

Transcript

September 15, 2025, 7:01PM

□ **ALBERT Todd * PRA** started transcription

ML **Mark Landauer** 0:03

OK.

Thank you.

Welcome everybody.

Today is September 15th, I believe 1201 PST.

I'm on the East Coast, so it's 3:00 PM EST.

And I've got a dog behind me, barking like crazy, and I apologize, but I can't do much about it.

So anyway, we have an agenda today, I believe though.

Todd, you wanted to make a few changes to the agenda.

Before we begin.

So why don't you go ahead and make those?

Changes for us. Thank you.

AP **ALBERT Todd * PRA** 0:41

Sounds good, mark. Thanks #1.

I'm striking agenda item number 3.

We were supposed to be just getting an update on the progress of the bylaw subcommittee today.

There's unlikely to be anything to vote on and I would like to add a new sub item 3 which is mention the departure of 1 Council member and welcoming one new Council member.

ML **Mark Landauer** 1:02

Pod, how about how about this?

Why don't we do this?

I'm gonna move that to item number 2.

Let's go ahead and approve the modifications to the agenda.

Is are there any other suggestions?

Changes requested to the agenda today.

I'll give it the awkward pause and hearing. None will be done with that.

Yes. Shasta, please.

SM Shasta Kearns Moore 1:31

Yeah, Mark, I do have the survey.

Unfortunately, I wasn't able to get it out for about half an hour ago, but I can put the link in the chat and I was hoping for a vote on that today so.

ML Mark Landauer 1:46

OK, we'll take a look at that, Shasta, and add that to the agenda.

You'll just have to remind me once I get there, I'm gonna go switch the agenda items around a little bit because.

Todd, I'd like you to go ahead and announce the departure and then the addition welcome, Brett.

To the agenda so that we can welcome our newest member.

AP ALBERT Todd * PRA 2:13

Sure. Well, as some of you may know, Steve Sue recently departed the PRAC. His term was up at the end of the year and he decided to step down as the date of his notifying mark, which was in the last couple weeks.

So we give our thanks to Steve for all of the years of service as an original member of the Council.

We're sorry to see him go.

The governor's office is aware of his departure and hopefully will be nominating a new member of the media to take his place.

In the meantime, I wanted to welcome Brianna Duke, representative of death, as our newest member.

To the Council, I don't know if you know what you've gotten yourself into, but we're happy to have you here.

DD DUKE Bryanna * DAS 2:49

Thanks. I appreciate that.

Happy to be here.

ML **Mark Landauer** 2:54

Great. Well, welcome, Brianna. And you know, we at some point we'll probably doing some in person meeting.

So we'll get to meet you in person.

But with that, I'm gonna go ahead and ask that we move to agenda item number three now, which is sort of the update on our bylaws and if it's appropriate, I get it turned that over to Scott, correct.

Very good, Scott.

Why don't you take it away?

And again, I wanna thank you again for.

Spearheading this effort, this has been a long time coming.

I know we've made a lot of progress, but knowing that we've been a formal body since about two 20/17/2018 and we still don't have adopted bylaws.

We're a little behind the behind the 8 ball, so Scott's gonna bring us.

Stuck to date, Scott. Thank you.

SS **Scott Stauffer** 3:54

Thank you, mark. Good afternoon, everyone.

Good to see be with you today.

A little preamble I am.

I have a cold.

I have people in my house who go to school and so school's back in session.

Everybody, which means the annual bugs are making around.

So if I sound a little hoarse, or perhaps not as articulate, I apologize in advance.

But this is actually a relatively quick report from the bylaw subcommittee.

We actually did that the last Council meeting in June, I think, adopt bylaws.

So the accounts that have official bylaws that were adopted, but of course a thing like that, once you get something adopted, you forgot we forgot to put some things in it, so.

Based on the adoption of our bylaws and direction from the Council at our last meeting earlier this summer time the bylaw subcommittee met in August and there were two specific processes that we started working on for inclusion in the bylaws.

The first of those two is the public.

Records of advocates annual review process.

As the body, the Council of the hiring body of the public records, advocate of Todd, and as such, we are charged with conducting an annual review process.

So we had a great first meeting August 21st.

We discussed that process.

There was and I'm happy to share the notes of this if you're interested.

Or they might be published online already, but there was agreement amongst the the subcommittee that we wanted to keep it a less formal process.

And so we're we're working.

Will Glasson and I don't know if I saw will on here, but will and I've been emailing.

We're drafting language that will kind of articulate in this informally informal method what APRA annual review process will look like.

Get those in the bylaws.

So we're hoping to bring some draft language for the full Council to consider adopting on that later this fall or the next meeting in December.

To the point you saw on the agenda that there was initially at one point there was an ask the Council was going to be asked to adopt.

Something along these lines were not actually a formally asking for the Council to weigh on that yet.

We don't have bylaw language for you to look at yet, but we did wanna make sure we had a chance to check in with the Council because between now and the end of this year, before the next Council meeting, the subcommittee thought it would and the Chair if.

I may speak to you briefly, mark.

I felt like it would be appropriate to get an annual review in of the PRA before the end of this year.

Given.

Some changes that might be coming in terms of the chair and some other things at the beginning of the year. So, so the subcommittee was unanimous in thinking that this PRA review process, which is an annual review which is different from the.

