to talk about the public interest stuff, but is there any objections to taking the path that Todd's laid out?

0:54:7.680 --> 0:54:7.980

Emily Harris (Guest)

Mark.

0:54:10.970 --> 0:54:11.360

Emily Harris (Guest)

Steve.

0:54:12.860 --> 0:54:30.530

Suo, Steve

Well, I I'd like to see if we could get a sense right up front whether there is in fact support for language as written for BC and BC and D under communication and the and the website stuff because my recollection is that there there are differing opinions on this and so.

0:54:31.550 --> 0:54:34.720

Suo, Steve

Would be good to know right off the bat, like how close are we really?

0:54:35.610 --> 0:54:43.530

Emily Harris (Guest)

All right, I've reshared my screen to show that so that is this section. The communication to reduce costs.

0:54:46.980 --> 0:54:48.260

Emily Harris (Guest)

OK, So what I was hearing.

0:54:49.340 --> 0:54:55.870

Emily Harris (Guest)

We can do it up and down. Vote what I was hearing was this is too much detail, but let's put in something like what?

0:54:57.200 --> 0:54:57.890

Emily Harris (Guest)

Was in.

0:54:59.30 --> 0:55:1.220

Emily Harris (Guest)

Mr Kessler's language about like.

0:55:2.800 --> 0:55:3.570

Emily Harris (Guest)

Uh.

0:55:5.50 --> 0:55:10.850

Emily Harris (Guest)

Well, sorry it was not in that language, but a requester can. If a requester is.

0:55:11.750 --> 0:55:23.60

Emily Harris (Guest)

Seeking information that can they can help narrow it that the public body shall work in good faith to do that. So maybe that was something. Michael you came up with. But I was hearing a some ideas of consolidating.

0:55:24.340 --> 0:55:28.170

Emily Harris (Guest)

These BC and D into much more broad language like that.

0:55:30.670 --> 0:55:35.640

Emily Harris (Guest)

So if we can do a quick temperature take on the idea of.

0:55:36.300 --> 0:55:36.860

Emily Harris (Guest)

Umm.

0:55:39.530 --> 0:55:43.580

Emily Harris (Guest)

I'm just looking back at a if there's anything different that's best specific in here.

0:55:44.750 --> 0:55:45.620

Emily Harris (Guest)

Expediting.

0:55:46.580 --> 0:55:47.140

Kron Michael C

Emily.

0:55:46.450 --> 0:55:47.680

Emily Harris (Guest)

Umm yeah.

0:55:48.540 --> 0:56:2.770

Kron Michael C

I just. I don't know if everyone saw, but I did post something in the chat a while ago and I maybe that's a useful thing to just kind of get people to put a thumbs up or a thumbs down on the screen to that language. And maybe that's a good.

0:56:3.120 --> 0:56:4.480

Emily Harris (Guest)

OK. Is this uh.

0:56:4.80 --> 0:56:4.500

Kron Michael C

Tool.

0:56:5.550 --> 0:56:8.880

Emily Harris (Guest)

OK, so this is proposed language Michael for this.

0:56:9.740 --> 0:56:10.330

Emily Harris (Guest)

Communicate.

0:56:9.870 --> 0:56:41.410

Kron Michael C

Yeah, it's it's mostly kesslers. I took a little piece out that just felt like it was unnecessary to me and that was the part that talked about the fee that the public body considers to be permitted it. I think by giving the fee, the public body is saying they consider it to be permitted. So we could cut that part out entirely. But the only other thing I did then was add the sentence at the end of the first paragraph, saying a public body shall work in good faith with the requester who seeks scenario request in order to reduce a fee.

0:56:42.130 --> 0:56:42.540

Kron Michael C

That's.

0:56:41.920 --> 0:56:47.610

Emily Harris (Guest)

OK, so you're getting this that one sentence and up and down vote on that in replacing.

0:56:48.850 --> 0:56:50.550

Emily Harris (Guest)

The paragraphs in in 4.

0:56:51.210 --> 0:56:52.380

Kron Michael C

This the one sentence.

0:56:53.410 --> 0:56:55.80

Emily Harris (Guest)

Is that right? Because the other stuff?

0:56:54.780 --> 0:56:59.410

Kron Michael C

Well, we could do that too. I'm happy. I I just wanna clarity.

0:56:59.980 --> 0:57:7.390

Emily Harris (Guest)

Yeah. OK. So the reason I suggest that Michael is because the first sentence is the first two sentences in what you put in the chat deal with.

0:57:9.320 --> 0:57:11.480

Emily Harris (Guest)

It deal with, you know, a.

0:57:12.220 --> 0:57:12.750

Emily Harris (Guest)

Uh.

0:57:17.660 --> 0:57:18.850

Kron Michael C

Yeah, yeah.

0:57:13.620 --> 0:57:31.280

Emily Harris (Guest)

Waiting for a request versus requiring and an itemized receipt, which is what we've been having different opinions about. So so can we take a can people do a thumbs up or thumbs down on this idea of a public body? She'll work in good faith with a requester who seeks to narrow or request.

0:57:32.360 --> 0:57:34.470

Emily Harris (Guest)

I don't know about the in order to reduce fee.

0:57:35.410 --> 0:57:43.760

Emily Harris (Guest)

I guess that's the only reason you'd reduce narrow request, but is that sufficient language to replace?

0:57:46.640 --> 0:57:48.740

Emily Harris (Guest)

BC&D in.

0:57:49.510 --> 0:57:50.490

Emily Harris (Guest)

Section 4.

0:57:55.20 --> 0:57:55.440

Suo, Steve

I I.

0:57:54.550 --> 0:57:56.330

Emily Harris (Guest)

Mark is saying, yeah, go ahead.

0:57:59.30 --> 0:57:59.320

Emily Harris (Guest)

Please.

0:57:57.170 --> 0:58:4.590

Mark Landauer

I I I have a question. I'm sorry. I'm I'm trying to just find that sentence where where is it?

0:58:3.480 --> 0:58:6.440

Emily Harris (Guest)

Yeah, OK. You know, press the chat in, in the in the.

0:58:6.100 --> 0:58:11.690

Mark Landauer

Yeah. I mean, I'm in the chat and I'm looking at Michael Crone at 3:36 PM.

