

0:0:0.0 --> 0:0:1.320

ALBERT Todd * PRA
Be a few minutes late.

0:0:2.430 --> 0:0:2.750

ALBERT Todd * PRA
See.

0:0:1.730 --> 0:0:5.940

Emily Harris (Guest)
OK, OK, great. Ohh, he's joining now and Senator Thatcher's joining as well. Fantastic.

0:0:7.50 --> 0:0:15.430

Emily Harris (Guest)
Great. OK. Well, let's see. We're recording now. So, hi, senator, thanks for joining us. I know Fridays are tough, so I'm glad this one worked out for you on a Thursday.

0:0:17.530 --> 0:0:39.0

Emily Harris (Guest)
Welcome everybody, to perhaps the last meeting of the legislative subcommittee. Just to briefly go through the agenda and get approval on that, we are planning to approve the agenda and then complete our discussion and voting on the remaining legislative proposals and take some public comment to have a motion to approve the agenda.

0:0:40.880 --> 0:0:41.650

ALBERT Todd * PRA
So moved.

0:0:42.90 --> 0:0:42.670

Emily Harris (Guest)
2nd.

0:0:44.800 --> 0:0:45.320

Suo, Steve
Second it.

0:0:44.870 --> 0:0:45.500

Tyler Janzen, AOC
I'll second.

0:0:45.880 --> 0:0:47.450

Emily Harris (Guest)
And then all in favor, say aye.

0:0:48.90 --> 0:0:48.400

ALBERT Todd * PRA
Aye.

0:0:48.160 --> 0:0:48.610

Tyler Janzen, AOC

I.

0:0:48.330 --> 0:0:48.720

Emily Gothard - She/Her

I.

0:0:50.50 --> 0:0:50.460

Kron Michael C

Alright.

0:0:48.880 --> 0:0:51.570

Emily Harris (Guest)

Hi anyone opposed to have something to add?

0:0:53.430 --> 0:0:58.90

Emily Harris (Guest)

OK, great. We'll go ahead if you the the I'm going to share my screen.

0:0:59.110 --> 0:1:16.900

Emily Harris (Guest)

The the the main document that is gonna be useful for everyone today, and there's a couple others that will call into service as we need them. Is this one called 11-04-22 subcommittee meeting docs. It's actually one document, I believe, not two, but let me get it up on my screen.

0:1:17.650 --> 0:1:18.390

Emily Harris (Guest)

Yeah.

0:1:19.480 --> 0:1:23.370

Emily Harris (Guest)

All right. Is that visible to people? Is that shared?

0:1:24.670 --> 0:1:25.180

Emily Harris (Guest)

OK and.

0:1:24.410 --> 0:1:25.810

ALBERT Todd * PRA

If you could just enlarge it a bit.

0:1:26.440 --> 0:1:29.800

Emily Harris (Guest)

OK. And I have to get you guys back, OK, so.

0:1:30.660 --> 0:1:31.330

Emily Harris (Guest)

Let's see if I can.

0:1:32.280 --> 0:1:33.310

Emily Harris (Guest)

Zoom in.

0:1:33.860 --> 0:1:34.640

Emily Harris (Guest)

Umm.

0:1:41.290 --> 0:1:42.260

Emily Harris (Guest)

Is this better?

0:1:48.530 --> 0:1:49.230

ALBERT Todd * PRA

I think that's good.

0:1:46.310 --> 0:1:51.900

Emily Harris (Guest)

Is that good? Can put folks read that? See some heads nodding? OK. OK, great. So.

0:1:53.300 --> 0:2:12.810

Emily Harris (Guest)

I wanted to go in this order, ideally to look at some other proposals of categories to be in the public interest or not be in the public interest, but it triggers some kind of fee waiver and a couple other things that Emily gathered had brought up in her.

0:2:13.830 --> 0:2:19.370

Emily Harris (Guest)

Her work that she prepared for last time, and then I did wanna return to the public interest.

0:2:20.410 --> 0:2:28.400

Emily Harris (Guest)

We want to go down to the public interest appeals determinations, which is something we haven't talked about yet. There's a couple different versions of potential proposed language there.

0:2:29.360 --> 0:2:59.260

Emily Harris (Guest)

And very briefly, we may need to look at some of the definitions in the Section 311 and then if we have time and I hopefully will, I would like to be able to make time to this is get back to this individual records fee reductions and waivers particularly because Scott has submitted some testimony on that, his own and others that he's gathered from a couple different law enforcement and city quarters. And then also just revisit the indigent requester.

0:2:59.340 --> 0:3:6.500

Emily Harris (Guest)

She reductions if there's any proposed to changes. We didn't quite all agree on that last time. So if there are proposed changes, if there's not, we'll just leave it as it is.

0:3:8.80 --> 0:3:10.940

Emily Harris (Guest)

That's that is the plan. I I want to.

0:3:12.960 --> 0:3:29.250

Emily Harris (Guest)

Just in in, you know, happy to take motions to, to vote on things you know earlier rather than later. So we can have discussion on those specific proposals and and use that as a tool to move ahead. And let's start with Mark's question.

0:3:32.820 --> 0:3:50.820

Mark Landauer

Alright, thanks. Emily. I just wanted to clarify a statement that you made earlier so that that I think we're all clear and that is that you hope that this is the last meeting of the Subcommittee on legislative issues.

0:3:52.400 --> 0:4:11.150

Mark Landauer

As as chair of the full crack, it would not be my intention to eliminate this subcommittee as a matter of fact, I expect it will want to continue this subcommittee because I don't think we'll necessarily solve all the issues.

0:4:11.580 --> 0:4:34.220

Mark Landauer

A related to legislation we made deal with the fee issue as we are now, but I I just want to make sure that people understand that once we conclude our work, at least related to fees, there may very well be other legislative issues that come up. And I just wanted to make that clear for everybody including the public. So thank you.

0:4:34.700 --> 0:5:1.220

Emily Harris (Guest)

Ohh thanks Mark. I you're really scratchy by the way your your microphone is really gravelly, so it's a little hard to hear you, but I thank you. I appreciate your your your attention to the details of words all the time. And yes, I was hoping that this was the hope we can come out of this one with proposed legislation on fees but yes, we've already yet we've talked about how there's other stuff we're going to probably even want to return to even coming out of this potentially so but thank you for the clarification that's really important.

0:5:3.630 --> 0:5:25.480

Emily Harris (Guest)

OK, so First off, let's look at potentially adding additional categories that would go into the public interest or if not in the public interest trigger some kind of fee level. These came in from a proposal from Emily gathered. So the first one, educational, scientific.

0:5:26.940 --> 0:5:42.680

Emily Harris (Guest)

It's organizations, depending on the conditions of the request. That is the first one. Emily, do you wanna

Speak to this to just talk through, whether you're you know what you're thinking is on this and what you're feelings at this point are on what you'd like to do with this proposal.

0:5:43.460 --> 0:6:5.780

Emily Gothard - She/Her

I just thought that it made sense to give more, more guidance to public bodies as to what public interest means. We put all of this specificity into media and that that did qualify, but we didn't define what other things would qualify as public interest. And so I thought that that would be helpful to public bodies to have that kind of guidance.

0:6:7.200 --> 0:6:9.90

Emily Harris (Guest)

OK. Thank you, Tyler.

0:6:9.960 --> 0:6:19.890

Tyler Janzen, AOC

Yeah, I'm at first of all thanks Emily G for for compiling these and presenting to them to us last week. Just some basic thoughts. I mean I've had.

0:6:20.740 --> 0:6:50.810

Tyler Janzen, AOC

Some nervousness even around. I know that we did. We did some really good work around the the news media. I think from a public, you know, local government perspective, I do get worried about this kind of comes back to my previous thought about we we've expanded a public interest test and now we're talking about granting automatic waivers based on who somebody is instead of necessarily the the what they are asking for and does it meet that expanded public interest test so.

0:6:51.640 --> 0:7:0.870

Tyler Janzen, AOC

Adding I think this is a really great like these categories make sense has a lot of further discussion but I would wanna understand more impact.

0:7:1.950 --> 0:7:9.800

Tyler Janzen, AOC

You know, are these folks being denied? Currently, I get worried about the unintended consequences of potentially having.

0:7:10.340 --> 0:7:16.170

Tyler Janzen, AOC

Umm Records requests being funneled through groups that get and a sort of automatic presumption.

0:7:16.970 --> 0:7:45.110

Tyler Janzen, AOC

Umm, I think in my mind this is most of the stuff that's kind of come to us late in the process. We have a really, really good kind of seismic shift that's gonna be a heavy lift. Anyway. I would propose that this be something if we wanna look at expanding categories, maybe we table that for a future years work not because I think it's a bad idea, but because I think we're opening ourselves up to avenues of attack and unintended consequences this late in the game.

0:7:46.500 --> 0:7:51.10

Emily Harris (Guest)

OK. Thank you, Tyler. Other comments about this specific.

0:7:52.340 --> 0:7:55.10

Emily Harris (Guest)

Piece of educational scientific organizations.

0:8:2.340 --> 0:8:8.590

Emily Harris (Guest)

Do we wanna take a vote? Does anybody wanna take a propose a vote on whether we include these in some way or whether we set them aside?

0:8:9.200 --> 0:8:10.320

Emily Harris (Guest)

For tabling for the future.

0:8:13.220 --> 0:8:15.690

Tyler Janzen, AOC

I'll I'll make a I would make a motion that we could table.

0:8:17.230 --> 0:8:23.840

Emily Harris (Guest)

OK. Michael, you raised your hand at almost the same time. Was that for a motion or for an another point of commentary?

0:8:24.300 --> 0:8:56.950

Kron Michael C

It wasn't for a motion. I I'm comfortable enough with the motion that I'll second it. What I was gonna say, though, is that I feel like we still haven't. I don't think made a decision about some existing public interest language, and I think some of these ideas maybe could be worked as examples if we end up adopting public interest language like like we're gonna be separately considering and maybe it rather than focusing on the categories of requesters in that way that.

0:8:57.30 --> 0:9:14.230

Kron Michael C

It might address some of Tyler's concerns in that regard if we just think about working some of these ideas into that language that's already on the table for us. So that is my comment and also I will second the idea that we table further discussions of categorizing requesters.

0:9:23.430 --> 0:9:23.710

Tyler Janzen, AOC

I.

0:9:15.250 --> 0:9:28.320

Emily Harris (Guest)

OK, so well the it's really specifically about tabling the educational scientific organizations as a category

of requester, I believe. Is that right, Tyler? Because there's a couple other specific ones that are in Emily's proposal that I think are worth dealing with one by one.

0:9:28.880 --> 0:9:39.40

Tyler Janzen, AOC

I was proposing that we tabled the whole lot, but if if people don't want us, I mean, I guess that's up to Michael as my second.

0:9:39.540 --> 0:9:40.620

Emily Harris (Guest)

Sorry, I've been there.

0:9:43.990 --> 0:9:44.310

Tyler Janzen, AOC

Yeah.

0:9:39.10 --> 0:9:45.160

Kron Michael C

It is no, I don't think so. I just get the second. I don't get to friendly, amend it or I'm not trying to anyway.

0:9:45.830 --> 0:9:46.90

Tyler Janzen, AOC

Yeah.

0:9:46.510 --> 0:9:54.590

Emily Harris (Guest)

OK, so so your proposal is just looking at the proposals, did the document did this my screen share just shift to?

0:9:55.230 --> 0:9:57.700

Tyler Janzen, AOC

It's it's just a white screen for me at the moment.

0:9:57.820 --> 0:10:2.460

Emily Harris (Guest)

OK, but now it's now, it's now it's a analysis document.

0:10:6.630 --> 0:10:7.780

Emily Harris (Guest)

It's flagging.

0:10:4.590 --> 0:10:9.150

Tyler Janzen, AOC

It's lagging. I think that would be, I think it's I think it's appearing.

0:10:12.250 --> 0:10:16.880

Emily Harris (Guest)

Yeah. I mean, you guys all have the opportunity to look at this directly yourself at what we're talking about is.

0:10:17.730 --> 0:10:19.120

Emily Harris (Guest)

UM.

0:10:19.980 --> 0:10:29.380

Emily Harris (Guest)

Then I believe that we are talking about tabling. This is on page two of the of of Emily's proposal tabling.

0:10:30.0 --> 0:10:45.450

Emily Harris (Guest)

The request is made by a nonprofit scientific other nonprofit. The request is made by Labor organization. Any other request established and written policies and not saving those for the future, not including them in either form in this law, is that right, Tyler, is that your proposal? Your.

0:10:45.100 --> 0:10:58.770

Tyler Janzen, AOC

That's correct. That's correct. And I would be a minute, I mean we talked about when we were talking last week about public interest. You know, we said that a public body may waive fees for any reason they see fit such as.

0:10:59.550 --> 0:10:59.830

Emily Harris (Guest)

Hmm.

0:10:59.970 --> 0:11:17.290

Tyler Janzen, AOC

We could talk about looping these under that such as where it's still. I mean it's discretionary to the public body. I just, I would like to hear a from these groups specifically about their experience with public records requests to figure out if this is if this is the direction we wanna start going.

0:11:20.210 --> 0:11:20.570

Tyler Janzen, AOC

You know.

0:11:17.920 --> 0:11:23.750

Emily Harris (Guest)

Right, I think you point out last week we hadn't had testimony from these groups like, OK, is there a discussion on this proposal?