Director 365 interview that we that we have in our bylaws already to be done every four years when we're reevaluating the PRA or considering extending for another term, that's a different, more intense process.

But then annual review process, we felt there was unanimous.

Agreement on the subcommittee.

This continue to be a less formal thing, and really we're gonna, we're looking at

language placing this process under the direction of the chair who will call annually a review committee that would include the Chair of the Vice Chair and one other member of the Council at.

The discretion of the chair.

There was complete comfort with that.

Todd weighed in on that as well.

And so that's the long and short of it on the PRA annual review process, we're working on language, but we wanted to make sure.

We had time for the chair and the PRA to get one of these reviews in before our next meeting.

So the the one ask for feedback from the Council or or objection question comment from the Council. Is there any concern with that general direction in terms of keeping it a less formal but an annual thing that'll be listed in our bylaws, but basically at the last form?

Process, led by the chair and is there any?

So is there any concern with that and is there any concern with?

Mark and Todd undertaking this sort of review.

Between now and our next Council meeting, I ask two questions with the Council. I wanna get my head ahead of myself. Too much further than that.

So questions comments, Todd or Mark that I leave anything out in that synopsis, Todd?



ALBERT Todd * PRA 8:04

Well, I just want to remind the Council, the double benefit of doing this annual review.

One, of course, is sort of to standardize oversight of my office, which is common within state agencies, but also this is to the Council's benefit, because every spring we have to now answer a survey about the Council's actions, practices, which includes was your director, do they?

Have an annual review and so on and so forth.

This is.

This is to allow the Council itself to remain in compliance with some new standards that we're obligated to do as well as over side of my office, and that's why also this timeline makes sense, so that there's opportunity to conduct a reviews, report it back to the Council.

And then the Council can adequately answer these this survey that we have to do every year.

ML **Mark Landauer** 8:49

Yeah. And if I might tag on Todd, you can, I believe you can.

Well, I know you can correct me when I'm wrong, but I think that this is also a part of our of your office's key performance measurements. If I recall correctly.

And for those of you who don't know KPMS, it's a part of the budgetary process that each state agency must go through. And.

We want to be sure that we're compliant with those key performance metrics measures.

Here's because.

Usually, members of the Ways and Means Committee get a little bit upset when KP, Ms. aren't at least being strived for.

So we're going to make sure that this this happens on a regular basis in order to fulfill that obligation. The only thing I'm going to also mention was it that it's my intention provided the chasta is available to conduct that review.

Get the Co chair as well as as some of you know, I have notified the Council that I will not be seeking a third term as the Chair.

I think it's time for me to hand that baton off so that other people have the opportunity to do this, and obviously I would like to ensure that we have a smooth transition and part of that transition is to make sure that.

At least the coach Ferris, part of participant in that, that effort.

So Shasta, just a heads up, we'll probably wanna get together with Todd at some point.

It's my intention to do this informally.

We could have a formal process, but we'll go through an informal process, and Shasta and I can talk a little bit more. But we as the Chair and Co chair, would welcome any feedback that members of the PRAC or the public have in that review. So.

I guess I'll just say this now publicly saying that if you have thoughts or comments about the Advocate's performance areas for improvement, areas where they've demonstrated excellence, I'm more than happy to field those comments and any suggestions that you have.

So with that, I think we can probably those are my comments for the time being.
Thank you.

SS **Scott Stauffer** 11:15

Thank you, mark. Thank you, Todd.
So to the full Council, any concerns with the proposal for?

LS **Leah Silber** 11:20

Yeah, that would be great.

SS **Scott Stauffer** 11:22

A usually informal process, and then we're gonna draft and bring you language later in the fall and any any concerns or objections, questions with the the direction of this annual review.
Se.

SM **Shasta Kearns Moore** 11:38

I think that sounds great.
So this has to be done before December 1st. I feel like I read somewhere.
Is that right or no? Just by the end of year?

SS **Scott Stauffer** 11:44

I think that's the.
I think that's the goal based on the idea that we'll have a Council meeting in December sometime.
So I think the idea of Mark was thinking October, November for this annual review.

SM **Shasta Kearns Moore** 11:51

Kim.
OK. And then my only other question, I'm looking at your helpful graph here at the end of the bylaws, but I'm not clear on how long a term is just for my edification.

SS **Scott Stauffer** 12:11

I believe I think PRA terms are four years.

SM Shasta Kearns Moore 12:15
OK.

SS Scott Stauffer 12:16
That right, Todd?

AP ALBERT Todd * PRA 12:16

Oh yeah, my office.

Yeah. Yeah, sorry.

Yeah, four years.

So three of those years would be the annual review, and then toward the end of the fourth year would be the Director 360 to determine if should the advocate want to be reappointed.

Does the Council want reappoint them based on the information from the 360?

SM Shasta Kearns Moore 12:33
Interesting. OK.

Thank you.

Yeah, I think that sounds like a good plan.

SS Scott Stauffer 12:41
Thank you.

Any other thoughts, comments on this?

ML Mark Landauer 12:44

I've just put something in my calendar to remind me to schedule a annual review with Todd and Shasta.

So thank you.

I think I'm ready.

SS Scott Stauffer 12:55
Thank you, mark.