0:58:12.350 --> 0:58:15.810

Emily Harris (Guest)

Yeah, so Scroll down to the last sentence in the first long paragraph.

0:58:19.550 --> 0:58:25.940

Emily Harris (Guest)

A public body shall work in good faith with the requester, who seeks to narrow a request in order to reduce a fee.

0:58:26.990 --> 0:58:29.200

Mark Landauer

Oh, I see it. I'm sorry. Forgive me.

0:58:30.90 --> 0:58:33.180

Mark Landauer

Yes, I I'm I'm perfectly fine with this. Thank you.

0:58:33.130 --> 0:58:34.320

Emily Harris (Guest)

I would replace.

0:58:35.210 --> 0:58:35.710

Mark Landauer

Yes.

0:58:35.430 --> 0:58:37.510

Emily Harris (Guest)

This communication to reduce costs.

0:58:38.710 --> 0:58:39.920

Mark Landauer

Yes, and that would.

0:58:46.320 --> 0:58:46.720

Emily Harris (Guest)

No.

0:58:48.430 --> 0:58:49.200

Emily Harris (Guest)

No, no.

0:58:40.660 --> 0:58:50.980

Mark Landauer

That we get us this whole thing that we spent, what, 2 hours on already dealt with? No. OK, I'm fine with. I'm fine with that, though.

0:58:50.880 --> 0:58:53.150

Emily Harris (Guest)

OK, what it would do, Mark, is it would.

0:58:54.870 --> 0:58:58.740

Emily Harris (Guest)

Replace this communication to reduce costs.

0:59:0.230 --> 0:59:4.730

Emily Harris (Guest)

Which is the set. Is is not about an itemized receipt for fees.

0:59:5.920 --> 0:59:11.80

Emily Harris (Guest)

It it it's a different section right below which you should be able to see on the screen.

0:59:13.320 --> 0:59:13.800

Emily Harris (Guest)

Tyler.

0:59:13.440 --> 0:59:15.190

Mark Landauer

I'm I'm tracking. Thank you.

0:59:15.360 --> 0:59:17.540

Emily Harris (Guest)

OK, cool. Thank you, Tyler. You had turned up.

0:59:18.450 --> 0:59:28.440

Tyler Janzen, AOC (Guest)

Yes, thank you. I'm, I'm just trying to, I'm working my way through this last sentence of it. I I get what we're trying to accomplish. I I'm on board with the gist of where we're taking this.

0:59:29.690 --> 0:59:39.460

Tyler Janzen, AOC (Guest)

Essentially saying a public body has to communicate back and forth to a reasonable standard like working in good faith. But my question is where does? Where does it end?

0:59:40.900 --> 0:59:45.710

Tyler Janzen, AOC (Guest)

Is there any sort of safe harbor that we can offer a public body?

0:59:46.350 --> 0:59:56.400

Tyler Janzen, AOC (Guest)

Umm I I am very nervous about. Again good faith being in the eye of the beholder and I think we've circled all the way back around to reasonable being a really nebulous term.

1:0:2.860 --> 1:0:4.80

Emily Harris (Guest)

I would simply. Any thoughts on that?

1:0:7.640 --> 1:0:9.750

Mark Landauer

Well, I I would share.

1:0:11.30 --> 1:0:37.120

Mark Landauer

Tyler's concern here because those nebulous words such as good faith, do make our people nervous as well. So I I can confirm, at least from the district's perspective, that we share those concerns with the counties about that sort of nebulous terminology. So if there is a way to create a, you know, a way to shut the process down, that would be helpful.

1:0:40.130 --> 1:0:40.450

Emily Harris (Guest)

Steve.

1:0:42.200 --> 1:0:48.310

Suo, Steve

I think the reason for the terms like good faith is to avoid terms like shall like shall do this.

1:0:49.450 --> 1:1:0.520

Suo, Steve

Umm, I think it gives you more of an ALP than than a punishment. That's my sense. But I think maybe Michael or Todd could speak to that more effectively actually, Michael, since that these are his words.

1:1:2.0 --> 1:1:3.520

Emily Harris (Guest)

Emily had his hand up.

1:1:6.270 --> 1:1:17.830

Emily Gothard - She/Her

I was just going to say I don't know specifically what I would propose, but like, I wonder if there's anything that the public records the Office of the Public Records advocate could serve in like.

1:1:19.50 --> 1:1:20.60

Emily Gothard - She/Her

If somebody.

1:1:21.70 --> 1:1:28.290

Emily Gothard - She/Her

If if, like the parties needed guidance on whether they were had done enough to reasonably work in good faith to narrow request.

1:1:32.450 --> 1:1:38.380

Emily Harris (Guest)

OK. Thanks, Michael. Do you want to speak to it since as you pointed out, is your language?



1:1:39.700 --> 1:1:53.950

Kron Michael C

I mean, I don't really have much to add that Steve didn't say. I feel like, yes, good faith can be is a little bit in the eye of the beholder, but it's also kind of a real thing, right? You're either actually trying to help someone or you're not.

1:1:58.200 --> 1:1:58.420

Emily Harris (Guest)

My.

1:1:58.500 --> 1:2:0.100

Emily Harris (Guest)

No, I'm sorry, Mark.

1:2:1.350 --> 1:2:10.630

Mark Landauer

Michael, can I ask you a question? I mean this this concern of tylers, you know it's is there a way to?

1:2:12.230 --> 1:2:26.510

Mark Landauer

In in your view to include a I don't know creating a standard, which again is gonna be in the eye of the beholder. Maybe Scott has a brighter idea than I do, but it does seem to me that.

1:2:27.200 --> 1:2:37.870

Mark Landauer

You know that could become a vicious circle without an end and and just waste people's time. So it it's you can give any thought to how.

1:2:39.690 --> 1:2:45.700

Mark Landauer

That can be rained in I I mean, I'm not trying to be punitive, but I'm trying to avoid.

1:2:47.80 --> 1:3:3.90

Mark Landauer

These individuals who may have VIX vexatious, you know, sort of perspective and are just trying to make things difficult for a local government. So that that's the only thing I have to that concerns me about this. Otherwise I'd be fun.

1:3:4.640 --> 1:3:14.350

Kron Michael C

Yeah, I mean one I don't, I'm probably going out of turn, but since Mark asked me a question, I hope that's that's OK. You know, I think one of the things I thought about is.