0:11:27.380 --> 0:11:28.910

Emily Harris (Guest)

OK. All in favor of tabling.

0:11:29.950 --> 0:11:46.700

Emily Harris (Guest)

These concepts and for now and looking, I'm not sure this is well, we'll just tabling these for now and we can work in the possibly putting them under, for example, just in course of our work, all in favor of tabling these these three points for now at least, please say aye.

0:11:47.840 --> 0:11:48.390

Tyler Janzen, AOC

I.

0:11:48.50 --> 0:11:48.510

Mark Landauer

Ah.

0:11:48.890 --> 0:11:49.290

ALBERT Todd * PRA

Alright.

0:11:49.60 --> 0:11:49.370

Suo, Steve

Aye.

0:11:50.350 --> 0:11:51.690

Emily Harris (Guest)

All in favor all opposed.

0:11:53.950 --> 0:11:54.620

Emily Gothard - She/Her

Next.

0:11:55.410 --> 0:11:56.280

Emily Harris (Guest)

Any abstentions?

0:11:59.380 --> 0:12:1.190

Emily Harris (Guest)

Uh, Mark, give your hand up.

0:12:1.800 --> 0:12:2.790

Emily Harris (Guest)

We we have seen.

0:12:6.600 --> 0:12:6.860

Emily Harris (Guest)

OK.

0:12:2.460 --> 0:12:33.240

Mark Landauer

Yeah. No, I'm not abstaining. I voted in the affirmative. For the record, I just wanted to to say that, you know, folks just sort of a political reality here, despite the fact that we have tabled Emily's proposal here. I will tell you that once the bill is introduced, it's we no longer control it. And as a result, the 90 members of the Legislative Assembly will, I'm sure, be hearing from the education science.

0:12:33.320 --> 0:13:3.180

Mark Landauer

Tific community, the labor unions and others who believe that they ought to be included in this and as a result, they'll make that ultimate decision anyway, and whether or not it creates too much weight, if you will, as Kyler described. So I just wanted to mention this as a political reality that this, you know, despite the fact that we own this now the minute it is introduced as a bill.

0:13:3.340 --> 0:13:35.470

Mark Landauer

We've lost all control. OK, so again, Emily, I do appreciate that you brought these to this discussion. I do think personally that it's very likely that labor unions will get included in this despite the fact that we have sort of voted this to table this for this time. But I I do want to make everybody aware there are other forces out there that will exert their will. So thank you for the opportunity.

0:13:36.540 --> 0:13:38.930

Emily Harris (Guest)

Thank you for the political reality check.

0:13:40.670 --> 0:14:10.580

Emily Harris (Guest)

There is a optional amendable form that Emily G included as well, which I do want to discuss briefly, but just because of the the direction it's discussion is going, I'd like to skip ahead to this question. Is the non media right to argue or request is in the public interest adequately retained? I think that's what we're dancing around here a bit, and I'm curious if people have thoughts about that. If there's a, there's a feeling that that is clear enough in the statute.

0:14:10.780 --> 0:14:14.810

Emily Harris (Guest)

That, yes, anybody. Labor unions, individuals.

0:14:16.10 --> 0:14:25.850

Emily Harris (Guest)

Yeah, people who are with a scientific or a nonprofit can argue in the public interest. Is that clear enough? That right clear enough retained in our draft legislation, Steve.

0:14:27.220 --> 0:14:36.500

Suo, Steve

Well, yeah, but the draft does say like if the public body determines that the request is in the public interest, it shall grant a fee waiver and.

0:14:37.390 --> 0:14:42.340

Suo, Steve

The the mention of news media is is separated from it, so I think it's pretty clear it's a bigger umbrella.

0:14:43.890 --> 0:14:45.490

Emily Harris (Guest)

Any other opinions on this?

0:14:46.650 --> 0:14:47.80

Emily Harris (Guest)

Todd.

0:14:49.630 --> 0:15:20.800

ALBERT Todd * PRA

I think without the definition section where we try to flush out with public interest means we're more or less retaining the current standard, which is ambiguous and sometimes hard for public bodies to work with. But it doesn't make it worse or diminish it. I think if we also adopt the definition section that includes public interest right now, it'll further clarify what that means and make it clear that it's beyond media. The one thing it doesn't do is expand the ability to waive or reduce fees in the public interest to those that do not have a platform, so essentially retains the original meaning of public interest.

0:15:20.970 --> 0:15:34.680

ALBERT Todd * PRA

Which is definitely tailored more towards media than others, but I think that's what essentially we're going for right now and anyone else that can meet that definition who has a platform would still be capable of being included in a public interest waiver reduction.

0:15:35.820 --> 0:15:52.350

Emily Harris (Guest)

So let's skip ahead to this definitions piece then, since it's directly related. So here's the proposed language. Public interest means making a record available because it primarily benefits the general public, and that language is not currently in the definition section of the law that is borrowed from.

0:15:53.130 --> 0:16:2.700

Emily Harris (Guest)

Uh, the current uh 324 five and then it. Then what? Then what is new here? Like, not in the law at all? Is this section of adding.

0:16:4.320 --> 0:16:5.870

Emily Harris (Guest)

Examples so.

0:16:8.230 --> 0:16:25.360

Emily Harris (Guest)

The question is, do we want to adopt this as it is or are there ways that people would like to propose amending this? Or do we want to not adopt this as it is discussion and any motions to find time to make a motion to vote on something as well?

0:16:29.170 --> 0:16:31.530

Emily Harris (Guest)

CMC and hands go up and down. There's Tyler. Go ahead.

0:16:32.340 --> 0:16:44.650

Tyler Janzen, AOC

Just a quick question. I I like the I I really appreciate the especially the first part of the ABC here. The four examples part. I guess I'm trying to think through.

0:16:46.790 --> 0:17:11.400

Tyler Janzen, AOC

If you have an individual who you know doesn't have a platform doesn't fit the definition of news media, but it tries to make a public interest case for why they need this information, I'm just trying to understand that balancing test. So for example, if you know an individual they're not, they're not news media, but they say I need these. I need these records to hold a public body accountable for why I spending.

0:17:14.400 --> 0:17:21.560

Tyler Janzen, AOC

Are we talking about if that ultimately goes to an appeals process? I what does this hinge upon? Does it? Is it the primarily benefits language?

0:17:26.900 --> 0:17:28.260

Emily Harris (Guest)

Which is currently in statute.

0:17:28.740 --> 0:17:31.510

Tyler Janzen, AOC

Yeah, I I'm. I'm just trying to clarify that piece.

0:17:34.130 --> 0:17:35.940

Emily Harris (Guest)

Let's see. There's some other hands up, Emily.

0:17:42.330 --> 0:17:42.880

Emily Harris (Guest)

Emily G.

0:17:46.170 --> 0:17:46.410

Emily Harris (Guest)

Sure.

0:17:43.550 --> 0:18:13.730

Emily Gothard - She/Her

Sorry, just taking a second for the microphone to come off. I I'm concerned that these definitions are too focused on media primarily. I have concerns that they might not encompass things like, you know, an educational organization doing research or a labor organization requesting records for purposes of, you know, bargaining and or, you know, holding a public body accountable as to.

0:18:13.800 --> 0:18:17.940

Emily Gothard - She/Her

Like you know, for instance, how it's like disciplining it's public employees or?

0:18:18.120 --> 0:18:24.780

Emily Gothard - She/Her

Umm, you know how it's spending its money for purposes of bargaining and.

0:18:25.500 --> 0:18:41.250

Emily Gothard - She/Her

The way that I see this, I'd be concerned that it could be interpreted that like even like that a a media organization might request that kind of information, but an educational organization or a labor organization requesting the same information might not be counted if.

0:18:42.470 --> 0:18:54.460

Emily Gothard - She/Her

If you know they're not expressing a way to to broadcast it to the public, but I don't think that means that the request is not in the public interest. But I'm concerned that this definition may be too limited.

0:18:55.480 --> 0:18:56.790

Emily Harris (Guest)

Thank you, Michael.

0:19:2.630 --> 0:19:25.650

Kron Michael C

Sorry, my phone rang just as I was trying to come off mute, so I had to mute the one thing and then unmute myself. So I I generally like this. I think Emily's points are solid in terms of the kinds of things that we might consider adding here as examples. And I I would be in favor of doing that. I also you know I think.

0:19:26.370 --> 0:19:38.920

Kron Michael C

Words like wise or probably not necessary, but in general I'm I I think these are useful examples and maybe we just want to see more. I wonder.

0:19:41.320 --> 0:19:45.260

Kron Michael C

If maybe Emily would be willing to spend some time. Sort of.

0:19:46.60 --> 0:20:4.990

Kron Michael C

Sketching a couple out and and putting them back in front of it. I mean that would be my preference. I guess it depends a little bit on what the group wants to do, but but I I like where this is. I think it could be improved and I'd like to see something specific to improve it.

0:20:5.370 --> 0:20:15.150

Emily Harris (Guest)

Michael, can I see why do you think the examples? Because we have the definition already in law, we could just move it, right? Why do you think these examples are are helpful rather than limiting?

0:20:16.350 --> 0:20:46.740

Kron Michael C

Well, I think they're helpful because they give the public an idea and statute of what sorts of things the public body is gonna be looking for and assessing whether something is in the public interest. And I think providing those kinds of examples to people is useful. I mean, you can get them if you read the case law

now, right? But the statute doesn't really talk about it. And and that is not only a benefit to people requesting records, but to, you know, custodians who may not be.

0:20:47.350 --> 0:20:55.340

Kron Michael C

Particularly familiar with the case law, particularly if they're at a small public entity. So I I just think it's useful in this sort of.

0:20:56.0 --> 0:21:7.710

Kron Michael C

Explain that you know your own personal interest is definitely not what we're looking for, but, but you might have an interest that aligns with the public and and here's sort of how you can articulate that.

0:21:10.110 --> 0:21:11.390

Emily Harris (Guest)

Steve, thank you, Michael.

0:21:13.560 --> 0:21:16.110

Suo, Steve

Yeah, I was just gonna.

0:21:16.920 --> 0:21:25.160

Suo, Steve

Point out that you know primarily benefits the general public is the definition in current statute, so we wouldn't be limiting it.

0:21:26.310 --> 0:21:30.610

Suo, Steve

It from to that extent, it's just replicates that and expands on it, I think.

0:21:31.730 --> 0:22:1.980

Suo, Steve

I wonder whether you know. Conceivably I say a public employee union could make an argument. You know, the the, the public, the general public has an interest in a well functioning government state government, for example, or an interest in a healthy and adequately compensated workforce. And therefore this information would promote the general public interest. But I don't know. Michael does. Do you think that's an argument that could see?

0:22:2.60 --> 0:22:3.190

Suo, Steve

I can safely fly here.

0:22:8.280 --> 0:22:27.550

Kron Michael C

I'm not entirely sure what the question is, but what whatever we write into the statute, we'll we'll fly with the statute and I think like scientific and academic endeavors are a good example of a thing that's not really in here. But I mean, I don't obviously these things, these examples are not.

0:22:28.490 --> 0:22:37.60

Kron Michael C

Technically, limiting right includes but is not limited to, but courts tend to look at these lists as sort of.

0:22:37.880 --> 0:22:56.850

Kron Michael C

The flavor of the kind of thing that is meant by the list and sort of setting a setting a tone, and so when figuring out if something that's not on the list should fit within that includes, but is not limited to, they're gonna be comparing them to the things that are on the list. So.

0:22:58.140 --> 0:23:11.170

Kron Michael C

So you're you are kind of limiting I guess if you have if you have this kind of list and but if we put something like that on it then it definitely will fly. I don't don't feel like I answered that very well, but.

0:23:13.600 --> 0:23:14.930

Emily Harris (Guest)

Thank you, Tyler.

0:23:15.890 --> 0:23:44.580

Tyler Janzen, AOC

Well, I think that we have that kind of getting back to tabling the the first chunk here, the fact that this says includes but is not limited to. Again, I think leaves the door open for us to consider, you know, if this were to be implemented and it only has AB and C and then we, you know, after this is implemented, we start hearing from other groups. Hey, we're missing out and here's why we're in the public interest. We have a chance to to go back and add more to this.

0:23:46.80 --> 0:24:2.810

Tyler Janzen, AOC

My other question though is you know to the note I'm I'm grappling with this notion that it does seem skewed towards those who will distribute this information, but in my mind, how much is that inherent to public interest like? I'm thinking of an individual.

0:24:3.550 --> 0:24:8.120

Tyler Janzen, AOC

Umm, you know, once to shed light on the performance of a public official.

0:24:9.450 --> 0:24:35.860

Tyler Janzen, AOC

So they make that request and so that information itself, yes, public interest it you know where that to be broadcasted, but does does the person's intent and using it matter if they're if they are seeking it only for their own edification and it's not being used to benefit the general public knowledge they they just want the fee waiver. So they've couched their request under under that language, how does that.

0:24:37.840 --> 0:24:51.720

Tyler Janzen, AOC

I'd be curious to hear what the subcommittee thinks about that, because I'm I'm grappling with the idea

that it the public interest in my mind should be something that that is going to benefit the broader public, as the definition already says.

0:24:58.80 --> 0:25:1.750

Emily Harris (Guest)

I'd also be curious. I'm sorry, Todd. Go ahead. Probably have a good answer to this question.