Thank you, Sasta, and thank you, Todd for working on that.

We'll we'll move to the other other direction we were given by the full Council was to

look at the biennial report that that is a part of our the ORS that creates and gives us Council authority that we're to provide an annual biannual report to the LEGISL.

Haven't really been articulated much in our bylaws, so even less to report here.

Except that the bylaw subcommittee will and I.

Have been exchanging language about.

However, what we're gonna propose and the subcommittee is gonna be meeting here, I think.

Did we get that already scheduled?

It's gonna be September, October.

It's coming up this fall. So just like the other process by our December Council meeting you, you should have the full Council should have draft language and the general direction.

We're leaning.

There is to again put it under the chair to at least start the process of drafting a biannual report to the legislature, giving also the chair discretion to include.

Anyone they they the chair would like in that review process.

So and and I think differentiating the differences and the similarities between the Todd Advocates, annual biennial reports and then the the binary reports of the the Council.

So there's language coming on your way on that, and I think that's if there's any questions about that part. I'm happy to entertain them.

But if not, thank you to the Subcommittee for for working so efficiently and to the larger Council.

Stay tuned for more bylaw changes coming in December.

ML **Mark Landauer** 14:27

Great. Thank you very much.

SS **Scott Stauffer** 14:27

And that concludes my.

ML **Mark Landauer** 14:29

Thank you very much, Scott.

All right.

Any other items?

Or thoughts on this agenda item.

All right.

Thank you very much, Scott.

I appreciate all your work and assistance on this.

The next item on our agenda is update on development of Council public body survey, Shasta.

Europe.

SM

Shasta Kearns Moore 15:02

So I put the link in the chat.

Hopefully people can see it and it's should be published in public, available for viewing.

I wanna say a huge thank you to Scott in Milwaukee and Lila. DEQ looks like there's several people from DEQ. So thank you to the whole team.

But they were my beta testers who took this and provided some helpful feedback on the questions and how long it took.

I did update the kind of descriptions and the survey should take approximately 1 to two hours to complete based on their feedback.

And I think for the Council we need to set a deadline if we're ready to do that.

And aside from the statistics that this survey will create, I think it will also make for a really helpful.

And useful list of public records policies, fee schedules and officer public records.

Officer contact information just by the nature of the the questions.

So I think that that's a really cool service for the community.

Oh, survey link. Let's see.

Might have been put in there.

Before you came on.

So there it is again.

So I.

Made.

It's just the top three questions like mandatory just the agency name, a public body type and estimated FTE as well as the respondent's name, title and e-mail address.

Just so if we have.

ML **Mark Landauer** 17:03

Jessica, is it possible?

Is it possible to put this on share screen?

SM **Shasta Kearns Moore** 17:07

Yeah.

ML **Mark Landauer** 17:10

May as well I'll be looking at the same thing.

I apologize.

SM **Shasta Kearns Moore** 17:14

Yep.

Let's see.

Wow window.

There we go.

ML **Mark Landauer** 17:25

Perfect. Thank you.

SM **Shasta Kearns Moore** 17:27

Yep, so.

Zoom in here.

So yeah, so the agency name public body type, approximate number of FTE are now required.

Respondent title and e-mail address are also required. If I can get it to stop showing the edit version.

Version but so.

So that should be good, because then we can contact whoever did it. If we need more information, but otherwise I think everything will populate into a spreadsheet that we can pretty pretty easily publish.

And let's see other feedback was.

The question on.

Accommodations for people with disabilities.

I changed that to be an open-ended question so that people can list what sorts of accommodations were made, since there's quite a variety of disabilities and needs. So that's now this instead of a yes or no, it's a short answer text so people can.

Choose to share as much information as they want.

What else? I had some outstanding questions.

So up here on question.

4.

I remember Todd saying something about this that I didn't fully understand around the legal legalities of it.

So maybe Scott, you were saying that you're confused about denied in part.

Maybe so.

I'm wondering if that means including exemptions.

SS **Scott Stauffer** 19:28
Another question.

SM **Shasta Kearns Moore** 19:28
Yes.

SS **Scott Stauffer** 19:29
I asked Shasta. Sorry.

SM **Shasta Kearns Moore** 19:31
I know.

Todd, can you explain? Yes, go ahead.

AP **ALBERT Todd * PRA** 19:39

Yeah. Well, I, yeah, if I remember correctly, it's just that sometimes an entire public records request is denied and sometimes only some of it is denied and some records are disclosed.

And I think that's a relevant distinction to help under, because if we just said how many denials did you issue, we still wouldn't know how many requests also resulted in disclosure because sometimes it's both. And so I, so I thought we just needed to make the responses a.

SM Shasta Kearns Moore 19:59

Mm-hmm.

AP ALBERT Todd * PRA 20:04

Little more granular to get a better sense of disclosures and withholdings.

So it's not so much exemptions cause anytime a public bodies denies any part of a request, they need to link them to relevant exemptions.

SM Shasta Kearns Moore 20:11

So.

ML Mark Landauer 20:19

Mm-hmm.

SM Shasta Kearns Moore 20:22

OK.

Mark.

ML Mark Landauer 20:26

Jess, I'm going back.