1:3:15.790 --> 1:3:30.170

Kron Michael C

Adding another good faith that applies to the person who's who's asking to reduce the fee, but that's the same good faith word. We don't necessarily love, but maybe applying it to both sides is really just bare. I don't.

1:3:31.160 --> 1:3:36.210

Kron Michael C

Otherwise, I'm happy to hear what others think and also really if we don't have agreement on this.

1:3:37.570 --> 1:3:57.280

Kron Michael C

One of the things you didn't hear me say a lot last week when I voted against almost everything we added Emily, is that I fear that we're making a this thing bloat to the point that it's gonna be harder to pass it, and we're gonna be having fights about side things we're doing. So if we're not there on this, then I'm perfectly happy with moving on.

1:3:59.400 --> 1:4:0.440

Emily Harris (Guest)

Got. I think you had your hand up.

1:4:2.320 --> 1:4:22.450

Scott Stauffer

Yeah. Thank you. I think I have sent similar sentiments to what Michael just said, but I'll just say that I'm not really scared about the term good faith I have. I think if you're a public record holder and you're in a situation or they're not basically trusting that you're doing your job, yeah, you should be documenting what you're doing anyway when they ask.

1:4:23.150 --> 1:4:49.900

Scott Stauffer

The question you can refer them to the numerous emails that you've sent on the topic to that point. So just as a practitioner, good faith doesn't scare me. I think that's again, that's best practice. That's what we are encouraging people to do. And we want both sides to be in good faith. So on that friend, I'm that last sentence that Michael proposed. Doesn't worry me so much, but I also kind of echoey just said that I think we've talked about this for an hour. And in this meeting already.

1:4:53.440 --> 1:4:53.760

Emily Harris (Guest)

Talk.

1:4:56.110 --> 1:5:26.560

ALBERT Todd \* PRA

You know, good faith are ready shows up in the public records law and I can't recall ever seeing it as the basis for litigation. I understand whenever we introduce any new standards, it's could be subject to debate, and it's often only through litigation that's sort of the boundaries of that term gets clarified. But I also agree with Scott that public bodies that are already doing this sort of know when to say, you know, we've answered you, you know, are you going to pay? Are you going to withdraw your request and are capable of setting that bright line with requesters? But it's not a new term of art in the Oregon revised statutes.

1:5:26.640 --> 1:5:57.600

ALBERT Todd \* PRA

Or in the public records law. And I think it's a general understanding of how public bodies are supposed

to operate anyway. So I don't think we're really adding a lot that's new here of concern by also understand why adding any new, potentially amorphous mandate could be of concern to those who handle public records requests. And this is if this is more about the appetite of the legislature or concerns from your constituents that might prevent some of the stuff from getting passed. You know, maybe it is something we need to table for another time.

1:6:0.840 --> 1:6:4.10

Emily Harris (Guest)

It's about to ask people if we could in fact vote on this.

1:6:5.340 --> 1:6:7.110

Emily Harris (Guest)

But I've seen more hands go up.

1:6:8.190 --> 1:6:11.670

Emily Harris (Guest)

You know Tyler and Steve. OK, Steve, do you still wanna say something before we?

1:6:12.350 --> 1:6:14.520

Emily Harris (Guest)

Vote on this Tyler language. No. OK, so.

1:6:28.790 --> 1:6:29.70

Suo, Steve

Wait.

1:6:15.820 --> 1:6:29.150

Emily Harris (Guest)

Can I get a motion for a adapting, adopting the language? Just this a public body shall work in good faith with a request, or who seeks to narrow request in order to reduce a fee. Is that language that?

1:6:30.900 --> 1:6:32.910

Emily Harris (Guest)

All agree on can I?

1:6:32.610 --> 1:6:34.830

Kron Michael C

I move that we adopt that language.

1:6:35.490 --> 1:6:35.990

Emily Harris (Guest)

2nd.

1:6:38.590 --> 1:6:40.260

Emily Harris (Guest)

OK. All in favor say aye.

1:6:43.280 --> 1:6:43.560

Emily Harris (Guest)

Yeah.

1:6:43.800 --> 1:6:44.180

Tyler Janzen, AOC (Guest)

Yeah.

1:6:42.130 --> 1:6:53.950

Suo, Steve

I'm sorry, I I don't. I guess I don't. I don't understand. Something like that. I thought we were talking about the full text that Michael put in the chat where we're only talking about one sentence of it.

1:7:5.50 --> 1:7:5.400

Suo, Steve

OK.

1:7:6.340 --> 1:7:6.970

Suo, Steve

OK, I got it.

1:7:7.620 --> 1:7:8.930

Suo, Steve

I got it. I'm ready to vote.

1:6:54.600 --> 1:7:10.550

Emily Harris (Guest)

So we're only talking about one sentence of it, because the the first two sentences are what people have been disagreeing about in the last hour of the meeting, which is where there's a there's an automatic receipt, or upon a request.

1:7:11.180 --> 1:7:11.990

Suo, Steve

Got it. OK.

1:7:11.880 --> 1:7:12.680

Emily Harris (Guest)

We're talking.

1:7:12.210 --> 1:7:18.360

ALBERT Todd \* PRA

I'm sorry, I maybe I was on the road too much. Say, Emily, I'm still not following. What exactly are we trying to vote on here? And I apologize.

1:7:17.820 --> 1:7:33.120

Emily Harris (Guest)

OK, no problem. Clearly it's not. I'm not getting not being clear. OK, there it is in the in the chat section of the meeting's Michael's. Put in some language in there that.

1:7:33.740 --> 1:7:39.490

Emily Harris (Guest)

It starts by saying a requester who has been notified of a fee may request an explanation. Etcetera.

1:7:41.160 --> 1:7:49.470

Emily Harris (Guest)

The last sentence of that is not dealing with, Umm, getting a itemized receipt, it's dealing with working in good faith to narrow the request.

1:7:50.160 --> 1:8:5.120

Emily Harris (Guest)

The first two sentences are about an itemized receipt, which is what there was disagreement about over the first hour of this meeting. So what I am proposing is we only figure out if we're on the same page for this last sentence.

1:8:6.570 --> 1:8:15.130

Emily Harris (Guest)

A public body should work in good faith. Who seeks to narrow over request, and that would be language we would use instead of the.