0:25:2.280 --> 0:25:12.820

ALBERT Todd * PRA

Was gonna say I routinely see requesters who have their request denied when they look for a fee waiver reduction in the public interest, when it's really just information that pertains to them or they aren't gonna do anything about it except.

0:25:13.710 --> 0:25:14.180

ALBERT Todd * PRA

Uh.

0:25:15.160 --> 0:25:28.190

ALBERT Todd * PRA

It was I educate themselves about what their government is up to, so those almost never get granted as fee waivers or reductions because everyone does use this somewhat amorphous guy that it, you have to have a platform for distributing the information.

0:25:30.250 --> 0:25:36.30

ALBERT Todd * PRA

So I think if we continue with this language that public bodies are probably going to continue to operate in the same way.

0:25:37.60 --> 0:25:39.190

Emily Harris (Guest)

You mean even with these definitions, for example?

0:25:39.940 --> 0:26:0.830

ALBERT Todd * PRA

Yeah, because I think they're still gonna interpret it kind of along the lines of what Tyler's saying, which is OK. Yeah. So it tells people, like, if we're making why spending decisions, but then the recipient of these records have to be able to then held the community affected by our decisions, whether or not we're being wise. So if someone wanted it for themselves, I don't think it's going to get granted even with this extended definition.

0:26:5.450 --> 0:26:6.740

Emily Harris (Guest)

OK. Thank you, Todd, Michael.

0:26:8.110 --> 0:26:33.170

Kron Michael C

Uh, I mean, I agree with that too, but I also I I think I agree with Tyler's underlying point, which is that we're talking about a public subsidy. It kind of makes sense to look at the question whether the public is

gonna benefit broadly or not. And and and I think that a a Union, for example or a or a researcher does have a platform, right, it's not.

0:26:34.280 --> 0:26:40.190

Kron Michael C

It's not that the platform should be, or is exclusively, a media platform.

0:26:41.810 --> 0:26:42.260

Kron Michael C

But.

0:26:42.970 --> 0:26:45.680

Kron Michael C

But some degree of public benefit.

0:26:46.490 --> 0:26:58.260

Kron Michael C

Requires some sort of a platform for sharing the information beyond yourself, so to me that is a that is a sensible policy choice that the law makes that I'm comfortable carrying forward.

0:27:0.530 --> 0:27:9.660

Emily Harris (Guest)

I I have a question about whether these cause Michael you were you referenced case law that you can read the case law now and get a sense of what you know primarily benefiting the general public means?

0:27:11.100 --> 0:27:29.190

Emily Harris (Guest)

Or do our AB and C here reflect case law? Do they capture case law? Is this, you know? I know, I know. Once it's in statute, it flies. As you've been saying. But are we are we doing a service to, you know, clarify and refer to what is already understood to be?

0:27:30.300 --> 0:27:45.470

Kron Michael C

I mean, I would say that they're consistent with case law. I don't think that this is articulated very well in any particular case. What we have are cases where the waivers are reductions are sort of considered and.

0:27:46.360 --> 0:27:49.310

Kron Michael C

And decided on and there's not really.

0:27:50.650 --> 0:27:57.170

Kron Michael C

There's not really a good case law test, so we'd be we'd be creating something new. I think Todd, would you agree with that?

0:28:0.290 --> 0:28:1.400

ALBERT Todd * PRA

By adding this language.

0:28:2.930 --> 0:28:3.840

Kron Michael C

Yeah. Yes.

0:28:8.120 --> 0:28:20.610

ALBERT Todd * PRA

I don't know if we're going very far beyond what the law currently says, except by providing examples that are kind of cold from what's gone on before. Our general understanding of when records are released in the public interest.

0:28:22.200 --> 0:28:24.110

ALBERT Todd * PRA

I don't think it's too expensive of a change.

0:28:26.870 --> 0:28:29.680

Emily Harris (Guest)

So there's a couple options here I think we.

0:28:31.180 --> 0:28:47.150

Emily Harris (Guest)

Two potential potential voting proposals that seem like it might be worth entertaining is either to vote on whether to adopt 6-AB and C, or just adopt the first line of 6, which is essentially moving, moving around something already in the law before.

0:28:47.960 --> 0:29:6.100

Emily Harris (Guest)

Anybody makes either of those motions? If anyone's interested in making one of those motions is there. If we did adopt 6-AB and C are there language that we'd wanna change? Like for example, Michael suggested not saying why wise that's a suggestion is there? Is there other tweaks to this language that people would like to?

0:29:7.180 --> 0:29:14.120

Emily Harris (Guest)

Suggest UM before we would consider either adopting 6 Avianca or just the first line, or neither.

0:29:18.360 --> 0:29:19.40

Emily Harris (Guest)

Emily G.

0:29:21.460 --> 0:29:24.390

Emily Gothard - She/Her

I would either want to add to these or get rid of them.

0:29:25.770 --> 0:29:31.390

Emily Harris (Guest)

OK. And adding in the the stuff that from your proposal, the unions and the and the.

0:29:31.470 --> 0:29:33.310

Emily Harris (Guest)

The educational.

0:29:33.800 --> 0:29:44.110

Emily Gothard - She/Her

Yeah, essentially I put a couple of suggestions in the chat. If we were to add to them. But it is kind of, you know, mirroring my previous proposal in a different location.

0:29:44.420 --> 0:29:46.100

Emily Harris (Guest)

OK, let me grab that so.

0:29:47.620 --> 0:29:51.430

Emily Harris (Guest)

And I'm going to grab that from the chat while other people are.

0:29:52.600 --> 0:29:55.910

Emily Harris (Guest)

Talking, we also want to respond to that question.

0:30:0.910 --> 0:30:3.540

Emily Harris (Guest)

So I see this one.

0:30:12.70 --> 0:30:13.620

Emily Harris (Guest)

Come on, paste Google.

0:30:19.410 --> 0:30:19.960

Emily Harris (Guest)

Sorry guys.

0:30:21.280 --> 0:30:23.730

Emily Harris (Guest)

Does anybody have any other suggestions to language?

0:30:26.660 --> 0:30:33.430

Emily Harris (Guest)

And OK. Oh, sorry, I can't see the chat and the hands at one time. So I see some people have their hands up and I don't know who went who, who is first.

0:30:35.590 --> 0:30:37.290

Emily Harris (Guest)

So Todd, go ahead.

0:30:37.200 --> 0:30:37.490

Suo, Steve

Hi.

0:30:38.240 --> 0:30:39.440

Emily Harris (Guest)

OK, good guess it right.

0:30:40.370 --> 0:30:42.750

ALBERT Todd * PRA

I thought it was Mark. OK. Well, anyway, I think Emily.

0:30:42.830 --> 0:30:43.220

ALBERT Todd * PRA

Right.

0:30:42.320 --> 0:30:43.750

Emily Harris (Guest)

The market canopy, I'm sorry.

0:30:44.660 --> 0:31:11.830

ALBERT Todd * PRA

Well, I'll just go quick then, Emily. Gee, I think research could potentially be covered under C either as is or maybe with a little bit of a tweak to the language. I don't know what everyone thinks about that because this is about public understanding of operations or activities, for instance by revealing trends and emerging problems. And I feel like that kind of speaks the research and there might be a way to maybe say a little more clearly, but possibly incorporated into C without us having to start adding too many additional.

0:31:13.120 --> 0:31:14.150

ALBERT Todd * PRA

Subsections.

0:31:19.810 --> 0:31:20.900

Emily Harris (Guest)

Something like that time.

0:31:24.220 --> 0:31:29.200

ALBERT Todd * PRA

Yeah, unless you just want to research without qualifying it. But I like what you have there too.

0:31:31.800 --> 0:31:33.290

Emily Harris (Guest)

OK, lots of hands, mark.

0:31:36.310 --> 0:32:5.640

Mark Landauer

Thank you. So you know I this may sound a little strange and I'll get to my strange point here in a minute. I do think the notion of striking the word wise would be wise, and I see that it has been struck in, in the document that's before us. So I'm happy about that. I I'm going to confess I'm struggling a little bit here.

0:32:6.360 --> 0:32:10.510

Mark Landauer

I am sort of a supportive of Emily's.

0:32:11.590 --> 0:32:20.70

Mark Landauer

Which here, despite the fact that I I tabled it or voted to table it. And here's my thinking, and it's all political.

0:32:21.550 --> 0:32:50.510

Mark Landauer

I I really do think that this bill is going to attract a great deal of attention, folks. I think that looking at Scott's feedback that he received is a really strong indication of how people, stakeholders are going to react to this. OK, having said that, I think that personally, I know that labor unions are extraordinarily powerful.

0:32:51.150 --> 0:33:22.400

Mark Landauer

They're going to get this exemption in whether we vote to do it or not. If this bill were to go forward as a result, I'm inclined to include Emilia's suggestions of D&E in the chat for the purpose of trying to minimize the amount of opposition that this bill will necessarily attract. So I personally would be in favor of doing a.

0:33:22.480 --> 0:33:35.670

Mark Landauer

Through I think E here, but I'm also fine with just striking everything after just the highlight. So that's the struggle that I'm personally having and I just wanted to share that with the with the group.

0:33:36.340 --> 0:33:46.650

Emily Harris (Guest)

Thank you, Mark and Emily, I apologize, I could only see the first one chat thing at the beginning. So I now have moved the the E over as well. Let's see us. Steve, where was your hand up next?

0:33:48.20 --> 0:33:48.980

Suo, Steve

Yeah, I think so.

0:33:51.150 --> 0:33:54.800

Suo, Steve

Yeah, I I hear what you're saying, Mark, I I think.

0:33:58.50 --> 0:34:2.70

Suo, Steve

I guess Emily had had said her per choice would be either.

0:34:3.930 --> 0:34:13.580

Suo, Steve

Just stick to primarily benefits the general public and not add in a bunch of definitions, or add in her definitions. I guess of the two, I'd prefer the former.

0:34:14.710 --> 0:34:16.400

Suo, Steve

I think you know.

0:34:18.0 --> 0:34:18.200

Suo, Steve

But.

0:34:19.240 --> 0:34:40.760

Suo, Steve

Any of this invites other opposition, potentially, and I think May is broad enough or not may sorry, benefits the general public. It's current statute. We're not expanding everyone's rights were and I think it gives enough breathing room for for just about anybody to make the case in a way that makes sense.

0:34:41.370 --> 0:34:59.170

Suo, Steve

Umm, so I guess that would be my preference or if Emily, if you were, if you were satisfied with the Emily's proposed additions on research that reveals, then I would say let's go that route. But I guess I would learn more toward just keeping the existing definition in statute.

0:34:59.780 --> 0:35:1.80

Emily Harris (Guest)

OK. Thank you, Steve.

0:35:2.180 --> 0:35:3.690

Emily Harris (Guest)

Emily, I think you were next energy.

0:35:6.650 --> 0:35:24.120

Emily Gothard - She/Her

So my first preference would be to include them with all of them, but if we weren't going to add then I would suggest to to not have any. I do think that the the distinction between the D that I proposed versus adding research to see is the fact that it's specifying a nonprofit entity.

0:35:24.520 --> 0:35:37.550

Emily Gothard - She/Her

Umm I I do think that that's an important distinction. You might, you know, have a for profit entity that could conduct research that would benefit the public. But if they're gonna, they're gonna sell it, then they shouldn't be subsidized.

0:35:40.160 --> 0:35:42.50

Emily Gothard - She/Her

Yeah, I think that covers the points I had to make.

0:35:42.560 --> 0:35:44.680

Emily Harris (Guest)

Good. Thank you, Tyler.

0:35:45.920 --> 0:35:59.480

Tyler Janzen, AOC

I am in favor of keeping only the highlighted portion and not making another change here I'm. I'm pretty like once again worried about unintended consequences, particularly with AB and C I'm cracking my brain as to what.

0:36:0.230 --> 0:36:30.330

Tyler Janzen, AOC

Request might not fall under that bucket when you're asking a waiver, and I just think we're gonna completely snarl and potentially jam up our appeals process even more. Once again, I think we have a we've accomplished a really major lift with our work over the past couple of weeks. And I think we should focus on really shoring up our defense for that bigger shift. So once again, I don't think this is a bad idea. I think we should table it and pick it up when we.

0:36:30.520 --> 0:36:32.870

Tyler Janzen, AOC

Meat following the session.

0:36:34.40 --> 0:36:34.750

Emily Harris (Guest)

Thanks mark.

0:36:37.360 --> 0:36:39.90

Emily Harris (Guest)

Sorry, is your hand? Yeah.

0:36:37.990 --> 0:36:40.820

Mark Landauer

I'm sorry that that was a legacy hand, sorry.

0:36:40.310 --> 0:36:43.400

Emily Harris (Guest)

Legacy hand. I love that phrase, OK?

0:36:45.390 --> 0:36:49.650

Emily Harris (Guest)

So I'm I'm can the chair put out motions? I don't. I forget the rules.

0:36:50.900 --> 0:36:52.90

Emily Harris (Guest)

Just one of you guys need to.

0:36:55.30 --> 0:37:6.980

Emily Harris (Guest)

Well, I'm ready to entertain a motion on voting, either for retaining just the first line and and presumably moving it to the definition section from where it is in the statute currently, or a motion to.

0:37:8.320 --> 0:37:11.980

Emily Harris (Guest)

Include all ABCD&E, Tyler.