I'm actually on Section 2 right now, 'cause I I don't believe I've had an opportunity to review these questions and one of the questions I think it's the 123 fourth box down of those in 2024, how many were acknowledged or completed within 5 bus?

Days remind me, Todd, the statute requires a response.

Within, is it 10 business days?

I'm trying to remember or is it still or is it 5?

I'm trying to remember the acknowledgement of a receipt of a public record.

AP ALBERT Todd * PRA 21:01

It's actually it's, it's actually acknowledged or complete within five business days.

And if you can't complete it, you have to acknowledge it within five and then complete it within essentially 15.

ML **Mark Landauer** 21:06
OK.

AP **ALBERT Todd * PRA** 21:10
There's nuance there.

ML **Mark Landauer** 21:11
Perfect.

AP **ALBERT Todd * PRA** 21:11
Let's not get into that right now, but yes.

ML **Mark Landauer** 21:13
Yeah, yeah, yeah.
I I just want to make sure that that I'm I'm that this is within the requirements and chest I'm not double or questioning your your understanding of the lives probably better than mine frankly. But I just want to make sure that that that is that that line of.
Questioning is consistent with the Statute, so thank you for allowing me to interrupt here. Go ahead please.

SM **Shasta Kearns Moore** 21:40
OK.
And so if we were gonna change this question to be how many requests were denied in part to make it more understandable?
Does anybody have any language suggestions?

AP **ALBERT Todd * PRA** 22:00
I mean, you could put in parentheses, EG
some records were disclosed.
We got some other great records practitioners in this meeting.
I'd be happy to hear what they think.

SM **Shasta Kearns Moore** 22:13

Yeah.

So how many requests for denied in part EG sum but not all requested records were disclosed?

I think kind of the the crux of the issue might be that they don't have that granular detail in their records tracking system.

So I mean, I think some of these questions are just gonna be like.

Ki can't answer that.

And that will just have to be the way it is.

So.

SS **Scott Stauffer** 23:08

Not to not to throw my agency under the bus, but that's the place I found myself on several questions. Like, I don't know. I have a way of reporting.

That's a little unscientific.

And the biannual budget, but.

Does did prompt me to think about?

What other ways can I better track record request?

Good questions, but I don't know.

SM **Shasta Kearns Moore** 23:31

OK, but at least we've figured out that it doesn't mean necessarily exemptions, right? Yeah.

BW **Brent Walth** 23:45

Chest can I ask?

Can I ask a question?

SM **Shasta Kearns Moore** 23:46

Yeah.

BW **Brent Walth** 23:47

I'm sorry I'm not able to see.

SM **Shasta Kearns Moore** 23:48

Yeah.

BW **Brent Walth** 23:49

The entire survey is there a? Is there a question here about how many requests were overturned on appeal or by petition? In other words, if there was a denial either rolling apart?

SM **Shasta Kearns Moore** 23:58

Yes.

Well, there's questions on whether.

How many public body denials were appealed to the attorney general or District Attorney?

How many records requests resulted in lawsuits?

How often was the public records advocate involved in a request process?

So that was those are trying to get at the appeals process.

BW **Brent Walth** 24:25

I think that that I think the question about the partial denial is a good one and I think.

We might say I can't.

I'm having trouble seeing it and that's my fault, not yours. Is that?

Thank you.

SM **Shasta Kearns Moore** 24:37

The bigger.

BW **Brent Walth** 24:44

Maybe where you say? In other words, some, but not all requests records were disclosed.

You might say you know, for example, because of statutory exemptions, right?

You might include that.

Just to help clarify, I think.

It would be great to know if possible.

Given the the records, the records keeping limitations for a lot of agencies.

If you know how many of these were appealed and how many were overturned in part or in full.

In other words, if you it would be great to get a number of like how often the DA or the AG turned back the denial.

Or upheld it.

I I think.

That's the next question that you know we if we look at the data, I think it's the one piece we're gonna wish we had.

And again, there may be limitations with agencies keeping these records, but.

That that's my one suggestion.

That in clarifying a little sharper, you know the what are the possible reasons for denial, such as you know, statutory exemptions or no, maybe not statutory, but just say.

Such as exemptions.

SM **Shasta Kearns Moore** 25:55

Yeah, I think that's a great idea.

BW **Brent Walth** 25:55

If that's what.

SM **Shasta Kearns Moore** 26:02

You know I have.

Like an NF2 right now.

So I don't know how common it would be, and I think that having these questions that just have like how many were actually appealed, I feel like those.

I mean, maybe I'm wrong, but maybe I feel like those big ticket items would be really clear.

That that resulted in a an A reversal but.

Maybe there's a bunch of unreported stuff going on that this survey could.

Suss out. So do you have a suggestion for like a question that would come after this?

Like how many?

BW **Brent Walth** 26:47

You know what?

Either we can do it.

You can do it by numbers or percent. Probably you know numbers if you're asking

them how many were were you know faced petition or an appeal.

How many of those petitions or appeals resulted in?

A partial or a complete reversal of the agency's position. To that effect, I think it would go right after the question.

Were you asked how many of those were appealed?

And it's it's a suggestion.

Only. But I do feel like, you know, we're going down that path and I feel like it's the next thing we'd want to know.

If that data.

If those data rather are available from the agencies, so we look right after that.

