

February 10, 2020
Location: 343 of the Oregon State Capitol, Salem
Sunshine Committee Members

Michael Kron, Special Counsel, Oregon Department of Justice / Chair
Bennett Hall, Newspaper Publishers Association (by phone)
Charlie Fisher, OSPIRG State Director
Morgan Smith, Polk County Counsel
Brent Walth, Journalism Professor, University of Oregon
Mary Beth Herkert, Oregon Secretary of State
Karin Johnson, Independence City Recorder (by phone)

Guests

Andy Foltz, Public Records Counsel, Department of Justice
Rachel Alexander, Society of Professional Journalists

Agenda

AUDIO STREAM 0:00:00-00:25:03

Welcome and Introductions

Ms. Alexander (Guest): Apologizes for tardiness on comments. Membership urges Committee to support SB 1506 to create independence of PR Advocate and promoting transparency. **Chair Kron** states the letter from SBJ will be posted to the website ASAP.

Agenda Item #1 - Legislation Review Committee

Mr. Fisher and Mr. Walth reviewed bills with open government impact statements (15 or so). Provides an example of one government impact statement around trade secrets; since this isn't an area of expertise for members, he recommends not weighing in on topics that they won't have an impact on. With that being said, they decided to only weigh in on a couple of bills.

1505 was reviewed and recommended opposing in its current form, since there are potentially problematic issues around accessed information of settlements made my legislature. This bill didn't make it past deadline.

He feels like 1506 is important and has been discussed before in this body, which is the PRAC bill that would codify the independence of PR Advocate, given the former advocate felt she did not have the independence necessary to do her job. As a body that advocates for PR Laws, **Mr. Fisher** believes it would be important to support this bill. **Chair Kron** already voted as a member of PRAC in favor of. There are 13 voting members on PRAC.

Mr. Fisher believes they can submit testimony today and it would be on record.

Hearing for today and work session scheduled for Wednesday. **Mr. Fisher** believes the committee would just submit testimony for the public hearing. At the very least, it could be put on for the work session and it would be available then.

Mr. Smith agrees with the independence of advocate. They shouldn't have a vote on the board that supervises and selects them. **Ms. Johnson** agrees in that the PR advocate should be of its own office.

Mr. Fisher questions if the Committee agrees with the approach this subcommittee is taking, in terms of deciding what to weigh in on and what to not act on. **Chair Kron** expresses it would be nice to know about the items that concern this group but agrees it can be difficult to make a recommendation on an issue that hasn't been addressed. **Chair Kron** explains the current statute makes the advocate the chair and is not directly hired by the board. If the bill passes, **Ms. Herkert** questions if it can be revised afterward.

Mr. Smith recommended **Mr. Fisher** to be a spokesperson on behalf of the Sunshine Committee to testify in front of the Legislature on the bill.

Mr. Walth stated that Wednesday is the next work session hearing. Public hearing was that morning. Drafting and sending a letter may be the best option at this point. Language established:

“SB 1506 establishes the PR Advocate as an independent office and clarifies the accountability of the advocate to the Oregon Public Records Advisory Council. This measure proposed by the council seeks to strengthen the role of the PR Advocate.

Chair Kron recommended adding, “The Oregon Sunshine Committee at its meeting on February 20, 2020, voted to support this concept as an important improve to the Public Records Law in the State of Oregon.”

Mr. Walth, “if the committee voted to support which would strengthen the role of the pr advocate, committee believes this measure will serve the public interest to find government transparency and improving access to public records”.

Ms. Herkert moved for the letter to be sent that was drafted.

Chair heard move to adjourn.

Adjournment