



**LEAGUE OF WOMEN VOTERS®
OF OREGON**

February 3, 2016

To: House Rules Committee
Representative Jennifer Williamson, Chair

Re: HB 4130 Regarding public records maintenance - **SUPPORT**

The League of Women Voters is a 95 year old grassroots nonpartisan political organization that encourages informed and active participation in government. We support transparency in government processes and making public records accessible. Pertinent League positions and statements are appended to this letter.

We think it should be easier for Oregonians to contact their elected officials. Everyone deserves to know who their officials are. In our experience, this information can vary widely from election results, for many reasons. We have no comprehensive public servant website or documentation in Oregon. The League of Women Voters of Oregon has assembled comprehensive information on over 7,100 Oregon officials, linked to a geographic information system (GIS) specific to their districts. Our Technology Committee believes this information should be centrally maintained by a state agency, achievable through cooperative communication between Oregon governmental agencies.

We assembled this information through use of commonly used software and volunteer labor. We believe this can be done with negligible fiscal impact, as we have experienced. For this specialized example, standardized forms could be maintained locally and linked centrally, for example, as an extension of our Blue Book. We believe this would improve efficiency and significantly reduce administrative costs for our many local governmental agencies and special districts all around Oregon.

Additionally, we have specific comments speaking to the bill:

1. **Section 2.2(a):** "The State Archivist shall require periodic reports from records officers about records management programs."

There is no ORS provision for updating or maintenance of records listing Oregon's elected officials who are actually serving. Officials who are elected may quit, retire, die, or be found unfit for office. These transitions are not maintained by our state Elections Division. We have found no evidence of an ORS provision for this lack of clarification. The Oregon County Clerks Association has asked the League for help in bringing attention to these problems caused by lack of communication and inadequate record keeping. Our Elections Division, County Clerks and municipal officials, where

applicable, remind their districts to ask officials to file for office if they want to run again. Those officials are not directly reminded since they may not be the same people who were elected. Our elections time line does not provide for any list maintenance between election cycles and there is no central database of Oregon elected officials between elections.

2. **Section 2.3** "Authorizations granted prior to January 1, 1978, by any state agency, the State Archivist, or any board of county commissioners, to state agencies, schools, school districts, soil and water conservation districts, or county officials and offices shall remain in effect until they are adopted or amended by the State Archivist."

In defining Oregon districts with their GIS descriptions, we worked with dozens of different kinds of districts, many of which would have been in existence before 1978. To avert the unintended consequence of omission of many of these, this language should be amended to:

"Authorizations granted prior to January 1, 1978, by any state agency, the State Archivist, or any board of county commissioners, to state agencies, *schools, school districts, soil and water conservation districts*, **special districts as defined in ORS Chapter 198**, or county officials and offices shall remain in effect until they are adopted or amended by the State Archivist."

3. **Section 4 [(5)] (6)** "The custodian of any public record may furnish copies without charge or at a substantially reduced fee if the custodian determines that the waiver or reduction of fees is in the public interest because making the record available primarily benefits the general public."

This waiver could cover LWVOR fee exemption for candidate and ballot measure filing information and election results for our Voter Services.

Thank you for the opportunity to discuss this legislation.



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President
LWV of Oregon



Rebecca Gladstone
1st Vice President, LWV of Oregon
Voter Service and Education

LWVUS and LWVOR Positions applicable to Public Records Law, citizen access to information and transparency in government.

- The League of Women Voters believes democratic government depends upon the informed and active participation of its citizens and requires that governmental bodies protect the citizen's right to know by giving adequate notice of proposed actions, holding open meetings, **and making public records accessible.**
--LWVUS Principles
- The League of Women Voters believes that efficient and economical government requires competent personnel, the clear assignment of responsibilities, adequate financing, and **coordination among the different agencies and levels of government.**
--League Principles, LWVOR Issues for Action 2014-2015
- Citizen participation and access are also important parts of LWVOR positions on Land Use and the Judicial System, and LWVUS positions on Campaign Finance, Citizens Right to Know/ Citizen Participation, Environmental Protection and Pollution Control, Natural Resources Public Participation, United Nations, and International Relations Trade Policy. Regulating agencies that govern the protection and conservation of water should be transparent and **provide the public easy access to information.**
--LWVOR Issues for Action Water Policy 2011
- A legislatively-mandated task force, headed by the Secretary of State, prepared and presented to the Legislature two measures revising Oregon's 20 year old public records statutes. One would have codified the more than 3450 exemptions into categories under one law, and would have clarified when the public's right to know is greater than the protection of personal records. The other would have changed the rules for boards that license various professional occupations so that complaints would be publicly acknowledged and the actions taken after investigation made known. The first measure died after considerable hearings, primarily as a result of heavy medical profession lobbying. The second was passed with little of its original substance intact. It is anticipated that the Secretary of State will continue to work on the needed revisions for 1995.
--LWV Position Public Records Law, Right to Know 2003