SM **Shasta Kearns Moore** 27:48

What's that?

BW **Brent Walth** 27:49

I think so.

By all means I'm curious what everybody else thinks, but I think that gets to it.

SM **Shasta Kearns Moore** 28:02

OK.

I like that question.

OK.

AP **ALBERT Todd * PRA** 28:11

We're not at the public commentary portion of the meeting yet, but there are some helpful comments in the text that could lead to additional questions or clarification.

SM **Shasta Kearns Moore** 28:19

Oh great, I can't see the chat from where I am.

Would you be able to read them out?

AP **ALBERT Todd * PRA** 28:24

Oh, sure, let's see. So Leah Silver says when requests are denied, agencies will often cite the code under which the specific denials are happening.

It might be useful to have that as an optional dependent question if you want to

collect data on what legal codes are responsible for most denials, not all agencies will track this, of course, but if they do, they will have that info.

So do we have a question about that like your top three most common reasons for denying requests or maybe not?

Oh.

SM Shasta Kearns Moore 28:57

Weren't uh, provided?

AP ALBERT Todd * PRA 29:00

That was more about the timelines, right?

SM Shasta Kearns Moore 29:00

Let's see if there's. Yep.

AP ALBERT Todd * PRA 29:08

Maybe under about denying and whole or in part we could ask something along the lines of what your most common exemptions used.

And then there's some other helpful comments too.

SM Shasta Kearns Moore 29:23

Checking I'm just checking the rest of it to make sure that's not somewhere else.

OK. Yeah.

Yes, my last. But then there is.

OK.

Well, that won't be something that I'll be able to do off the top of my head, but maybe do we make it a short answer or do we make it multiple choice?

AP ALBERT Todd * PRA 30:14

I think short answer because otherwise like we're not going to create a drop down of 600 plus exemptions.

SM Shasta Kearns Moore 30:21

Up to 600 now, man.

AP **ALBERT Todd * PRA** 30:24

Over 600, I believe.

SM **Shasta Kearns Moore** 30:26

OK.

OK.

So like what?

AP **ALBERT Todd * PRA** 30:36

How about like of those requests that were denied in full or in part?

What are the top three most common exemptions to withholding cited or used?

SM **Shasta Kearns Moore** 31:07

OK.

AP **ALBERT Todd * PRA** 31:09

That works.

Another comment from Leah that I can't recall. If we put in already or not is it might also be useful to ask how entities are tracking their requests, if at all.

SM **Shasta Kearns Moore** 31:11

Excellent.

AP **ALBERT Todd * PRA** 31:20

Could be useful to know what volume and type of entities don't even track. We did do that. Right. OK, cool.

SM **Shasta Kearns Moore** 31:21

Yeah.

Yes.

OK. And then?

Leela also asked this question of how many requested waivers or significant reductions were granted. She said what's significant.

And I feel like in our previous.

Version we had like 50% or there was some sort of.

AP **ALBERT Todd * PRA** 31:56

Yeah, here we're parroting the law. 'cause. The law says they must. If they find, you know, if they're gonna grant, it has to be a waiver or a significant reduction.

SM **Shasta Kearns Moore** 31:57

Number there.

You know that law.

So then I can say significant reduction as used in.

AP **ALBERT Todd * PRA** 32:14

Yes, hold on.

Sorry, I'm trying to find the subsection.

Of course, is not popping up.

SM **Shasta Kearns Moore** 33:03

Circle back when you find it.

Those are.

AP **ALBERT Todd * PRA** 33:10

Oh, you know, sorry, I'm back. You know, the statute actually only does, say, waiver reduction, but oh, no, I'm sorry. OK, you know what?

SM **Shasta Kearns Moore** 33:12

Yes.

AP **ALBERT Todd * PRA** 33:18

It's substantially reduced fee without charge or at a substantially reduced fee.

ML **Mark Landauer** 33:19

It's yes, yes.

Yes.

AP **ALBERT Todd * PRA** 33:25

I think we always just say it as significant reduction.

ML **Mark Landauer** 33:28

That that was our.

That's been our three-year discussion on reform.

AP **ALBERT Todd * PRA** 33:34

Yes. And when you're ready, I have the section for you.

SM **Shasta Kearns Moore** 33:38

OK.

OK. And or else?

AP **ALBERT Todd * PRA** 33:49

192.

.324, subsection 5.

SM **Shasta Kearns Moore** 34:02

OK.

Great.

OK, I think that is the last of the suggestions from folks.

I think we first brought this up in June's meeting.

And then emailed it out and then we got feedback so.

I know this is government doesn't move quickly, but I would like to make a motion that we approve this survey.

ML **Mark Landauer** 34:33

Zomu. I'll make the motion.

Or did you?

You made the motion on all second it for you, Shasta.

SM **Shasta Kearns Moore** 34:40

Great. Thank you.

ML **Mark Landauer** 34:46

I guess we need a vote. So of those Members who are members of the Public Records Advisory Council.

All approve say aye.

AP **ALBERT Todd * PRA** 34:58

Aye.

CS **CLARK Stephanie * SOS** 34:58

Aye, any opposed.

ML **Mark Landauer** 34:58

Aye, aye.

Any abstentions?

The motion has been moved unanimously.