0:37:19.510 --> 0:37:20.80

Mark Landauer

2nd.

0:37:12.990 --> 0:37:20.510

Tyler Janzen, AOC

I will make a motion that we adopt the the highlighted text here and move it to the definition section of what we've done before.

0:37:20.910 --> 0:37:26.890

Emily Harris (Guest)

OK. Umm, all in favor or what? Sorry. Is there any further discussion? Obviously we discussed this quite a bit before the motions and further discussion.

0:37:29.370 --> 0:37:30.460

Emily Harris (Guest)

OK, all in favor.

0:37:30.320 --> 0:37:32.370

Mark Landauer

Ohhh Michael crow.

0:37:30.300 --> 0:37:32.550

Kron Michael C

Or no, I I have some.

0:37:31.130 --> 0:37:33.290

Emily Harris (Guest)

So sorry, I didn't hear you, Michael, go ahead.

0:37:33.690 --> 0:37:39.840

Kron Michael C

I would like to understand a little bit about what we mean by moving it to the definition section.

0:37:39.170 --> 0:37:49.610

Emily Harris (Guest)

Oh sorry, this is not this wording. Public interest means making a record available because it primarily benefits the public general public is in law right now, but it's in section 324 or five.

0:37:50.770 --> 0:37:57.220

Emily Harris (Guest)

So maybe it needs to stay there. Maybe it needs to move to definitions, so that's it's not in 311 right now.

0:37:58.450 --> 0:38:30.100

Kron Michael C

So I think the reason for that is because it's the public interest standard that is applied to waiver requests and it gets back to the idea that I think that the public ought to subsidize things that benefit the public more broadly. If we move this into the overall definition section of the public records law, the implication will be that this also should be used to assess.

0:38:30.210 --> 0:38:47.190

Kron Michael C

Like public interest exemptions, right conditional exemptions that apply unless the public interest requires disclosure, which is A to me, seems like a big and unintended change. So I would say we should keep it where it is.

0:38:47.770 --> 0:38:50.70

Emily Harris (Guest)

OK. OK. Thanks for that clarification, Todd.

0:38:51.950 --> 0:38:53.530

ALBERT Todd * PRA

Yeah, I'm in favor of.

0:38:54.310 --> 0:39:29.180

ALBERT Todd * PRA

If we're going to if the highlighted section maintains the current language, which I believe it does, and we're in favor of striking the rest, and I'm also in favor of just eliminating this whole section and leaving it as is in the law down and was 324 because we're, I only put it in definitions when I was attempting to promote a more expansive definition of public interest. But since we are now probably not going to change that, I don't see a need to move it into the definition definition section. I do think it might be used when dealing with exemptions, conditional exemptions as well. But honestly, those tests are pretty similar. So I'm not too sure about the confusion that would occur, but.

0:39:29.500 --> 0:39:32.250

ALBERT Todd * PRA

I just don't think we need it if we're not expanding what it means.

0:39:32.840 --> 0:39:37.960

Emily Harris (Guest)

OK. Thank you, Todd. Tyler, do you want to amend your motion at all?

0:39:38.990 --> 0:39:48.850

Tyler Janzen, AOC

Yes, Umm, I would actually like either Michael or Todd help in making a friendly amendment to that motion. Somebody who has a the legal understanding to back it up.

0:39:50.200 --> 0:39:51.610

Kron Michael C

Not it, Todd.

0:39:58.390 --> 0:39:58.730

Tyler Janzen, AOC

Yeah.

0:39:52.850 --> 0:40:1.10

Emily Harris (Guest)

I mean, I think the motion would just be too like strike this whole section and or not just not approve this section leave public interest the first line where it is.

0:40:1.590 --> 0:40:3.540

ALBERT Todd * PRA

That is a friendly amendment that I'm offering.

0:40:4.60 --> 0:40:4.430

Tyler Janzen, AOC

Great.

0:40:4.120 --> 0:40:4.470

Emily Harris (Guest)

OK.

0:40:4.600 --> 0:40:5.560

ALBERT Todd * PRA

The towers motion.

0:40:5.870 --> 0:40:6.860

Emily Harris (Guest)

And mark?

0:40:6.50 --> 0:40:7.930

Tyler Janzen, AOC

I I approve it.

0:40:9.120 --> 0:40:9.870

Mark Landauer

2nd.

0:40:8.190 --> 0:40:24.960

Emily Harris (Guest)

OK. And I think it's not that, OK. So all in favor of basically deleting this whole proposed section 6 not not including it in our in our draft legislation and leaving public interest as it stands in the law now where it is in the law now, please say aye.

0:40:25.860 --> 0:40:26.240

Tyler Janzen, AOC

Aye.

0:40:26.70 --> 0:40:26.400

Suo, Steve

Aye.

0:40:26.480 --> 0:40:26.940

Mark Landauer

Aye.

0:40:27.360 --> 0:40:27.680

ALBERT Todd * PRA

Alright.

0:40:28.410 --> 0:40:28.840

Kron Michael C

Hi.

0:40:28.530 --> 0:40:29.440

Emily Harris (Guest)

Any opposed?

0:40:33.340 --> 0:40:34.350

Emily Harris (Guest)

Any abstentions?

0:40:35.200 --> 0:40:35.670

Emily Gothard - She/Her

Abstain.

0:40:36.150 --> 0:40:45.500

Emily Harris (Guest)

Abstention. OK, fine. So we will not approve that. OK, thanks. You guys, that was very interesting discussion. OK, so we've dealt with that. We've dealt with that, OK.

0:40:45.580 --> 0:40:48.730

Emily Harris (Guest)

Umm, what time is it? 43 so.

0:40:52.430 --> 0:40:53.820

Emily Harris (Guest)

Emily also suggested this.

0:40:55.40 --> 0:41:0.470

Emily Harris (Guest)

Optional amendable form for agencies to use. This is in relationship to.

0:41:1.460 --> 0:41:7.450

Emily Harris (Guest)

When they are denying a public interest and they're finding the grounds for denying position, I believe Emily, do I speak to it?

0:41:9.470 --> 0:41:33.720

Emily Gothard - She/Her

Sure. I'm not sure if it would make sense at this point given the other discussions that we've had. It expressed reasons why people might qualify for a waiver that we're connected to my proposal and also reasons why the public body might deny it. Maybe it's worth taking a look at like the reasons. I mean I actually do think it would be a good idea for us to take a look at the proposal as far as reasons why a public body might deny it.

0:41:35.160 --> 0:41:41.540

Emily Gothard - She/Her

I thought it might be helpful to public bodies to have like a form like to understand and you know, of course they could add to it.

0:41:41.850 --> 0:41:47.880

Emily Gothard - She/Her

Umm, but some of this. You know, we've already discussed and should be tossed out.

0:41:48.420 --> 0:41:54.140

Emily Harris (Guest)

Right. Thank you. So I have that on the screen now I can people see this at least the top half of this form.

0:41:56.100 --> 0:42:4.10

Emily Harris (Guest)

Yeah, I'm getting a nod. OK, so I I know lots of other states do this kind of form and like.

0:42:5.300 --> 0:42:11.990

Emily Harris (Guest)

Really just simple here are reasons, but clearly like the public, if this is a public interest waiver, so the.

0:42:13.310 --> 0:42:28.480

Emily Harris (Guest)

The person the records directly concerned that would that would not not fit right now with what we've already talked about, the indigency is out. We have also put that out of public interest, the news media organization could potentially.

0:42:29.500 --> 0:42:30.360

Emily Harris (Guest)

Stay.

0:42:32.440 --> 0:42:33.590

Emily Harris (Guest)

But it might be.

0:42:34.810 --> 0:43:1.20

Emily Harris (Guest)

This is the kind of place where those definitions would go very well. You know where at this point, people would just need to say why it is in the public interest so. But in so that's so there's one section of why I'm requesting a public interest fee waiver. And then there's the second section of it's denied on the following basis and gives this wording doesn't match what we've approved at this point, but it would give.

0:43:1.100 --> 0:43:22.100

Emily Harris (Guest)

Yeah, you know a check box to it would outweigh the would be too much of a burden on the public body given what else they need to do. Or there's a flat fee schedule or it doesn't meet the public interest criteria. So yeah, let's talk about this for a little bit, Michael. I think you had your hand up first.

0:43:23.380 --> 0:43:32.90

Kron Michael C

So I really like the form. I think it's gonna be difficult for us to edit collectively and I wondered if maybe what we want instead of.

0:43:33.290 --> 0:43:49.140

Kron Michael C

Putting a form in the statute is a directive to the public records advocate to develop forms for members of the public and public bodies to use to implement the section. And then, like I, I believe Todd could.

0:43:49.980 --> 0:44:1.130

Kron Michael C

Take this and maybe tweak it or maybe just use it and whatever we end up with the that the Advocate could have forms that were available for people to use.

0:44:1.540 --> 0:44:5.270

Emily Harris (Guest)

OK. Thank you, Michael. Let's see. Todd, you have your hand up next.

0:44:6.80 --> 0:44:6.510

Emily Harris (Guest)

I'm losing.

0:44:9.620 --> 0:44:10.100

Emily Harris (Guest)

OK, who?

0:44:6.480 --> 0:44:10.730

ALBERT Todd * PRA

No, but it just I wanted to be able to answer Michael's question, but I could wait or Michael's idea.

0:44:11.110 --> 0:44:11.810

Emily Harris (Guest)

Who is next?

0:44:12.610 --> 0:44:13.270

Emily Harris (Guest)

Steve, mark.

0:44:14.970 --> 0:44:17.660

Emily Harris (Guest)

Why don't you go ahead? We'll get to Mark. Will just get to you in one second.

0:44:19.470 --> 0:44:50.120

ALBERT Todd * PRA

Well, I would. I would just say model forms, model policies, things like that are definitely on my long term todo list. It's more a bandwidth and triaging type and deal. I'd be concerned about a statutory mandate because I'd be afraid of it interfering with our other duties, but I definitely would be interested in working with this group to come up with forms like that. Of course, participation in my offices services are entirely voluntary, so any routine policy recommendations I make, which I do make as part of our trainings and other devices we offer is up to each public body to adopt.

0:44:50.230 --> 0:45:20.810

ALBERT Todd * PRA

Frankly, given everything we've heard here about the concerns of some public bodies about standardizing some of these procedures and the cost to them, I'd be a little wary of putting a mandatory form. I like the fact that we're I think we've already decided to keep, or maybe not. That didn't fee waiver reductions denials. Sorry, I have to be in writing any way to the requester. And I think that is a safer, easier starting point to go with and then maybe down the road talking about how to formalize it, but not requiring that to happen right now.

0:45:22.30 --> 0:45:27.730

Emily Harris (Guest)

OK. Thank you, mark. I think your hand went down. Is that correct? You don't want? Is there anybody else who? Ohh. Emily. Go ahead please.

0:45:30.560 --> 0:45:46.890

Emily Gothard - She/Her

And my proposal was also that this could be amendable based on the policies of the public body, so I wouldn't view this necessarily as a mandatory form, but something that would make it easier for public bodies like like guidelines to make it easier for public bodies to understand their obligations and respond.

0:45:47.800 --> 0:45:48.300

Emily Harris (Guest)

OK.

0:45:48.570 --> 0:46:0.500

Emily Harris (Guest)

Umm, I would entertain a motion to put this from the subcommittee recommended. It goes on the agenda of the full practo direct Todd Ball. You know, if we really need a motion for that, but. Oh, sorry, I see some other hands. Emily, is your hand still up or are you?

0:46:1.280 --> 0:46:4.510

Emily Harris (Guest)

Did you raise it again, or are you finished? You're down OK, Steve?

0:46:6.620 --> 0:46:11.250

Suo, Steve

OK, so so this would be the directive. Well, the.

0:46:12.30 --> 0:46:30.150

Suo, Steve

The practically can't direct code to do things, but I guess it would pass a motion asking him if he would do this, but that that's the preferred route rather than putting it in statute like the The Advocate shall do this and that makes sense to me. But if that does that work for everybody.

0:46:32.140 --> 0:46:45.800

Emily Harris (Guest)

No, that's what I'm hearing. Did people does anybody want to put in the form in statute or or a directive to the Advocate Institute to develop forms, or do we want to let that happen as a matter of?

0:46:46.790 --> 0:46:53.770

Emily Harris (Guest)

Of policy of of agenda that the the already sort of in the works. So anybody, does anybody wanna put it in law?

0:46:55.640 --> 0:47:7.860

Suo, Steve

I'll just say I think it's a, it's a really, it's a good idea to have model forms and model models for cities and that are optional for them. And yeah, I'd be happy to participate in that discussion.

0:47:8.820 --> 0:47:12.440

Emily Harris (Guest)

OK, I I I echo that as well, Mark.

0:47:14.280 --> 0:47:44.210

Mark Landauer

I tend to echo that as well. You know, I this is gonna be a pretty significant shift if this thing gets passed. And I I I'm I'm pretty confident that we're gonna end up having to do some clean up here afterwards. I as a matter of fact I'm fairly confident that we're going to not resolve all the issues that that have been on the table and that we're gonna learn more if in fact this thing gets adopted where.

0:47:44.310 --> 0:47:46.650

Mark Landauer

That we may have made some mistakes.