1:8:16.290 --> 1:8:20.320

Emily Harris (Guest)

Language under the section of communication to reduce costs.

1:8:21.370 --> 1:8:35.160

Emily Harris (Guest)

Which is on the shared screen. I'm happy to vote on all of it if people want to, but I was just hearing so much disagreement about whether we need an itemized receipt automatically or an itemized receipt upon request. I mean.

1:8:37.480 --> 1:8:45.250

Emily Harris (Guest)

That I it's clear they really there's not consensus on that. I think we could we could pass it on a boat and I'm also happy to do that.

1:8:48.210 --> 1:8:48.640

Emily Harris (Guest)

Todd.

1:8:51.350 --> 1:9:12.530

ALBERT Todd \* PRA

Thank you. I have concerns. Then if we merely go with this with this line, which I like, I think in and of itself, it's an important concept. If we then leave out that a public body can start the 60 day clock to closing a request after they've asked for clarification to a requester if they intend they in turn, then don't answer the requester's attempts to clarify or narrow the request.

1:9:13.240 --> 1:9:36.140

ALBERT Todd \* PRA

I think that's an important idea because right now the public body has the authority to close the request. It's really one way, but often, how can requesters clarify if they don't understand what a public body is doing or how it holds its records? It seems a little unfair and uneven to me, so I don't know if that's a second separate concept we want to vote on, or if you'd entertain a friendly amendment to add it to this existing sentence for the vote.

1:9:36.990 --> 1:9:38.740

Emily Harris (Guest)

Sure, let's entertain a friendly amendment.

1:9:41.110 --> 1:9:43.420

Emily Harris (Guest)

So what would you propose and what are you pulling it from?

1:9:46.390 --> 1:9:52.470

ALBERT Todd \* PRA

Good question. OK. So I would utilize Michael's uh language from the chat and.

1:9:53.370 --> 1:9:54.240

ALBERT Todd \* PRA

I got to go back to it.

1:9:59.200 --> 1:10:0.940

ALBERT Todd \* PRA

So it would be the two. Ohh.

1:10:6.910 --> 1:10:7.300

Emily Harris (Guest)

Uh.

1:9:59.740 --> 1:10:7.690

Kron Michael C

Can I ask? Ohh point of order. Do we not get a second? Isn't there a vote already? Bad thing. Sorry.

1:10:8.80 --> 1:10:16.30

Emily Harris (Guest)

Sorry, it's just like the people like, whoa, what are we voting on exactly and why so is that you have to clear that up before you can vote.

1:10:16.740 --> 1:10:18.10

Kron Michael C

I don't know. I just.

1:10:19.940 --> 1:10:22.760

Kron Michael C

No. OK. So we don't, we don't have a vote pending.

1:10:23.570 --> 1:10:24.10

Kron Michael C

Alright.

1:10:24.610 --> 1:10:32.230

Emily Harris (Guest)

Well, we had a bunch of questions about what we're voting on, so it doesn't seem to make sense to make a vote, whether that's a point of order or not. It seems like it's not great communication.

1:10:33.260 --> 1:10:52.100

Emily Harris (Guest)

Umm, So what? We're where we're at right now is Todd is is wants to propose an amendment to not just vote on the a public body. She'll work in good faith with the request or who seeks to narrow a request in order to reduce a fee as language that we all endorse. But he wants to add something else to that. And Todd, what did you want to add?

1:10:52.900 --> 1:11:23.890

ALBERT Todd \* PRA

Well, it's the current sentence that comes after, though we will probably have to change the language if we're just going with these two concepts, the one that says, notwithstanding, ORS 192.329, subsection 3, subsection a, the obligation of the public body to complete its response to the request is not suspended until the public body provides any explanation required by this section. So what obviously have to connect with the previous concept of working in good faith with the requester who is asked to narrow a request, and that if the requester has done so.

1:11:24.590 --> 1:11:38.220

ALBERT Todd \* PRA

The public body would have to work with them in good faith to do so and can't start the 60 day clock to dismissing a request as as if the requester has been non responsive to the public bodies request for clarification.

1:11:39.410 --> 1:11:45.160

ALBERT Todd \* PRA

If that makes sense, although I don't know necessarily the best way to put that into the language we're working on right now.

1:11:45.600 --> 1:11:46.840

Emily Harris (Guest)

Well, my.

1:11:45.620 --> 1:12:0.150

Kron Michael C

I don't particularly feel like that's a friendly amendment as the person who made the motion just because it feels like it's adding a a whole bunch of confusion, and I don't even really understand anymore what we're talking about, so.

1:11:59.640 --> 1:12:11.70

Emily Harris (Guest)

I mean what I'm trying to do here is just get and. I'm sorry, Michael, I may have just stepped on your toes. Well, I was just trying to get us, like, do we agree on this concept of public body? Should work in good faith with the requesters? Seeks to narrow a request.

1:12:11.820 --> 1:12:17.650

Emily Harris (Guest)

I not excluding other concepts, not finalizing this as the only concept in this.

1:12:18.330 --> 1:12:23.520

Emily Harris (Guest)

Brown. But do we agree on this? That's all I wanted to get a sense of.

1:12:25.270 --> 1:12:27.310

Emily Harris (Guest)

In the end, it may not work without.

1:12:28.320 --> 1:12:34.900

Emily Harris (Guest)

The whole thing about where the itemized fees come in and when you can close a request, but that's all I was trying to get a.

1:12:36.240 --> 1:12:36.780

Emily Harris (Guest)

Vote on.

1:12:37.250 --> 1:13:8.20

Kron Michael C

Yeah, I like the vote on that and I just don't really feel like complicating it by adding this other thing about closing a request is super friendly. Honestly, I've not really heard anyone. I mean, we clothes requests after a while without specific statutory authority to do it, and no one has ever complained about that because we communicate with people before we do it, right? So I don't know. It doesn't feel like a friendly amendment to me. It feels like it's a.

1:13:8.710 --> 1:13:12.910

Kron Michael C

Not really related and maybe not really needed addition.

1:13:15.330 --> 1:13:23.310

Emily Harris (Guest)

So I saw that as a question of clarification of what we are voting on. Does everybody feel clear now what we're voting on?

1:13:24.640 --> 1:13:33.20

Emily Harris (Guest)

No, Tyler doesn't feel clear, OK? And Steve does feel clear. OK, So what we're what we'd like to vote on, which I think we do have a proposal to do, but.