Shasta, maybe we need to talk about next steps.

Unless you're still editing, I I I wanna respect your continued editing here. But.

SM **Shasta Kearns Moore** 35:13

Yeah.

Nope, I don't get it. They only added.

ML **Mark Landauer** 35:20

I I would like to.

SM **Shasta Kearns Moore** 35:21

Left is the deadline that the agency would need to respond by.

ML **Mark Landauer** 35:25

OK.

Well, let's let's talk about, you know, next steps here.

So I I assume you want to get this set in motion fairly quickly.

Some questions about that, though.

You know how many?

Well, first of all, I'd like to make a comment about the introduction.

Excuse me.

To the to the survey. I think maybe we.

Say that this this survey should take you no more than one hour.

I I get worried that if we say more than one hour, people are gonna run for the hills.

I'll I'll just share with you, Shasta, that most government entities during the pandemic were flooded with surveys to the point where.

Most people were largely just ignoring them.

I I I feel like saying that this thing's gonna last up to.

Two hours. We may get some.

Non responses, so I don't wanna scare anybody at the beginning of this and frankly in reviewing the survey itself, it it seems to me as though somebody who who has a pretty good handle on what's going on at their entity could get through this fairly fairly quickly I.

Hope.

In any event, that's just one quick suggestion.

The the other thing that we need to figure out.

Is you know, who who?

Who are the targets, right.

Obviously we want to include all types of local governments, from cities, county, school districts, community colleges, probably even a university or two.

Of course, we also want to get our state agencies involved, so.

Is there somebody who's going to potentially?

Identify.

Apply the target entities that this survey will be sent to.

Or are we going to do it in some random fashion?

Just ask him what the next step is here, Shasta. Go ahead, please.

SM

Shasta Kearns Moore 37:39

Great. So on the 1st issue of how long it'll take, I think it's helpful to give people like a realistic expectation of how much time it will take so that they can schedule it into their work schedule. And that was the kind of the feedback from the two.

Beta testers. I agree that you know, especially since not all the questions are mandatory like people are gonna do what they want.

ML **Mark Landauer** 37:58

OK.

SM **Shasta Kearns Moore** 38:01

But this is also a survey that is kind of, you know.

In statute and kind of the basis of what we're supposed to be doing as a Council.

ML **Mark Landauer** 38:07

Yep.

SM **Shasta Kearns Moore** 38:08

Also, I do think it's important and I don't know that it would take that much more time than kind of any other public records request.

To do so.

As far as who this is going to be sent to, I think Todd was saying that there is already a list that they did in the for the 2019 survey of all of those entities.

Maybe maybe a spreadsheet somewhere in the annals.

So I think we definitely want to send it out to all of those.

Folks again, and I think it was, did you say 300 entities?

So not a small list, no.

ML **Mark Landauer** 38:45

No, I thought it was 30, wasn't it, Todd?

AP **ALBERT Todd * PRA** 38:47

No, it was.

It's neither of those numbers.

It was a fairly large amount 'cause. It's meant to be geographic and population like representative survey. I'm top of my head.

There's actually quite a few, maybe 100 plus.

ML **Mark Landauer** 39:03

OK.

Well, my memory clearly is not as good as anybody else is here. So I I I'm happy to

go along with what we've done in the past.

I did find it very instructive and informative when we did the last survey, so this is a bit more detailed and I think we'll get some interesting information.

What? What's the timeline that we wanna get this out?

Do we have a sense for that and?

Shasta, who's going to be gathering the.

Feedback on this?

SM **Shasta Kearns Moore** 39:36

So because it's a Google form, it will kind of auto populate into the responses will be a spreadsheet.

I believe.

Taught it or Yufeng would send it out 'cause I don't have the capacity or the e-mail addresses to send out to.

But.

Then I think the.

You know the the.

Results can be published on the PRAC website.

And hopefully interested parties all over the state will wanna take a look at them.

ML **Mark Landauer** 40:20

Great.

So timeline.

Start this in I I don't know what the next month or so and have an expectation that hopefully they can complete this in in five days, maybe a little longer.

Is this going to be couched as a public records request, Todd?

Do you recall what we did in 2019 or did we just use it as a more of a survey? Not really a formal public records request.

AP **ALBERT Todd * PRA** 40:52

Yeah, it wouldn't really be a public records request, 'cause. We're not asking for records.

They keep detailing this information.

We're asking the answer these questions.

Which of course, as we all know, is not a public records request.

No, we send it out as a survey and said, you know, pursuant to the law, you're actually required to work with us to extent you're not violating any confidentiality duties.

So please answer. I'm trying to open my KPM spreadsheet because there is a date in there by when we're supposed to have done this and I don't know what's wrong with my computer.

It's not opening, but I'm pretty sure it's.

Like around March or April, we're supposed to have it done by.

So yeah, if we start sending it out now, we'll be.

ML **Mark Landauer** 41:28

So we're way ahead of schedule.

Good job chesta.

SM **Shasta Kearns Moore** 41:31

Very bad.

ML **Mark Landauer** 41:34

Way ahead of schedule. Come on.

SM **Shasta Kearns Moore** 41:36

OK.

So I I think that since today is September 15th, I'll just throw out like a deadline of October 15th, does that.

ML **Mark Landauer** 41:49

Sounds good to me.