0:47:47.790 --> 0:48:17.220

Mark Landauer

And some oversights or not contemplated some outcomes. So you know, I'm. I'm comfortable. I'm not

putting this in statute. I think that we as a prack have the ability to direct the advocate, to do things without the statute telling us that we can do so. If I recall correctly, he is subject to all of our.

0:48:17.300 --> 0:48:36.770

Mark Landauer

The members of the Pracs, you know, beliefs that he's doing a good job. So he has every incentive to ensure that the members of the PRAC are happy with the work that he does. I don't think we need to put this in statute, but I'm. I'm open to doing so if it's the will of the group.

0:48:37.760 --> 0:48:39.160

Emily Harris (Guest)

OK. Thanks mark. Emily.

0:48:40.290 --> 0:48:54.550

Emily Gothard - She/Her

Would it make sense to have something like, you know, the the public records advocate may make model forms available to public bodies like just to, like, alert them that that might be a resource.

0:48:55.930 --> 0:49:8.740

Emily Gothard - She/Her

Without making it, I mean I know that's like kind of a do nothing statement but but it would like if they're looking at the public records law, they might be like ohh hey, maybe I should reach out to the public records advocate and see if there's forms or guidance available.

0:49:12.150 --> 0:49:18.640

Emily Harris (Guest)

That's a good question. I have no idea some lawyer. Can you guys tell us whether that would what that doesn't in statute, Tyler?

0:49:19.590 --> 0:49:27.750

Tyler Janzen, AOC

Ohh, I'd just be wary of putting something in statue. I think the assumption is that if we add a provision or change something, the assumption would be that we're changing something.

0:49:28.350 --> 0:49:29.880

Tyler Janzen, AOC

Umm so.

0:49:29.960 --> 0:49:32.790

Tyler Janzen, AOC

But I similar to.

0:49:33.970 --> 0:50:3.850

Tyler Janzen, AOC

You know, Todd already mentioned public bodies, he gets pushed back all the time about like a standardized process. I like the idea of just leaving it discretionary. I don't necessarily think we need to put anything in statute. I think we as association lobbyists who are also members of the project, like I will be doing everything that I can based on this conversation to just educate my Members and it

doesn't need to be formalized in statute. Certainly, we'll have some people who are more comfortable reaching out to me. I'll have some people who are more comfortable reaching out directly to Todd, but.

0:50:3.990 --> 0:50:17.700

Tyler Janzen, AOC

We know that this is an option out there and Todd can let us, as members of the pract know, when his workload has allowed him to come up with these templates, we can do our part in broadcasting that far and wide and reminding our Members that this exists.

0:50:18.920 --> 0:50:20.340

Emily Harris (Guest)

Thank you, Tyler. Todd.

0:50:21.700 --> 0:50:51.960

ALBERT Todd * PRA

I just started to be helpful to pull up part of my authorizing statute. Uh, it's in the chat now or as 192.475 subsection 3 that says upon the written guidance of state agency or local government, the Advocate may provide guidance and advice on matters pertaining to public records, request processing and the disclosure and applicability of exemptions from disclosure of public interest or public records rather. And if any of you know me, I don't generally wait for a public body to ask me if I'm working with them or I'm aware of an issue. I will generally reach out.

0:50:52.20 --> 0:51:22.90

ALBERT Todd * PRA

Either in working with them on the existing issue and say, by the way we do policy drafting and updating any other kind of forms or a policies you need developed, we will work with you and of course, public bodies are always welcome to reach out to me and do about updating or writing their public records policies, and sometimes that does include forms. So I comment on those freely as well. I'm open to either expanding this section, cleaning it up or doing anything else that the subcommittee feels would better further these goals. But I do feel like this kind of covers it.

0:51:24.130 --> 0:51:31.30

Emily Harris (Guest)

OK. Is there any other discussion on this? I would like to just discretion of the Chair. Ohh, go ahead, Emily.

0:51:33.10 --> 0:51:37.300

Emily Gothard - She/Her

Maybe it's not necessary. I was just gonna say I moved to withdraw this proposal.

0:51:38.330 --> 0:51:39.560

Emily Harris (Guest)

OK. Is there a second?

0:51:41.620 --> 0:51:42.70

Mark Landauer

2nd.

0:51:42.620 --> 0:51:45.790

Emily Harris (Guest)

OK. All in favor of withdrawing this for now, say I please.

0:51:46.680 --> 0:51:47.10

Suo, Steve

Hi.

0:51:46.840 --> 0:51:47.150

Mark Landauer

I.

0:51:46.460 --> 0:51:48.760

Emily Harris (Guest)

I many opposed.

0:51:48.500 --> 0:51:48.870

Kron Michael C

Alright.

0:51:51.90 --> 0:52:21.80

Emily Harris (Guest)

No. OK, so we'll set this as to any abstentions. OK, we'll set this aside and great. Thank you very much. It's I. I echo the forms can be incredibly helpful. I'm really glad you drafted that, Emily. OK, let's move on to the appeals process. Is something we haven't talked about yet. And then we will circle back to the individual. The one remaining proposed addition to the definitions appears representative also in the context of the individual record fees that we came up with.

0:52:21.160 --> 0:52:34.290

Emily Harris (Guest)

And the testimony Scott submitted. Well, let's go on to this. So this is, there's a couple different language proposals on this. I'm going to Scroll down to what's been proposed, what page is this? Six and seven, OK.

0:52:41.200 --> 0:52:45.350

Emily Harris (Guest)

OK, so there's a. Let's see, can this whole thing get on?

0:52:46.230 --> 0:52:50.0

Emily Harris (Guest)

OK, it's almost let me do a couple deletes here.

0:52:51.70 --> 0:52:53.300

Emily Harris (Guest)

And maybe we can get the whole thing on one screen.

0:52:56.180 --> 0:53:5.950

Emily Harris (Guest)

Yeah. OK, so here's two different options proposed for the appeals potential amendments to the appeals process.

0:53:8.10 --> 0:53:16.980

Emily Harris (Guest)

Michael and these these come from Michael and Emily. So can I just ask you to you to speak to what you've proposed? First of all is a kick off to the discussion, Michael.

0:53:17.940 --> 0:53:28.630

Kron Michael C

Sure. Uh. My proposal is really straightforward. Just the fact that we're changing the standard under subsection 5 from.

0:53:30.40 --> 0:53:51.400

Kron Michael C

Reasonableness standard to the shell unless standard, I think means that the existing language there has been an unreasonable denial of a fee waiver or fee reduction doesn't really make sense anymore, and I think it's very simple to just subsection our new subsection, which we have numbered 5.

0:53:52.80 --> 0:54:11.910

Kron Michael C

Creates requirements. Those are, you know, conditional requirements. So I just suggested we say that a person who thinks that the public body failed to comply with the requirements and appeal and otherwise used essentially the existing language I.

0:54:14.960 --> 0:54:15.430

Kron Michael C

Umm.

0:54:16.140 --> 0:54:18.830

Kron Michael C

Under this sub, the second change is really just.

0:54:19.790 --> 0:54:35.750

Kron Michael C

Making the same change, so it's really just a very simple like the grammar of what is in the existing law doesn't fit with the thing we're changing. So I tried to change as little as possible to make it work with the change we're making.

0:54:36.830 --> 0:54:40.620

Emily Harris (Guest)

OK. Thank you. And Emily, can you speak to your proposals?

0:54:51.470 --> 0:54:51.690

Emily Harris (Guest)

Yes.

0:54:50.650 --> 0:54:53.140

Emily Gothard - She/Her

Sorry that that unmute button is so slow.

0:54:53.960 --> 0:54:57.310

Emily Gothard - She/Her

I yes, I just thought that it was important to.

0:55:0.200 --> 0:55:9.50

Emily Gothard - She/Her

I recognize that it needed to be taken into context with other public records requests received because.

0:55:9.710 --> 0:55:10.280

Emily Gothard - She/Her

Umm.

0:55:11.360 --> 0:55:24.430

Emily Gothard - She/Her

You know an individual records request might not be a problem, but then taken into context with all of the ones being received and there may be justification for not.

0:55:25.600 --> 0:55:42.180

Emily Gothard - She/Her

Waiving the fee based on the number of request received and then the last line, I'm not really sure that that's necessary anymore, given that labor organizations weren't mentioned in in the other sections that we talked about.

0:55:43.570 --> 0:55:46.80

Emily Harris (Guest)

OK, so should I strike that part?

0:55:46.740 --> 0:56:12.510

Emily Gothard - She/Her

Yeah, I think you could. I just the the intention there was by explicitly naming labor organizations, labor organizations already have some rights around contesting things before the Employment Relations Board. And I wanted to make sure that, you know, existing case law out of the Employment Relations Board was still applicable and that this doesn't specify any kind of like limit on on that.

0:56:13.290 --> 0:56:13.700

Emily Gothard - She/Her

But.

0:56:15.240 --> 0:56:18.800

Emily Gothard - She/Her

I, but I don't think it's necessary since we're not even naming labor organizations.

0:56:19.690 --> 0:56:46.260

Emily Harris (Guest)

OK, so I'll tentatively cross that out for consideration. There is a this line so long as the public interest in

the efficient functioning of the public body clearly outweighs the public interest in disclosure. So this language versus the substantially prejudices or prevents this is stuff we discussed. And I think we landed in the rest of the law on the substantially prejudice or prevents and the context of the public interest of all public interest records received is that.

0:56:46.360 --> 0:56:51.810

Emily Harris (Guest)

I I I is that somewhere else in our current draft or.

0:56:53.170 --> 0:56:54.700

Emily Harris (Guest)

Or not.

0:56:55.520 --> 0:56:56.610

Emily Harris (Guest)

Do a quick search.

0:57:0.150 --> 0:57:0.460

Suo, Steve

I.

0:56:58.700 --> 0:57:0.800

Kron Michael C

I mean I guess ohh other people.

0:56:58.170 --> 0:57:1.470

Emily Harris (Guest)

Because I don't remember. OK, while I'm Steve, do you wanna go?

0:57:1.170 --> 0:57:1.990

Suo, Steve

I think not.

0:57:5.460 --> 0:57:6.770

Emily Harris (Guest)

OK. Steve, do you want to go?

0:57:8.590 --> 0:57:9.420

Emily Harris (Guest)

No, it's just there.

0:57:10.870 --> 0:57:12.540

Suo, Steve

Actually, I'm going to defer on this to Michael.

0:57:13.0 --> 0:57:13.690

Emily Harris (Guest)

OK, Michael.

0:57:19.110 --> 0:57:23.240

Kron Michael C

What? What is with our mute buttons today? OK, so I I.

0:57:24.20 --> 0:57:55.110

Kron Michael C

I think that it's at least implicit in what we had. I don't from my perspective the the danger of being of going beyond sort of what I did is that it starts to read like maybe the standard under 8 isn't just the standard under 5. And and I don't know that. To me it feels to me like the more specific we are here, the more we introduce possible confusion and and that's kind of why I just referred entirely back to subsection 5.

0:57:55.230 --> 0:58:25.700

Kron Michael C

I think subsection 5 does let the public body and the requester sort of argue over these issues and and and would allow the Attorney general or the DA reviewing it to make decisions on these bases, but I feel like we don't need to highlight particular aspects of that. We just the standard is in five and if we reiterate it but a little bit differently that we just risks creating confusion.

0:58:27.810 --> 0:58:28.980

Emily Harris (Guest)

OK. Thank you, Tyler.

0:58:29.720 --> 0:58:38.510

Tyler Janzen, AOC

Yeah, I like the idea of the requester, the public body, and the adjudicator all looking at the same section.

0:58:39.190 --> 0:59:8.460

Tyler Janzen, AOC

Umm. And we heard from, I think some of the feedback way back and that Todd's initial first draft was that we were hearing that DA and the AG were doing basically de facto denials because this wasn't this isn't their primary duty either. So I think the more specifics we make in here that you have to consider the whole context of the public records facing a public body, I'd be concerned that you're going to see even more defacto denials.

0:59:8.620 --> 0:59:23.860

Tyler Janzen, AOC

Of waivers, because their workload might not allow it, they're not, you know, this isn't what they specialize in. So if they read this underlying language, they might just say, well, we're ruling in favor of the public body because we this isn't what we do.

0:59:25.920 --> 0:59:27.980

Emily Harris (Guest)

OK, thank you telemark. Ohh I'd like.

0:59:26.330 --> 0:59:29.360

Tyler Janzen, AOC

No, I I I would motion for for.

0:59:30.590 --> 0:59:31.570

Tyler Janzen, AOC

Michael's language.

0:59:33.710 --> 0:59:35.990

Emily Harris (Guest)

Are you making it formal motion to vote on that?

0:59:37.280 --> 0:59:39.460

Tyler Janzen, AOC

I'll hold off. I'm sorry. I think I cut somebody off.

0:59:39.540 --> 0:59:43.320

Emily Harris (Guest)

OK uh, sorry. Discussion can come on either side, I think, Mark.

0:59:44.70 --> 0:59:49.170

Mark Landauer

Well, I was going to make the motion that Tyler just made, so I'll second it.

0:59:49.240 --> 0:59:49.540

Mark Landauer

OK.

0:59:50.220 --> 0:59:58.600

Emily Harris (Guest)

OK. And just to be explicit that motion, if I understand it right, Tyler, what we're gonna vote on is to adopt this first.