1:13:34.30 --> 1:13:51.990

Emily Harris (Guest)



Entertain a second one is whether we all endorse the language that a public body shall work in good faith with a request, or who seeks to narrow a request in order to reduce a fee that's not excluding other language. Here, it's not. Excuse me, it would replace the.

1:13:52.750 --> 1:13:57.460

Emily Harris (Guest)

Language in the section called communication to reduce costs.

1:13:58.160 --> 1:14:13.520

Emily Harris (Guest)

It would get all boiled down to this this sentence. It would not address the question of whether a public body needs to itemize a fee either automatically or provide reasonable.

1:14:14.830 --> 1:14:18.30

Emily Harris (Guest)

Understanding of what the breakdown of costs are upon request.

1:14:21.430 --> 1:14:22.790

Emily Harris (Guest)

People clear what we're voting on.

1:14:25.290 --> 1:14:36.870

Emily Harris (Guest)

OK, so all in favor of whether we endorse this language, public body should work in good faith with the request. Who seeks to narrow a request in order to reduce the fee. Please say aye. Or put your thumb up.

1:14:37.930 --> 1:14:38.340

Suo, Steve

Aye.

1:14:38.90 --> 1:14:38.480

ALBERT Todd \* PRA

Aye.

1:14:38.210 --> 1:14:38.570

Scott Stauffer

Aye.

1:14:39.280 --> 1:14:39.790

Kron Michael C

Aye.

1:14:41.130 --> 1:14:42.310

Emily Harris (Guest)

Any nays?

1:14:42.20 --> 1:14:42.510

Emily Gothard - She/Her  
I.

1:14:44.560 --> 1:14:45.10

Tyler Janzen, AOC (Guest)  
No.

1:14:46.60 --> 1:14:50.30

Emily Harris (Guest)

All right. Congratulations everybody. We've worked out one sentence we agree on.

1:14:55.220 --> 1:15:4.170

Emily Harris (Guest)

So next meeting will go back to the public interest, parts of things and then I think we will have to circle back to the itemized fee.

1:15:5.950 --> 1:15:19.540

Emily Harris (Guest)

To issue whether we set it aside because it's too specific or whether we folded in, we were gonna have to look at everything together in the end anyway. But as far as let's see, we can have a couple minutes of public comment and then we need to.

1:15:20.960 --> 1:15:21.400

Emily Harris (Guest)

You look.

1:15:20.890 --> 1:15:23.290

Kron Michael C

Can I make one more motion chair?

1:15:22.950 --> 1:15:24.0

Emily Harris (Guest)

Oh, of course, yeah.

1:15:24.420 --> 1:15:31.410

Kron Michael C

I would like to move that we adopt the language in Todd's proposal that says that if you don't have your.

1:15:31.970 --> 1:15:37.690

Kron Michael C

A fee schedule either on your website or available on request. You can't charge a fee.

1:15:38.460 --> 1:15:39.330

Emily Harris (Guest)

Is there a second for that?

1:15:41.320 --> 1:15:41.760

Emily Gothard - She/Her  
2nd.

1:15:41.550 --> 1:15:42.70

Scott Stauffer  
2nd.

1:15:41.800 --> 1:15:42.250

ALBERT Todd \* PRA  
2nd.

1:15:42.720 --> 1:15:44.330

Emily Harris (Guest)  
OK. All in favor say aye.

1:15:44.270 --> 1:15:44.900

Tyler Janzen, AOC (Guest)  
I.

1:15:44.920 --> 1:15:45.390

Kron Michael C  
Yeah, I.

1:15:44.910 --> 1:15:45.940

ALBERT Todd \* PRA  
I I.

1:15:45.350 --> 1:15:45.990

Emily Gothard - She/Her  
Hi.

1:15:46.450 --> 1:15:47.250

Tyler Janzen, AOC (Guest)  
Thank you, Michael.

1:15:47.710 --> 1:15:49.300

Emily Harris (Guest)  
Yeah. Thank you very much for remembering.

1:15:48.900 --> 1:15:50.840

Kron Michael C  
22 guys, we got 2.

1:15:51.80 --> 1:15:53.920

Emily Harris (Guest)  
That OK, I'll just need to get this language.

1:15:54.600 --> 1:15:57.770

Emily Harris (Guest)

At today's the chat save or do I need to paste that somewhere?

1:15:59.670 --> 1:16:0.790

ALBERT Todd \* PRA

I recommend pasting it.

1:16:2.260 --> 1:16:2.730

Emily Harris (Guest)

All right.

1:16:2.810 --> 1:16:8.700

Emily Harris (Guest)

Umm. So when I take some public comment to see a couple people ends up at Steve. Did you have something you needed to add first?

1:16:10.700 --> 1:16:29.650

Suo, Steve

Yeah, I I'm sorry. I just recognizing the amount of time that we spent talking about the itemization issue and the amount of, you know that the importance of the public interest discussion, which will include a discussion of person, request for personal records.

1:16:31.70 --> 1:16:44.210

Suo, Steve

You know, I'm really concerned about our ability to get to that business at the next meeting. So you know, I don't know if this is out of order, but I mean I I'd like to see right now whether it's possible to.

1:16:45.60 --> 1:16:51.180

Suo, Steve

To vote up or down on the itemization issue, one proposal or the other, or both.

1:16:51.830 --> 1:17:9.160

Suo, Steve

Uh, I I I know. Like I I don't want a first all for the feature discussion, but actually I do wanna first all future discussion because I just I'm. I'm worried about things collapsing. If we don't if we don't move forward you know and and and drop things if they're you know if we're just not there.

1:17:9.550 --> 1:17:16.0

Emily Harris (Guest)

OK, so you have a A. You have a motion. Can you say you do you wanna vote? Wanna state your?

1:17:15.430 --> 1:17:16.240

Kron Michael C

All right, one.

1:17:16.90 --> 1:17:16.530

Emily Harris (Guest)

It.

1:17:18.120 --> 1:17:27.270

Kron Michael C

I I'm happy to make a motion. I'll put it in the chat. It's the rest of what I said earlier, minus the one sentence we've already approved.

1:17:28.30 --> 1:17:31.70

Emily Harris (Guest)

OK. Is there a second to vote up and down on that?