AP **ALBERT Todd * PRA** 41:50

Alright, how long do we want them to have it before they sent?

Like how long do we wanna give them the work on it?

ML **Mark Landauer** 41:56

I I like what Shasta said.

I mean, granted.

Send it out September 15 and have an expectation that it be completed by October 15.

Or is that not?

I see a note a shaking ahead there.

AP **ALBERT Todd * PRA** 42:08

I'm not.

I'm not sending.

Yeah, that's not.

I can't do that today.

Nor can you, Fang.

SM **Shasta Kearns Moore** 42:13

Yeah.

ML **Mark Landauer** 42:13

No, no.

AP **ALBERT Todd * PRA** 42:13

You know what I mean?

ML **Mark Landauer** 42:14

Oh, forgive me.

I I forgot.

Today is September 15, Todd.

AP **ALBERT Todd * PRA** 42:17

Yeah.

ML **Mark Landauer** 42:18

You're gonna have to bid, earn the midnight oil. Both of you tonight.

Check that whenever, whenever you're comfortable.

I give it 30 days is if that seems sufficient to everybody. Whenever I know that you're working and both you and and yifeng are are busy, I don't want this to be lost. But at the same time, I don't want to.

Inconvenience. You and Yu Feng.

At the same time.

So whatever your two schedules.

Require but.

Obviously we don't want it this thing to gather too much guts before it gets sent out, right?

AP **ALBERT Todd * PRA** 42:57

Agreed. Agreed.

So I will prioritize it to the extent possible, but it definitely won't be today or in the next week, but I, but I do like the idea of on the date I send it out, make it a 30 day clock.

SM **Shasta Kearns Moore** 43:10

OK. And you have edit privileges, so you can do that on the survey or do you?

Or should we decide now that I just put in October 15th?

AP **ALBERT Todd * PRA** 43:17

I don't know if I have added privileges or can you just give me added privileges if I don't have them?

ML **Mark Landauer** 43:25

Well, I'll leave it to you professionals.

I think we're all in agreement that we get it sent out when Todd and Yufang.

SM **Shasta Kearns Moore** 43:29

OK.

ML **Mark Landauer** 43:35

Can.

SM **Shasta Kearns Moore** 43:35

Yeah. Or just let me know like when we're sending it out and we can change it.

ML **Mark Landauer** 43:37

And then adds to the completion, yeah.
Great Chaska.

AP **ALBERT Todd * PRA** 43:41
Well, I will. I will.

SM **Shasta Kearns Moore** 43:42
OK, sounds good. Take care everybody.

ML **Mark Landauer** 43:42
Thank you.

AP **ALBERT Todd * PRA** 43:42
Definitely I will let you know. Sorry.

ML **Mark Landauer** 43:45
Yeah. Thanks for all your work on that, chast.
I I really appreciate it.
I know that this was.
It was sort of an eye opening experience when we did this last time around and obviously we're a little tardy in getting this out. But like, I like to say we're we're way ahead of schedule for April or March.
So, in any event, we'll we'll take it as we go.
And thank you again, Shasta, for all your work on this and and leading the charge.
I'd like to go back to something I had thought about a little bit.
Todd, can you remind me the annual report or the?
And or the air beef.
Yeah. No, the annual report.
Who do we submit that to?
Do you recall what the receiving committee is?

AP **ALBERT Todd * PRA** 44:41
I mean that the biennial report.

ML **Mark Landauer** 44:42

Is it?

Yeah, I guess it's the biennial report. Forgive me.

Do you recall the what is the receiving entity?

AP **ALBERT Todd * PRA** 44:48

That's OK.

ML **Mark Landauer** 44:53

The committee.

AP **ALBERT Todd * PRA** 44:56

Let's see.

Let's see.

We'll ask.

So what year is this 2025?

So we last sent it in 2023.

ML **Mark Landauer** 45:06

For I think I think I wrote one last year.

AP **ALBERT Todd * PRA** 45:08

All right, Deborah, even you're sorry. OK, let's see.

So it goes to the governor's office and then it goes to.

Legislative.reports@oregonlegislature.gov.

I think where everyone's is supposed to go.

And.

ML **Mark Landauer** 45:25

Well, I know that last year during the session, the Sunshine Committee changed their reporting requirements to look from Legislative Council to the two judiciary committees of the House and the Senate.

AP **ALBERT Todd * PRA** 45:39

Yes, for us, our statue.

ML **Mark Landauer** 45:40

And one of one of the yeah, no. Please go ahead, Todd.

AP **ALBERT Todd * PRA** 45:41

Oh, sorry, Mark.

ML **Mark Landauer** 45:45

I think you're following where I'm going here.

AP **ALBERT Todd * PRA** 45:47

Yeah. Our statute only says the Advisory Committee shall report by analyst to the Legislative Assembly in the manner provided by a different ORS, 182 section and compliance for that is to send it to that e-mail address.

I said so.

I don't know.

I think it's meant to go to everybody honestly, but I don't know what they do once they receive it.

ML **Mark Landauer** 46:08

Maybe this is a topic that will put.

Let let's let's flag this Todd for our next meeting.

It'll be a very this will be a very short meeting, but I think Representative Anderson could help us a little bit on this question.