0:59:59.860 --> 1:0:15.570

Emily Harris (Guest)

Version of the proposed Section 8 what would be the new Section 8 to adopt that that is a formative vote to adopt this, which would consequentially would not adopt the second version, is that the motion am I repeating that motion correctly, Tyler?

1:0:16.300 --> 1:0:16.860

Tyler Janzen, AOC

Yes.

1:0:17.20 --> 1:0:19.280

Emily Harris (Guest)

OK. And Mark seconded it discussion, Emily.

1:0:24.590 --> 1:0:27.140

Emily Gothard - She/Her
Was that what Michael's.

1:0:31.650 --> 1:0:32.800

Emily Harris (Guest)
That, yeah.

1:0:27.910 --> 1:0:33.0

Emily Gothard - She/Her
Which part was Michael's proposal? Was the earlier 8 Michael's proposal OK?

1:0:34.100 --> 1:0:46.970

Emily Gothard - She/Her
And Michael, are you saying then that you think that it would be like the other public interest request received would be considered without explicitly naming that?

1:0:49.760 --> 1:1:7.800

Kron Michael C
Yeah, I I do think that the overall work facing the public body is just gonna intrinsically be relevant to the substantial prejudice inquiry and that and that just referring back to five will allow that for sure.

1:1:8.460 --> 1:1:8.850

Emily Gothard - She/Her
OK.

1:1:10.350 --> 1:1:18.220

Emily Harris (Guest)
So that goes up to the sections that this is in in five. This is what would what would be looked at to determine whether the.

1:1:19.30 --> 1:1:24.960

Emily Harris (Guest)
We, with the waiver the the request was indeed in the public interest that this balancing test of including.

1:1:25.570 --> 1:1:41.350

Emily Harris (Guest)
Umm, the, the, the D the public interest in disclosure is outweighed by the substantial prejudice or prevention of bodies ability to carry the functions of the public body. The other functions of the public body that's that would be part of the reference. That would be the AG and the DA would look at in the appeal.

1:1:43.290 --> 1:1:44.280

Emily Harris (Guest)
UM, mark.

1:1:45.610 --> 1:1:50.580

Mark Landauer

I just took my hand down because that was the point that I was going to make Emily thank you.

1:1:50.860 --> 1:1:54.80

Emily Harris (Guest)

OK. Is there any further discussion on this motion before we vote on it?

1:1:56.610 --> 1:2:7.910

Emily Harris (Guest)

I am just scanning the list for hands no. OK, so all in favor of adopting a the, the, the Michael Crohn's suggestion for Section 8 the highlighted on the screen right now the shorter version.

1:2:9.910 --> 1:2:13.320

Emily Harris (Guest)

And not not adopting the other version. Please say aye.

1:2:14.0 --> 1:2:14.420

Emily Gothard - She/Her

Hi.

1:2:14.190 --> 1:2:14.950

Kron Michael C

Aye, aye.

1:2:14.90 --> 1:2:15.60

Tyler Janzen, AOC

Hi my.

1:2:14.290 --> 1:2:15.270

Mark Landauer

Aye, aye.

1:2:15.910 --> 1:2:16.890

Emily Harris (Guest)

Any opposed?

1:2:20.440 --> 1:2:21.370

Emily Harris (Guest)

Any abstentions?

1:2:22.440 --> 1:2:23.910

Emily Harris (Guest)

Yeah. OK, so this is.

1:2:25.40 --> 1:2:25.790

Emily Harris (Guest)

Adopted.

1:2:27.250 --> 1:2:28.80

Emily Harris (Guest)

This is not.

1:2:29.780 --> 1:2:30.230

Emily Harris (Guest)

OK.

1:2:32.660 --> 1:2:33.370

Emily Harris (Guest)

Ship.

1:2:35.170 --> 1:2:37.520

Emily Harris (Guest)

So thank you all very much.

1:2:39.740 --> 1:3:3.80

Emily Harris (Guest)

We've done that. We've done that. We've done that. OK. So now we're gonna get the what's left on the agenda today is the additions to public definitions we've already dealt with public interest. So we're looking at the authorized representative and revisiting the what? What we agreed on last time, which was to provide a fee waiver for individual records and indigent records. But take it out of the public interest.

1:3:4.710 --> 1:3:6.830

Emily Harris (Guest)

So we have some testimony from.

1:3:7.630 --> 1:3:11.880

Emily Harris (Guest)

Scott, who's not here, but he wrote in the e-mail. I hope everybody had a chance to see that.

1:3:15.240 --> 1:3:24.180

Emily Harris (Guest)

And and and and I think he he voted against it last time and I wanted to revisit it anyway because both of them, because they weren't, they weren't.

1:3:25.90 --> 1:3:34.940

Emily Harris (Guest)

Uh, we didn't have full consensus on it just to see if there was any tweaks to language or if there's any other second. But we wanted to take now given the new testimony.

1:3:36.160 --> 1:3:53.50

Emily Harris (Guest)

So let's go down to that section and the and the one remaining proposal to definitions is authorized representative, which might be relevant to the individual sections record. So just quickly getting that in your mind, that is here definitions it would be.

1:3:54.230 --> 1:4:14.560

Emily Harris (Guest)

Not nine in the end, probably, but authorized representative means the request is made on behalf of an individual by their legal guardian, legal representative, labor representative or representative who's been granted power of attorney to act on the individual's behalf, so that, yeah, that's directly relevant to individuals records which we're going to relook at right now.

1:4:15.850 --> 1:4:16.610

Emily Harris (Guest)

Umm.

1:4:25.260 --> 1:4:35.310

Emily Harris (Guest)

OK so here it is. It's section 6. We adopted it last time. There's a small blue mark of the functions. I think we may just need to put the word other there to keep it consistent with other things, but.

1:4:38.670 --> 1:4:44.500

Emily Harris (Guest)

Yeah, bringing it back up with Scott's testimony that he gathered in mind. Is there any discussion on?

1:4:45.260 --> 1:4:47.980

Emily Harris (Guest)

Tweaking this or revisiting it for a second vote.

1:4:48.620 --> 1:4:51.930

Emily Harris (Guest)

Uh, I'm not sure who is their hands first, mark.

1:4:54.860 --> 1:4:55.720

Mark Landauer

Ah, thank you.

1:4:57.880 --> 1:5:0.490

Mark Landauer

In examining Scott's.

1:5:2.30 --> 1:5:9.380

Mark Landauer

Testimony or feedback and the addition of the law enforcement feedback.

1:5:10.240 --> 1:5:14.810

Mark Landauer

I've sort of come to a position where I'm.

1:5:16.10 --> 1:5:19.480

Mark Landauer

Now, somewhat hesitant about individual.

1:5:20.800 --> 1:5:50.730

Mark Landauer

Exemptions to fees. I am completely open to the notion of ensuring that victims of crime are allowed to get their records at this time. I'm going to resist the temptation of supporting all individuals getting a exemption for fees. I do think that there is a compelling reason for crime victims to get.

1:5:50.970 --> 1:5:57.20

Mark Landauer

Their fees waived. I'm also compelled to support providing.

1:5:57.530 --> 1:6:1.910

Mark Landauer

A fee waivers to those who can prove indigency.

1:6:3.210 --> 1:6:23.250

Mark Landauer

That's where I am at this point. It's not that I oppose having individuals being able to get their records for free. However, I think that the problem that we have to face is reality, and that reality will be that everybody with a law enforcement.

1:6:24.720 --> 1:6:46.710

Mark Landauer

Reason or responsibility, those that may have 911 call responsibilities, those that have EMS calling responsibilities are going to suffer financially as a result of this. I do think that this deserves more discussion down the road.

1:6:47.790 --> 1:7:5.300

Mark Landauer

But at this time, if we are going to to actually try to get a bill passed, I believe that limiting the exemption on fees should apply to those who are the victims of crimes and those who have case of indigency. Thank you.

1:7:6.560 --> 1:7:9.970

Emily Harris (Guest)

OK. Thank you, mark. Stevia, you hang up next and then Tyler and then Emily.

1:7:11.970 --> 1:7:18.520

Suo, Steve

Yeah, I I guess I'm sort of in line with with Margaret and alternative might be.

1:7:20.550 --> 1:7:22.120

Suo, Steve

If we wanted to preserve this.

1:7:23.680 --> 1:7:28.570

Suo, Steve

Tyler and I have discussed some language that would say shall consider.

1:7:29.550 --> 1:7:42.170

Suo, Steve

Which sort of it? It's nothing really binding beyond like you gotta think about it, but it at least gets something in statute that says public body. Think about this under this circumstance.

1:7:43.750 --> 1:7:54.230

Suo, Steve

And it also kind of gives you know it it puts the public on notice that they they may make this argument, but that's that's one alternative short of a mandate.

1:7:54.810 --> 1:7:56.170

Emily Harris (Guest)

OK. Thank you, Steve Tyler.

1:7:57.880 --> 1:8:20.560

Tyler Janzen, AOC

Yeah, and thanks for that, Steve, Steve and I did talk about that. I will say I've I've been contemplating shout consider versus may cause we talked about other functionally equivalent. However, I do, I guess I would be concerned if that creates a case for the requester to say you know there's a shall in here and is there a case to be made against the public body that you know they didn't consider it, but they shall consider it.

1:8:22.90 --> 1:8:48.80

Tyler Janzen, AOC

I don't know if that makes it that we should think about using May instead to the broader point. I think I'm just gonna back up and echo Mark and Steve. I think this is something that we all identified really early on in our work as this group as a really important issue. And I think we need to get it right. I found Scott's footwork very compelling.

1:8:49.300 --> 1:8:51.670

Tyler Janzen, AOC

I think we're talking about city police.

1:8:52.90 --> 1:8:55.210

Tyler Janzen, AOC

Uh County sheriff's state police.

1:8:56.610 --> 1:9:7.740

Tyler Janzen, AOC

This will absolutely balloon the fiscal impacts that we get out of this proposal. If we aren't incredibly specific about what records we are talking about.

1:9:8.280 --> 1:9:18.280

Tyler Janzen, AOC

Umm, so uh, given the lateness of the hour, once again this is gonna be my consistent theme today. I think we need to table the the whole section about.

1:9:19.120 --> 1:9:24.910

Tyler Janzen, AOC

Individual requests and tackle that at in a future session.

1:9:27.150 --> 1:9:29.940

Emily Harris (Guest)

OK. Thank you, Tyler and Emily. And then Michael.

1:9:34.170 --> 1:9:39.860

Emily Gothard - She/Her

I support the idea of moving to crime victims and indigency.

1:9:41.360 --> 1:9:54.200

Emily Gothard - She/Her

I feel like I mean, while I would love for us to do more to support individuals getting their own records, I think that that's a good incremental step of doing something to support people that that need the help the most.

1:9:55.650 --> 1:9:57.120

Emily Harris (Guest)

Thank you, Emily. Michael.

1:9:59.840 --> 1:10:4.590

Kron Michael C

Uh, so I think I agree with Tyler on this. To me that the.

1:10:5.440 --> 1:10:12.130

Kron Michael C

The importance of doing something in this area is very clear. I mean one of the most compelling things that I think we heard was.

1:10:13.120 --> 1:10:45.400

Kron Michael C

How so many things under the federal FOIA anyway get funneled into the public records law that aren't really about sort of the the public oversight of government interest that the public records law was first designed to serve. To me, these are just these ideas feel underbaked. And I'm I'm worried about fiscal impacts. You know, I think Tyler gave some good examples. I would also point to the adults in custody of the Department of Corrections, many of whom probably.

1:10:45.830 --> 1:10:58.210

Kron Michael C

Would be able to meet an indigent standard, and I think that a lot of them don't have a lot to do with their time and public records requests in in the Department of Corrections are already.

1:10:58.990 --> 1:11:2.620

Kron Michael C

Fairly common as a result of that, if if they were able to.

1:11:3.950 --> 1:11:14.310

Kron Michael C

Make requests for records concerning themselves for free. I think that would potentially be a significant impact on the corrections departments budget.

1:11:14.990 --> 1:11:23.160

Kron Michael C

And I guess what I what I'm in favor of is that we view this sort of overuse of of the public records law.

1:11:23.950 --> 1:11:26.280

Kron Michael C

When individuals have specific.

1:11:27.690 --> 1:11:37.500

Kron Michael C

Interest that maybe aren't the sort of public interest that that really ought to be served by the public body, that that that's a topic that we should.

1:11:38.460 --> 1:11:47.840

Kron Michael C

Think about taking up next, or if not next in, then anyway, in the near future, and that that really this this concept to me belongs.

1:11:48.510 --> 1:11:51.20

Kron Michael C

With that and it, and it needs more.

1:11:51.760 --> 1:11:52.790

Kron Michael C

Time in the oven.

1:11:56.580 --> 1:11:59.310

Emily Harris (Guest)

OK, so as it stands now last.

1:12:0.900 --> 1:12:8.710

Emily Harris (Guest)

Meeting we, we we had all this language in yellow, the six and the seven we we voted in favor of putting it in our draft legislation.

1:12:10.200 --> 1:12:10.710

Emily Harris (Guest)

Umm.

1:12:12.640 --> 1:12:28.80

Emily Harris (Guest)

Before we entertain any motions to do anything different, I did want to give Todd the chance to speak to this because I know these are two things that came in various forms through your original straw man draft. So would you like to speak to any of the?

1:12:28.850 --> 1:12:29.580

Emily Harris (Guest)

Discussion.