1:17:32.90 --> 1:17:32.620

ALBERT Todd \* PRA

2nd.

1:17:33.410 --> 1:17:51.390

Emily Harris (Guest)

OK, so all in favor of adopting this language. This is not the automatic itemized request, right? It's just to be clear, I'm scrolling up to it on the screen. It is not how costs must be itemized. It is much closer to that Kessler language.

1:17:52.910 --> 1:17:55.390

Emily Harris (Guest)

All in favor of adopting this language.

1:17:56.380 --> 1:18:4.980

Emily Harris (Guest)

A requester who's been notified of a fee may request an explanation, in which case the public body shall provide an explanation, completing its cost, its shell.

1:18:6.30 --> 1:18:14.800

Emily Harris (Guest)

Include sufficient detail to permit a reasonable person to understand the amount and purpose of the fee, and Michael's also pasted in the notwithstanding.

1:18:15.530 --> 1:18:16.20

Emily Harris (Guest)

Uh.

1:18:17.360 --> 1:18:18.120

Emily Harris (Guest)

ORS.

1:18:19.420 --> 1:18:32.110

Emily Harris (Guest)

And when I'm two, etcetera, the obligation of the public body to complete its response to request is not suspended until the public body provides any explanation required by this segment. OK, all in favor of that adopting that language, please say aye. Or put your.

1:18:32.60 --> 1:18:32.350

Suo, Steve

Aye.

1:18:31.870 --> 1:18:32.410

Kron Michael C

Aye.

1:18:32.80 --> 1:18:32.430

Emily Gothard - She/Her

I.

1:18:32.950 --> 1:18:33.350

Scott Stauffer

Aye.

1:18:34.810 --> 1:18:35.200

Tyler Janzen, AOC (Guest)

Aye.

1:18:34.840 --> 1:18:36.210

Emily Harris (Guest)

OK, opposed.

1:18:37.140 --> 1:18:37.530

ALBERT Todd \* PRA

May.

1:18:39.150 --> 1:18:44.620

Emily Harris (Guest)

OK, it passes. So we've got three items of agreement. Great.

1:18:46.90 --> 1:18:47.740

Emily Harris (Guest)

Few minutes for public comment.

1:18:49.490 --> 1:18:51.710

Emily Harris (Guest)

Let me see if I can figure out who's here.

1:18:59.950 --> 1:19:0.200

Scott Stauffer

I'm.

1:18:54.150 --> 1:19:2.850

Emily Harris (Guest)

Let's see. Mindy Lane, you had your hand up for a long time. You just took it down to Ohio. You didn't. Do you want us to comment? If you ever could limit their comments to, like, a minute and 1/2, that'd be really great.

1:19:3.170 --> 1:19:4.790

Scott Stauffer

Emily, can you stop showing your screen?

1:19:5.180 --> 1:19:6.510

Emily Harris (Guest)

Of course. Thank you for reminding me.

1:19:10.0 --> 1:19:11.10

Emily Harris (Guest)

Mindy, go ahead, please.

1:19:11.320 --> 1:19:19.590

LANE Mindy J \* WRD

Thank you for your time. Actually I I apologize. Uh, do you mind actually sharing that screen? I did have a my comment was related to section C.

1:19:21.580 --> 1:19:21.820

Emily Harris (Guest)

Yep.

1:19:23.810 --> 1:19:24.410

Emily Harris (Guest)

Can you see it now?

1:19:24.90 --> 1:19:26.460

LANE Mindy J \* WRD

And I don't, I don't have the document opened, yes.

1:19:26.690 --> 1:19:27.460

Emily Harris (Guest)

Give it. See now.

1:19:30.310 --> 1:20:2.70

LANE Mindy J \* WRD

OK. Thank you for your time. My name is Mindy Lane. I work at Oregon Water Resources Department public records. I support the first sentence of section C for public records requests that include e-mail. The public value will work in good faith to establish time periods and keywords. That's something that our agency currently does. However, I'm concerned about the second-half of that paragraph as I know the language says the public body may may offer, for example, to provide a log of responsive records for feeling.

1:20:2.160 --> 1:20:8.100

LANE Mindy J \* WRD

Only e-mail dates, senders, recipients and subject lines. I'm concerned setting that precedent.

1:20:9.400 --> 1:20:19.700

LANE Mindy J \* WRD

That's so specific. It's not uncommon for us to get 10s of thousands of emails back, even when we have a narrow time frame and keywords.

1:20:21.160 --> 1:20:49.650

LANE Mindy J \* WRD

Especially when we're talking about duplicate emails, you know our Ms 365 application has a deduplication feature that will remove duplicate emails, but I've actually spent a lot of time making effectively a privilege log for certain requesters, but the deduplication tools aren't perfect. So if I send an e-mail to 25 of my coworkers, technically none of them are duplicates because each recipient gets one.

1:20:49.880 --> 1:21:13.40

LANE Mindy J \* WRD

So if I send out an e-mail to 25 people, it actually will show up 26 times. We don't have automated software that can remove the duplicate. So to make these logs is very time intensive it could take days depending on the number of emails to manually remove the duplicates from it. So that was my comment. Again thank you for your time.

1:21:13.230 --> 1:21:14.370

Emily Harris (Guest)

Yeah. Thank you. And we just.

1:21:15.360 --> 1:21:17.910

Emily Harris (Guest)

Approved language that wouldn't include that C but.

1:21:17.990 --> 1:21:26.500

Emily Harris (Guest)

Umm, make that you know, there may be some specific guidance coming out of the PR's office along these lines. So sure, that's helpful information to know.

1:21:26.990 --> 1:21:27.460

Emily Harris (Guest)

Umm.

1:21:27.860 --> 1:21:34.130

Emily Harris (Guest)

Uh, let's see Joe Barker. I think you had your hand up next. If you can limit your comments to 92nd, that would be great.

1:21:35.190 --> 1:21:36.480

Jo A. Barker

Thank you, Madam Chair.

1:21:37.840 --> 1:21:41.280

Jo A. Barker

I agree with Scott staffers.



1:21:42.860 --> 1:21:45.330

Jo A. Barker

Best policy practice where.

1:21:47.220 --> 1:21:53.20

Jo A. Barker

You know it's it's an automatic given that you know, if somebody comes in and makes a request.