You know, last just for everybody's information, as you know, there's a sunshine Committee that reviews all the public record exemptions and partial exemptions and reports back to the Legislative Assembly about whether or not.

Those exemptions should be still exist or should they be modified or nullified etcetera etcetera and.

For some time, the those reports were essentially statutorily required to go to the legislative Oversight Committee or something.

A committee that, frankly rarely if ever meets at all.

So they were.

They have been historically sending those reports to effectively a black hole.

And I'm just curious and and maybe we can talk about this with Rep.

Anderson as to whether or not he think that he thinks that is a sufficient reporting method, or should we be actually sending it to generally the Committee of Oversight, which is typically judiciary, but in some cases it's the Rules Committee. And Andrew, I see you're there, so if.

If you want to chime in, I just think it's something that we should have about.

I'm not wed to having send it somewhere else, but I do have a problem with sending it to a place where it it never gets looked at.

And so that's my my point here is.

I'd like to just have that brief discussion to see whether or not we need to make any suggested changes in that go ahead, Andy. Nice, nice to see you and thanks for joining us today.

SA **Smith Andrew** 48:03

Thanks mark.

No, I think it's always wise to attach it to a more permanent committee that has continuity.

So judiciary is what I would suggest.

As a Policy Committee, as opposed to because what happens to those other committees, they as you know, they don't meet very often.

ML **Mark Landauer** 48:13

Apps.

SA **Smith Andrew** 48:19

They change name, they change how often they meet, and it tends to just kind of take a lot more time than necessary.

ML **Mark Landauer** 48:19

Yep.

SA **Smith Andrew** 48:26

So I think a better fall back is judiciary long term.

ML **Mark Landauer** 48:30

So that might be something that we want to discuss at our next meeting. Obviously

that would take a statutory change.

For that, and therefore, we'd have to run a bill. I can tell you folks, we're not going to run a bill on this during the short session.

I doubt anybody in their right mind would want to give up a priority bill to change our reporting requirements, so maybe this is something that we look to in 2027, but. But I would like to have that conversation because I do get a little concerned that we're making these reports, and nobody's frankly looking at them so.

Let's is there anything else on that?

Probably not.

That's just one of my own personal pet peeves.

So we'll dispense with that.

And Shasta again, thank you for all your work on the the survey. And I'm I'm pleased that we'll be getting that out probably in the next 2-3 weeks or so.

So at this time, we are at the public comment period.

We have a lot of guests here with us today.

If there's anybody who would like to address the Council today, please raise your hand and we'd be happy to accept your testimony at this time.

OK.

I don't see anybody raising their hand, so I'll close the period for public comment and we are now at the annual meeting date and agenda topic. So I gave you a new agenda topic there, Todd.

I guess I'll hand this over to you to lead that discussion.

 **ALBERT Todd * PRA** 50:20

Thanks mark.

OK, everyone.

So we've more or less been doing this annual meeting in December.

I think it's fair to try to keep it there this year. Maybe the first half of the month. It's meant to look back and to look forward.

So discussion of the work we've done so far in the last year really to help us figure out what we want our goals to be in the following year.

So the committee can then work towards those like, for instance, the creation of bylaws and the Advocate review process, etcetera, came apart. Thanks to our previous annual meetings.

Of course we were.

We'll be at a point where we also are electing.

A new chair and vice chair.

Or perhaps reelecting a chair and vice chair?

But it sounds like maybe not, at least for the chair position.

And so I think rather than maybe spend time discussing it here, everyone can send their ideas to Mark, who will then meet with as current chair who sets the agenda for the annual meeting of which, of course, I will assist.

Or feel free to send them to me and I will relay them to mark when we discuss the agenda for the annual meeting. How's that mark?

Is that better?

Oh, you're muted.

ML **Mark Landauer** 51:31

But that sounds well, Todd, I was just going to say maybe you, me and.

Shasta can work together on pulling together that agenda. When we do your formal yearly annual review, which is going to be brutal, OK.

AP **ALBERT Todd * PRA** 51:48

Sure. I'll be ready.

But is everyone?

Just think about what you want to discuss about what we did this past year.

What you would like to see happen in the following year and whether or not you'll be throwing your hat in the ring or who'd like to volunteer for leadership of the Council for the next two years? I think that kind of sums it up.

ML **Mark Landauer** 52:06

It's life changing.

I'm just going to tell you for the better too.

OK. Is there any other business that people would like to bring up?

Brent. No. OK, Scott Shasta.

Yufang, Stephanie.

All right.

Well, I guess with that then I believe we've completed our business for today.

Day I hope all of you and your families are doing well and, oh, by the way, we'll we'll figure out when that next meeting and Scott, we have a we have another bylaw

committee meeting at some point.

So for those of you who are on the bylaw committee, I don't recall when that meeting is, but we will be gathering at some point in the not too distant future, so be aware of that. And with that, if there's nothing else for the good of the order.

I will make a motion to adjourn.

In today's meeting.



ALBERT Todd * PRA 53:08

2nd.



Mark Landauer 53:09

Thank you, Todd.

We don't.

I don't think we need to vote on that.

Everybody have a wonderful day.

Hope your families are well and we'll see you next time.

Thank you.

□ **ALBERT Todd * PRA** stopped transcription