1:12:31.400 --> 1:12:31.830

ALBERT Todd * PRA

Sure.

1:12:32.940 --> 1:12:54.850

ALBERT Todd * PRA

I've been listening and pondering to everything everyone is saying and I think at this point personally, I'd be in favor of striking section 6. For now. I think you know, I do think that issue here in Section 6 is kind of like where the rubber meets the road when it comes to reforming organs, public records law and making it more accessible. But I also think it might be too large of a lift to begin with.

1:12:55.600 --> 1:13:10.110

ALBERT Todd * PRA

I think it's important. I think we should keep working on it, maybe coupling it with some idea that we could debate about a central pot of money and or a central pot of public records administrators to live somewhere in my office or elsewhere in the state that can be then.

1:13:11.210 --> 1:13:30.340

ALBERT Todd * PRA

Recruited by public bodies as needed to help with overflow or what have you. But right now I don't want to forget this concept, but I would vote in favor of removing it. However, I am in favor of keeping something like 7 or a lot in the lines of what seven is saying about indigency and effective legal right? Because I think that can open the door.

1:13:31.100 --> 1:13:59.410

ALBERT Todd * PRA

To furthering this discussion, and it's a pretty limited circumstance which requires proof and participation from the request, or even get the chance to be considered, and it could demonstrate to public bodies that this is feasible and doesn't break the bank and will give us some data as well when we come back to explore this issue later. So I'd be comfortable if we wanted to go that route and would be in favor of voting that way. I could also answer any questions if anyone has about why I put this in here or what I think it means as well.

1:14:0.750 --> 1:14:2.640

Emily Harris (Guest)

OK. Thanks Emily G.

1:14:5.590 --> 1:14:14.670

Emily Gothard - She/Her

I also just wanted to mention that at the last meeting, Scott said that he supported a the seven but not 6.

1:14:15.910 --> 1:14:40.870

Emily Gothard - She/Her

And in the feedback that he submitted, crime victims were mentioned that like, for instance, the City of Beaverton already has a policy to waive that, but that some agencies do not. So like it sounds like some of the feedback we've gotten already that maybe there would be less pushback about that. And regarding, you know, if if people who are indigent were abusing it, perhaps we could add in some kind of limit.

1:14:41.50 --> 1:14:55.130

Emily Gothard - She/Her

Umm uh that you can't just like continually, you know, like every single month, request records related to you yourself and your incarceration. I mean, that's not like the wording that we would use. But, you know, the idea here is not that.

1:14:55.220 --> 1:15:10.780

Emily Gothard - She/Her

And I and I I think that also might be somewhat limited by the fact by the fact that it includes it, it the requested record affects the legal right of the requester that they shouldn't be able to just be asking for frivolous things.

1:15:13.170 --> 1:15:15.930

Emily Harris (Guest)

Thank you, Michael. I think your hand is up next.

1:15:21.320 --> 1:15:40.210

Kron Michael C

Sorry, so I yeah, I guess the my really I can't think of another agency that I have a lot of concerns about with seven. But I do think that in adults in custody are going to meet both thresholds of this requirement a lot. So I I mean.

1:15:42.480 --> 1:15:55.890

Kron Michael C

Maybe that's OK and maybe we want to subsidize AIC's in there sort of continual fight with the Department of Corrections over the conditions of their incarceration, but.

1:15:57.80 --> 1:16:3.560

Kron Michael C

I'm. I don't know. I'm not sure that I think that's a good use of public resources.

1:16:4.940 --> 1:16:9.90

Emily Harris (Guest)

OK. Thank you. Umm, not sure Todd or Tyler who had their hand up next to you guys know.

1:16:10.520 --> 1:16:12.810

Emily Harris (Guest)

Alright. Tyler, can you go ahead and you haven't spent on this?

1:16:13.150 --> 1:16:19.560

Tyler Janzen, AOC

Ohh, just to keep us focused on serving, can I make a motion that we Table 6?

1:16:20.530 --> 1:16:21.340

Tyler Janzen, AOC
Section 6.

1:16:22.550 --> 1:16:23.60

Mark Landauer
2nd.

1:16:24.490 --> 1:16:25.840

Emily Harris (Guest)
It's funny how how OK.

1:16:27.440 --> 1:16:32.940

Emily Harris (Guest)
So the motion to to not include it in not include any of section 6 in the current.

1:16:33.100 --> 1:16:33.570

Emily Harris (Guest)
And.

1:16:36.540 --> 1:16:37.70

Tyler Janzen, AOC
Correct.

1:16:34.700 --> 1:16:38.250

Emily Harris (Guest)
In our proposed law, is that the OK?

1:16:42.960 --> 1:16:44.920

Emily Harris (Guest)
All in favor of that, please say aye.

1:16:45.310 --> 1:16:45.740

Emily Gothard - She/Her
Hi.

1:16:46.230 --> 1:16:46.740

Tyler Janzen, AOC
Hi.

1:16:46.360 --> 1:16:46.750

ALBERT Todd * PRA
I.

1:16:47.700 --> 1:16:48.90

Suo, Steve
Aye.

1:16:47.820 --> 1:16:48.280

Emily Harris (Guest)

All opposed.

1:16:49.510 --> 1:16:52.720

Kron Michael C

I'm an I not an opposed to, but I just slow one.

1:16:53.600 --> 1:16:54.80

Mark Landauer

Emily.

1:16:53.430 --> 1:16:54.200

Emily Harris (Guest)

Slow by.

1:16:55.0 --> 1:17:1.840

Mark Landauer

Emily, before the vote, I think that Michael's hand may have been up and it is in.

1:17:3.930 --> 1:17:14.290

Mark Landauer

It is a he. He does have the right for discussion before a vote, so I just want to make sure that we have the discussion completed before we take the vote.

1:17:14.370 --> 1:17:16.10

Mark Landauer

But so.

1:17:16.150 --> 1:17:24.140

Emily Harris (Guest)

Yeah, thank you. You reminded me of that procedure last year. Last weekend, I forgot. Sorry about that, Michael or anybody does is there more discussion about this before we take a vote?

1:17:26.760 --> 1:17:27.150

Mark Landauer

OK.

1:17:25.280 --> 1:17:28.920

Emily Harris (Guest)

Michael says no. Todd, you have your hand up, but I that's still about #7.

1:17:29.750 --> 1:17:32.720

Emily Harris (Guest)

OK. Is any discussion before we vote on?

1:17:34.20 --> 1:17:37.410

Emily Harris (Guest)

Scratching this subsection 6 in the draft legislation.

1:17:39.210 --> 1:17:40.550

Emily Harris (Guest)

OK so.

1:17:41.740 --> 1:17:44.960

Emily Harris (Guest)

Little reverse the order. We did take a vote. Do we need to take a vote again, Mark?

1:17:45.510 --> 1:17:46.120

Mark Landauer

Nah.

1:17:46.0 --> 1:17:47.990

Emily Harris (Guest)

OK. Anybody opposed?

1:17:49.380 --> 1:17:50.220

Emily Harris (Guest)

Any abstentions?

1:17:51.560 --> 1:17:52.850

Emily Harris (Guest)

OK. So that's going to go.

1:17:54.170 --> 1:17:57.730

Emily Harris (Guest)

Alright, now refocusing on Section 7.

1:17:59.120 --> 1:18:0.870

Emily Harris (Guest)

The person requesting the records.

1:18:1.550 --> 1:18:4.960

Emily Harris (Guest)

Is indigent and the requested record effects their legal rights.

1:18:6.120 --> 1:18:6.930

Emily Harris (Guest)

Todd, you have your hand up.

1:18:9.810 --> 1:18:12.400

ALBERT Todd * PRA

Yes, thank you. Just a few things to kind of take.

1:18:13.260 --> 1:18:44.670

ALBERT Todd * PRA

Maybe to suss out where we are on this. So I think it's important to note that this standard, if we approve it as it's written, it's still up to the custodian of the records to determine if the person's inogen and it affects the records effective legal right. I realized with people in custody, it is likely that they'll

almost always be shown to be indigent, but it will also still be up to the public body to determine if what right they think is being affected or what process is going on really fits this definition. And I think we also have to get comfortable with the fact that anything new we introduce is likely to be litigated.

1:18:44.930 --> 1:19:15.480

ALBERT Todd * PRA

Either through the appellate process in courts, through revisionist legislation that follows on from this and that, so we can't ever do this perfectly, we can't ever eliminate all chances of opposition or concern. You know, the courts and parallel adjudication processes exist to help us understand legislation. And that's just kind of part of the process. I don't think what we're asking here is too much of a heavy lift. But if I could suggest one amendment that might get to some of these concerns is that if we said something along the lines of after.

1:19:16.540 --> 1:19:25.720

ALBERT Todd * PRA

The requested record effects the legal right of a requester and is not already available like via discovery or via another process.

1:19:26.760 --> 1:19:52.380

ALBERT Todd * PRA

Then that might help limit some of these potential areas where the system could be abused, certainly with adults in custody who are seeking appeals. It would appeal it would apply to those situations for adults and custody who are challenging things. Just like with corrections like their housing. Or, you know, other sanctions are receiving and stuff like that. It might not cover those concerns and there could potentially be a lot of requests for corrections.

1:19:54.340 --> 1:20:5.560

ALBERT Todd * PRA

But I'm in favor of maintaining this concept and then find tooling it as potential areas of issues develop, knowing that whatever we do is going to have to get sort of sussed out down the road in different ways.

1:20:6.790 --> 1:20:16.520

Emily Harris (Guest)

OK. Also just want to point to some language that was suggested from Daniel Mulcahy, who is part of a Representative Powers office who was here last.

1:20:17.770 --> 1:20:26.560

Emily Harris (Guest)

Week and is multikey. I'm sorry Daniel is here this week. There was some a suggestion in the chat that he put in the chat last week of.

1:20:28.540 --> 1:20:41.860

Emily Harris (Guest)

Using, I think this is the right place. It says for G but I think that was because this was numbered differently last time the person articulates a substantial possibility that they're requested record may affect the legal right of the requester, so there's that.

1:20:42.980 --> 1:20:44.880

Emily Harris (Guest)

Wording out there as well.

1:20:46.760 --> 1:20:47.770

Emily Harris (Guest)

Further discussion.

1:20:55.790 --> 1:20:57.700

Emily Harris (Guest)

So it seems like uh, yeah, go ahead.

1:21:11.220 --> 1:21:11.570

Emily Harris (Guest)

Hmm.

1:21:11.770 --> 1:21:13.540

ALBERT Todd * PRA

Rather than the public bodies determination.

1:21:14.610 --> 1:21:15.180

ALBERT Todd * PRA

That it does.

1:21:19.460 --> 1:21:19.970

Emily Harris (Guest)

Steve.

1:21:24.290 --> 1:21:33.860

Suo, Steve

Yeah, I guess that would make sense making it the public body determines that as a there's a that a substantial possibility exists that blah blah blah.

1:21:35.580 --> 1:21:38.110

Suo, Steve

I I guess I was interested in Michael's.

1:21:39.290 --> 1:21:40.0

Suo, Steve

Take on.

1:21:40.680 --> 1:21:44.590

Suo, Steve

Whether this narrowing as wages your concerns?

1:21:49.920 --> 1:21:52.850

Emily Harris (Guest)

That the proposed narrowing in all caps, that's that Todd mentioned.

1:21:54.920 --> 1:21:57.840

Kron Michael C

I mean, I don't know. Honestly, we.

1:21:58.610 --> 1:21:59.840

Kron Michael C

We've discussed.

1:22:1.20 --> 1:22:8.690

Kron Michael C

Before the the the inadequacy of sort of discovery in particular processes.

1:22:9.930 --> 1:22:10.470

Kron Michael C

Is.

1:22:11.230 --> 1:22:24.360

Kron Michael C

One of the main reasons why things that don't belong in the public records process seem to get funneled into it, and that that, honestly is a trend that I would like to see us work to reverse. I don't.

1:22:25.830 --> 1:22:49.760

Kron Michael C

To me, the whether whether government is providing people in sort of adversarial situations, the information they need to defend themselves is is a separate question from whether the the government is providing the public generally with the ability to sort of see and to government and oversee what its government is doing.

1:22:51.110 --> 1:22:55.720

Kron Michael C

Both are important for sure, but I I really.

1:22:56.520 --> 1:23:6.620

Kron Michael C

I think that maybe would help, but I'm not. I'm not 100% sure and I still sort of feel like that bigger question is one that we just haven't.

1:23:7.650 --> 1:23:20.510

Kron Michael C

Thought enough about and I I think I'm still gonna. I mean, this is already in. So maybe we won't vote on that at all. But but I'm not in favor of including this at this time because it just doesn't feel adequately flushed out to me.

1:23:21.210 --> 1:23:33.370

Emily Harris (Guest)

OK. And I just signed the chat that Emily you had suggested I did. I place paste that in the right place, Emily, the public body may deny any reduction of fees. Is this is talking about someone who's indigent, if the requester?

1:23:33.450 --> 1:23:36.640

Emily Harris (Guest)

Our makes repeated in vexatious requests.

1:23:38.560 --> 1:23:45.550

Emily Gothard - She/Her

Yeah, I thought maybe that would help. UM, address some of the concerns. I also made an edit at the beginning.

1:23:58.800 --> 1:23:59.280

Emily Harris (Guest)

Inspection.