1:21:54.550 --> 1:22:17.650

Jo A. Barker

If somebody who's proficient in their job, they would know, OK, it would take about 1/2 hour 45 minutes. This is your cost. But in addition, a lot of these things that I hear being discussed today would appear to be an actual policy that the public body should have on record.

1:22:18.530 --> 1:22:42.630

Jo A. Barker

For the public itself to review, to me the policy, the cost breakdown, whether it's for search duplication, review or all three, you know this is the set price lowest price hourly wage employee this is it. You know we have one lump sum for all three of these categories if you want it broken down, that's a separate request type of thing.

1:22:44.10 --> 1:22:49.760

Jo A. Barker

But the public policy must be given to the public straight up.

1:22:50.520 --> 1:22:51.90

Jo A. Barker

Umm.

1:22:50.150 --> 1:22:55.420

Emily Harris (Guest)

And I think that you'll be glad then to recognize that we did approve the language.

1:22:56.720 --> 1:23:27.960

Jo A. Barker

Yeah. One thing that I would correct though, just out of observation on the communication to promote where it says effective date for this is January 1st, 2025. I would change that to 2024 because of that particular section, 192.324 is being amended and becoming effective on 2024, so.

1:23:28.190 --> 1:23:32.810

Jo A. Barker

These changes would coincide with the changes that are being made then.

1:23:33.280 --> 1:23:38.310

Emily Harris (Guest)

We'll have to make sure there's continuity in the whole proposals that goes forward. Thanks for noticing that detail.

1:23:38.390 --> 1:23:40.350

Jo A. Barker

Thank. Thank you, Madam Chair.

1:23:40.710 --> 1:23:41.970

Emily Harris (Guest)

Umm Alan Kessler.

1:23:45.300 --> 1:23:46.480

Alan Kessler (he/they) (Guest)

Thank. Thank you, Madam Chair.

1:23:48.120 --> 1:24:16.760

Alan Kessler (he/they) (Guest)

I'll try to be quick with respect to the concerns about good faith standards. Don't forget, please, that there is an AG hurdle and DA Hurdle from my point of view, to get to court, there's also a court filing fee. You also have to find an attorney. If you're not one. Usually it it's hard to get to court like people aren't going to frivolously do that. So the the city, I think has to act in really bad faith before it has any real risk of being dinged. The public body rather.

1:24:16.910 --> 1:24:18.470

Alan Kessler (he/they) (Guest)

Before he has any recourse to being dinged.

1:24:20.210 --> 1:24:47.800

Alan Kessler (he/they) (Guest)

Let's see. My proposal wasn't intended actually to replace communication and sounds like you kind of got there. I really liked Section D especially I think the things that it lists are things that public bodies should it be required to provide. I think we can fix most of that by eliminating exemption 192.34515, which relates to software source code and computer manuals. It's really old.

1:24:48.600 --> 1:25:10.180

Alan Kessler (he/they) (Guest)

Language I think it was written the 80s, that amendment and software was really different then I think you should be able to get the the Excel manual or the Office 365 manual and right now that's specifically exempted under lot. If you could start to get those things like database manuals and things under public records law then it wouldn't need to be a special users. If they don't give it to you then you start requesting the manuals for how they get there.

1:25:12.120 --> 1:25:12.680

Alan Kessler (he/they) (Guest)

And.

1:25:12.760 --> 1:25:15.300

Alan Kessler (he/they) (Guest)

I I I.

1:25:17.40 --> 1:25:33.230

Alan Kessler (he/they) (Guest)

I don't think that my proposal is that he actually inconsistent with Todd proposal. I think that Todd proposal has the risk of malicious compliance, so you'll get a really bureaucratic response that will give you 6 cells that will give you the numbers and they'll be meaningless.

1:25:34.370 --> 1:25:55.760

Alan Kessler (he/they) (Guest)

So having this hook where you can stop the cities clock and they can't say or where you can stop them from having completed the requests, you can get to an appeal if they're not responding to. I think it's important. I keep saying city because I'm very simple minded. My focus right now public body. But I think that the information that Todd wants to gather is I think we should have that.

1:25:56.160 --> 1:26:5.950

Alan Kessler (he/they) (Guest)

And I also think that cities will be like public bodies will be forced if they're being requested for these materials to do it, because they still only about 15 days, they're going to start to do it perspective.

1:26:7.350 --> 1:26:8.820

Alan Kessler (he/they) (Guest)

Marcel, sleep off. Stopped talking.

1:26:9.200 --> 1:26:18.390

Emily Harris (Guest)

Thank you very much. Thanks for everyone for your comments and they'll be places to potentially, you know, reflect those in our future meetings. So just as far as the calendar goes.

1:26:19.120 --> 1:26:27.170

Emily Harris (Guest)

We have a meeting scheduled for next uh Friday, so the main thing to do there is to return to the some of the public interest language.

1:26:28.390 --> 1:26:35.720

Emily Harris (Guest)

And then ideally, we'd have something to we'd have, we'd have some, some calls together piece of legislation.

1:26:35.940 --> 1:26:36.380

Emily Harris (Guest)

Umm.

1:26:37.470 --> 1:26:40.130

Emily Harris (Guest)

When are we supposed to bring it back to the full crack?

1:26:42.770 --> 1:26:43.550

Emily Harris (Guest)

Ohh mark, sorry you.

1:26:45.890 --> 1:26:46.170

Emily Harris (Guest)

See.

1:26:43.60 --> 1:26:50.30

ALBERT Todd \* PRA

We currently have a meeting scheduled in November, so unless we try to meet sooner than that, it'll be November 18th at 1:00 PM.

1:26:50.270 --> 1:26:55.950

Emily Harris (Guest)

OK, because this says Ohh our goal here is also submit revisions to Legislative Council by October 31st.

1:26:57.500 --> 1:27:3.650

Emily Harris (Guest)

And which we we clearly can't can't do for not meeting till November. Mark you have your hand up.

1:27:8.40 --> 1:27:9.140

Emily Harris (Guest)

You're muted. I'm sorry.

1:27:10.420 --> 1:27:15.900

Mark Landauer

Wait to thank the members of the public for contributing to the meeting today. Thank you.

1:27:17.420 --> 1:27:18.660

Emily Harris (Guest)

Thank you, mark. Michael.

1:27:21.240 --> 1:27:51.800

Kron Michael C

Ohh, just wanted to remind you guys, I'm not gonna be at our meeting next week. I don't have any concerns with our public interest formulation though, so that that feels pretty good. I think one thing you guys are gonna talk about and I won't get to vote on it, but just sharing my feelings whether the DA or the AG should be able to review this like every everything else. And I think there's no reason we'll treat it. We should treat it any differently than anything else in the public records law. So hopefully you guys get there, but I will miss you. And I think we've done.

1:27:52.280 --> 1:27:56.150

Kron Michael C

Incredible work in this subcommittee. So thank everyone for that.

1:27:57.480 --> 1:27:59.210

Emily Harris (Guest)

Great. Thank you. We'll miss you too.

1:27:59.300 --> 1:28:1.100

Emily Harris (Guest)

And so.

1:28:2.0 --> 1:28:2.930

Emily Harris (Guest)

Yes, Steve, go ahead.

1:28:4.650 --> 1:28:5.660

Suo, Steve

I.

1:28:6.930 --> 1:28:15.580

Suo, Steve

Michael, knowing that you're not going to be there, I think that question about appeals is, is by one of the outstanding issues for me.

1:28:16.320 --> 1:28:29.710

Suo, Steve

Umm. I'm wondering whether there's anything you could provide in writing by way of your your perspective on Todd Todd's proposal to specifically state that AG and DA have appeal power.

1:28:31.30 --> 1:28:35.390

Suo, Steve

Versus not put including that in the proposal. Is that something that you could?

1:28:36.280 --> 1:28:38.140

Suo, Steve

Could submit, would feel comfortable.

1:28:40.170 --> 1:28:41.580

Kron Michael C

Ohh sure I can do that.

1:28:43.870 --> 1:28:44.360

Suo, Steve

Thank you.

1:28:43.480 --> 1:28:44.870

Emily Harris (Guest)

OK, great. Thank you.

1:28:46.960 --> 1:28:47.450

Emily Harris (Guest)

So.

1:28:48.360 --> 1:29:14.920

Emily Harris (Guest)

Will be next Friday. We'll try to get through the public interest stuff between me and Todd will get out some language that like what we've got so far and specifically what we're talking about next week by Monday. So hopefully people have time to review it and any other questions or concerns before then. And then I guess the November 4th is our meeting with the full practice to try to take it this back there, is that right or which what's the date on that?

1:29:14.660 --> 1:29:16.200

ALBERT Todd \* PRA

18th, 18th.

1:29:15.730 --> 1:29:23.840

Emily Harris (Guest)

Uh, OK, alright. You guys who deal with Legislative Council more is are we totally?

1:29:24.780 --> 1:29:27.120

Emily Harris (Guest)

Messed up on deadlines. I mean if we.

1:29:28.380 --> 1:29:38.910

Emily Harris (Guest)

Don't get language to legislative council till November, are we? I know we can amend staff in committee, but is there any guidance or advice there, Tyler?

1:29:40.390 --> 1:29:49.400

Tyler Janzen, AOC (Guest)

It feels like we're running a little late. Do we have confirmation that Fender Thatcher's office has has put a placeholder in the hopper?

1:29:49.850 --> 1:29:52.440

Emily Harris (Guest)

Yeah, four I think, right. My Todd. Yeah.

1:29:53.10 --> 1:29:53.500

Tyler Janzen, AOC (Guest)

OK.

1:29:52.970 --> 1:30:1.680

ALBERT Todd \* PRA

Or, although we'll talk at the full PRAC meeting, I've requested one of them for my own budget concerns, but that doesn't mean we can't put more than one concept and as well.

1:30:2.250 --> 1:30:33.0

Tyler Janzen, AOC (Guest)

Cool. Yeah, it it. It feels like, Umm, based on the other conversations I've been having the the sooner we can actually agree on something, I just think the greater chances are of having something early in the session. The benefit is it's a long session, things can be introduced during the session. We have a little more wiggle room than usual, but I imagine something of this magnitude, if it looks like it wasn't, you know, ready to go out the starting gate, I'm worried that we're gonna have trouble just meeting legislative deadlines.

1:30:36.250 --> 1:30:36.600

Emily Harris (Guest)

And.

1:30:39.220 --> 1:30:43.40

Emily Harris (Guest)

I don't know if there's not a lot we can do about the prac.

1:30:44.300 --> 1:30:48.790

Emily Harris (Guest)

Schedule. So I guess that just you know.

1:30:50.0 --> 1:30:53.450

Emily Harris (Guest)

Reinforces. Let's try to get it done next week and then there'll be a little bit of.

1:30:54.430 --> 1:31:3.780

Emily Harris (Guest)

Time that we if we have to fine tune something at the full crack, the little bit of time to review things.

But yeah, I guess that's that's all I can really say on that.

1:31:4.700 --> 1:31:5.730

Emily Harris (Guest)

Any other?

1:31:7.320 --> 1:31:9.430

Emily Harris (Guest)

Michael, do you still have your hand up? If you forget to take it down?

1:31:15.390 --> 1:31:28.120

Emily Harris (Guest)

Mccrone not hearing you, I'm assuming you forgot to take it down. OK, I think that's covers everything we can do today. I know we're a little over and thank you everyone for that and all your hard work and patience today.

1:31:29.970 --> 1:31:30.900

Emily Harris (Guest)

Motion to adjourn.

1:31:34.240 --> 1:31:35.170

Scott Stauffer

I move to adjourn.

1:31:34.850 --> 1:31:36.440

Mark Landauer

So moved second.

1:31:37.190 --> 1:31:37.990

Emily Harris (Guest)

All in favor?

1:31:39.220 --> 1:31:39.530

ALBERT Todd \* PRA

Aye.

1:31:39.200 --> 1:31:39.720

Emily Gothard - She/Her

Aye.

1:31:39.260 --> 1:31:40.270

Suo, Steve

Aye, hi.

1:31:38.990 --> 1:31:40.300

Scott Stauffer

I I.

1:31:40.680 --> 1:31:41.720

Emily Harris (Guest)

OK. Thanks everybody.

1:31:42.330 --> 1:31:42.700

Kron Michael C

OK.

1:31:43.0 --> 1:31:43.230

Emily Harris (Guest)

Right.