1:23:45.630 --> 1:24:3.520

Emily Gothard - She/Her

Umm, I and I mean, I don't know if that makes sense to be in the same section or if it should be a different section, but in recognizing we're short on time, I wanted to suggest adding victims of crime and I don't know if it's the most artfully drafted in my trying to quickly do it, but.

1:24:4.520 --> 1:24:7.280

Emily Harris (Guest)

Would that go in this section? You're saying in Section 7 or?

1:24:7.250 --> 1:24:11.380

Emily Gothard - She/Her

I mean, I think it, I think it potentially could or it could be its own section.

1:24:11.920 --> 1:24:12.170

Emily Harris (Guest)

OK.

1:24:13.550 --> 1:24:14.820

Emily Harris (Guest)

OK, so that's.

1:24:14.900 --> 1:24:20.730

Emily Harris (Guest)

And it's a lot. Now there's a lot going on, which is totally fine. This is all really important.

1:24:23.520 --> 1:24:24.260

Emily Harris (Guest)

Tyler, go ahead.

1:24:25.80 --> 1:24:33.410

Tyler Janzen, AOC

Just real quick, I think, I think we need to flesh out victims of crime and that's gonna be a lot longer conversation than it might be appropriate for us to vote on today.

1:24:35.740 --> 1:24:39.190

Emily Harris (Guest)

I also have some concerns about vexation just because I feel like that would need.

1:24:40.760 --> 1:24:52.560

Emily Harris (Guest)

Some some some definitions. Umm I'm I'm I. I'm really interested in going some in some direction where there is some recognition that that is reality and.

1:24:54.50 --> 1:25:6.620

Emily Harris (Guest)

There's like a A A well established and fairway to to handle that, but I'm worried about putting that in with no definitions or no further discussion. So we have just a couple of minutes left.

1:25:7.920 --> 1:25:13.140

Emily Harris (Guest)

It seems like there's kind of two just going on what I've heard and I see, mark your hand up.

1:25:14.600 --> 1:25:37.130

Emily Harris (Guest)

We could either strike this whole thing, which is basically a revote, again against something we adopted last week, or we could consider it with the language that's in caps that Todd had suggested. I also have this highlight in blue. I think this just needs that word other because that would match the rest of our language. So that's one possibility of a motion to either.

1:25:37.230 --> 1:25:37.880

Emily Harris (Guest)

Uh, you know.

1:25:39.90 --> 1:25:44.250

Emily Harris (Guest)

Strike this or to adopt it with the additional language in caps.

1:25:45.590 --> 1:25:52.180

Emily Harris (Guest)

And I would that could be just the highlighted section or it could include the proposed section C.

1:25:53.590 --> 1:25:56.860

Emily Harris (Guest)

OK, got some hands here. Mark, I think yours is up first.

1:25:57.440 --> 1:26:14.100

Mark Landauer

Well, I was just gonna make the quick statement that I support using the word and putting the word vexatious in statute cause I doubt it's a word that is used in the entirety of Oregon statutes. That's the only thing I was going to say.

1:26:16.220 --> 1:26:17.930

Emily Harris (Guest)

Thank you. Uh Tyler.

1:26:19.60 --> 1:26:21.820

Tyler Janzen, AOC

Just a quick point of clarification. Do we have?

1:26:21.960 --> 1:26:30.110

Tyler Janzen, AOC

Uh, elsewhere in our proposal at this point, have we highlighted anywhere that a public body may consider indigency?

1:26:32.490 --> 1:26:32.870

Emily Harris (Guest)

No.

1:26:35.30 --> 1:26:35.750

Emily Harris (Guest)

Where? Where?

1:26:32.910 --> 1:26:36.470

Suo, Steve

Yes, yes, it's it's in the public interest.

1:26:37.630 --> 1:26:37.930

Emily Harris (Guest)

What?

1:26:37.680 --> 1:26:39.90

Suo, Steve

It's in the public intersection.

1:26:39.770 --> 1:26:42.60

Emily Harris (Guest)

Oh, but that's weird supposed to.

1:26:44.790 --> 1:26:45.110

Suo, Steve

It.

1:26:44.140 --> 1:26:45.110

Emily Harris (Guest)

Uh, wait down in five.

1:26:46.560 --> 1:26:48.700

Suo, Steve

Yeah, it's in the intro of five.

1:26:49.110 --> 1:26:52.770

Emily Harris (Guest)

Ah, yes, yes, that's right. That the is saying. Thank you, Steve.

1:26:55.260 --> 1:26:59.740

Emily Harris (Guest)

A custodian may furnish copies for any reason, such as.

1:27:0.590 --> 1:27:20.760

Emily Harris (Guest)

When it benefits without charge, the public, the cost of fee collection would exceed the fee. Has the public body has a policy the requester demonstrates indigence or request is for records that primarily concern the requester. So in that right now, in that language, the door is open for both individuals and indigent requesters.

1:27:21.390 --> 1:27:29.760

Tyler Janzen, AOC

I'm I'm wondering if the fact that that is more permissive and expansive I mean to to Michael's point we're baking in things.

1:27:31.470 --> 1:28:2.350

Tyler Janzen, AOC

That, you know, we're we're tasked with looking at this public interest test. Somebody who's indigent isn't necessarily in the public interest. And I worry if we're making it so prescriptive that you have to demonstrate your indigency you have to demonstrate that this effects your legal right that could actually shut more doors than the much more expansive, you know, hey, public body have, have you considered that you may consider my indigency, I think leaving it more open-ended might have a broader conversation. So I I'm.

1:28:2.440 --> 1:28:22.800

Tyler Janzen, AOC

I could kind of go either way on this because I don't think if we have such a high threshold is what we're contemplating. And seven, I don't think it's it's a budget breaker for folks. But I would actually be worried about the indigent individual being able to get their records if we specify so many other things that they have to include in their request.

1:28:24.450 --> 1:28:25.970

Emily Harris (Guest)

Thank you, Tyler. Todd.

1:28:28.300 --> 1:28:59.590

ALBERT Todd * PRA

Or I hear what you're saying, Tyler. I mean, I wasn't gonna do this. Wasn't my comment, but I just feel like I wanna say something in response. I feel like the intro to five has all these permissive categories, and then it's in the subsections where we get more specific. And so I don't necessarily have a problem with keeping both, because I think how you're right in the intro could say, you know, indigency any

reason you could wave a reduced fees. But then here's when you shall, in these very specific instances of media as well as potentially indigency and effects illegal. Right. So I think.

1:28:59.690 --> 1:29:22.680

ALBERT Todd * PRA

They would see that as sort of a spectrum of permissive to require it, and that the conditions would increase as you got towards the more required side. So I'm OK with leaving that my comment was gonna be if we are keeping seven, we need to change the standard in A to match the standard for the media because right now what is in seven A is a much more detailed multi step standard for when a public body.

1:29:24.630 --> 1:29:25.20

Emily Harris (Guest)

OK.

1:29:24.120 --> 1:29:31.910

ALBERT Todd * PRA

Can choose to not waive or reduce, and it's definitely not what we want. So I think it should just parallel what we have from the media section.

1:29:32.190 --> 1:29:33.870

Emily Harris (Guest)

From this D up here.

1:29:35.150 --> 1:29:35.930

Emily Harris (Guest)

On the screen right now.

1:29:38.120 --> 1:29:38.910

ALBERT Todd * PRA

Yes.

1:29:42.330 --> 1:29:44.670

ALBERT Todd * PRA

Without the, without the public interest part of course.

1:29:46.0 --> 1:29:47.360

Emily Harris (Guest)

Let me see if I get this right here.

1:29:51.580 --> 1:29:52.430

Emily Harris (Guest)

Ohh no.

1:29:53.140 --> 1:29:54.410

Emily Harris (Guest)

No, that's wasn't right, is it?

1:29:56.90 --> 1:29:59.140

Emily Harris (Guest)

And prayers, Prince carrying.

1:30:1.110 --> 1:30:5.830

Emily Harris (Guest)

Disclosure. OK. So just to match this, it's, it's this substantial prejudice part, right?

1:30:7.650 --> 1:30:8.90

ALBERT Todd * PRA

Yes.

1:30:8.320 --> 1:30:10.70

Emily Harris (Guest)

OK, OK. So.

1:30:11.310 --> 1:30:31.240

Emily Harris (Guest)

So there's two we're we're running overtime already. There's two possibilities here. We can either strike seven entirely or we can keep seven with two tweaks. One, the cap, all caps stuff that's in there. And two, you know, cleaning this up, which I'm not doing right this second because of the time, but two, so that the.

1:30:33.50 --> 1:30:36.270

Emily Harris (Guest)

The substantial prejudice is in there versus the.

1:30:37.750 --> 1:30:41.70

Emily Harris (Guest)

And the the the public interest balance so.

1:30:42.370 --> 1:30:43.750

Emily Harris (Guest)

Does anybody have a motion? What?

1:30:44.960 --> 1:30:45.950

Emily Harris (Guest)

But I'd like to vote on.

1:30:47.270 --> 1:30:48.60

ALBERT Todd * PRA

I can make a motion.

1:30:49.140 --> 1:30:49.820

Emily Harris (Guest)

Go ahead, Tom.

1:30:50.90 --> 1:30:57.280

ALBERT Todd * PRA

Which would be to adopt subsection 7 as what the corrections and future additions that you just outlined.

1:30:59.80 --> 1:30:59.680

Emily Harris (Guest)

Is there a second?

1:31:7.410 --> 1:31:7.830

Emily Gothard - She/Her

2nd.

1:31:8.730 --> 1:31:15.20

Emily Harris (Guest)

OK. Second it. So there's a second. So we're voting on whether to keep Section 7 with these.

1:31:15.810 --> 1:31:24.520

Emily Harris (Guest)

With some language fixes, including the what's in caps and then the future changes as touch is said to to bring this into into taking out the public interest part.

1:31:25.980 --> 1:31:26.750

Emily Harris (Guest)

Any discussion?

1:31:29.780 --> 1:31:35.790

Suo, Steve

I had a question. So where would this go and statute this would be separate from the public interest.

1:31:41.60 --> 1:31:41.270

Suo, Steve

Umm.

1:31:38.220 --> 1:31:42.290

Emily Harris (Guest)

That's right, public interest is under 5. All this stuff would be in it because we.

1:31:43.130 --> 1:31:43.360

Emily Harris (Guest)

God.

1:31:54.120 --> 1:31:54.380

Suo, Steve

OK.

1:31:44.360 --> 1:31:57.770

Emily Harris (Guest)

About it through that, but it would be under SO5 would deal with public interest and define news media et cetera. And then this would become six since we struck seven, it was from six since.

1:31:59.260 --> 1:31:59.550

Emily Harris (Guest)

OK.

1:31:56.0 --> 1:31:59.890

Suo, Steve

OK, alright, that answers my question. Thank you. I'm ready to vote.

1:32:0.470 --> 1:32:1.920

Emily Harris (Guest)

OK, Mark, go ahead.

1:32:4.620 --> 1:32:5.390

Mark Landauer

Thank you.

1:32:6.980 --> 1:32:17.380

Mark Landauer

Through this discussion, I've sort of come to the conclusion, or at least the belief, that this issue probably needs some more examination.

1:32:18.580 --> 1:32:22.370

Mark Landauer

I'm comfortable with the public interest.

1:32:23.750 --> 1:32:24.780

Mark Landauer

Describing.

1:32:25.610 --> 1:32:39.280

Mark Landauer

Indian should indigency as one factor that a local government or a government should consider when deciding to change charge fees. So I'm going to probably oppose this motion.

1:32:40.400 --> 1:33:7.590

Mark Landauer

Simply because I think we need some more work on this. It's not that I don't support the concept. I do believe that there's an some important policy issues here that should be considered. I just don't think that we have necessarily examined this thoroughly enough at this time to be able to support it. I would be happy to discuss this further if this.

1:33:8.630 --> 1:33:28.200

Mark Landauer

A topic does not make the final cut, but I'm comfortable with what has been stated in Section 5 about a local government or governments in general. Considering indigency for the purposes of fees. Thank you.

1:33:28.990 --> 1:33:29.910

Emily Harris (Guest)

OK. Thank you, Tyler.

1:33:30.820 --> 1:33:43.350

Tyler Janzen, AOC

I just wanted to put an exclamation point on what Michael pointed out because I found it really persuasive. We need to be careful about creating avenues for things that aren't public interest under a public interest test.

1:33:44.530 --> 1:34:13.500

Tyler Janzen, AOC

I think similar to mark, what I would I'm I'm of a mindset now that we have mentioned explicitly, you may consider indigency. I will do my part as somebody who works for an association to broadcast that point and out of sort of the strategic consideration of let's talk about this expanded public interest test that we spent so much time on. I think that that's the most baked piece that we've had here. So once again I think we should table.

1:34:13.700 --> 1:34:15.110

Tyler Janzen, AOC

This less baked piece.

1:34:15.740 --> 1:34:17.960

Emily Harris (Guest)

OK. Mark, is your hand of legacy hand?

1:34:18.660 --> 1:34:29.620

Emily Harris (Guest)

Yeah, alright. So we have a motion on the table to adopt section what is currently numbered Section 7 with the caveat says purpose mentioned before. Is there any further discussion?

1:34:31.80 --> 1:34:37.970

Emily Harris (Guest)

OK. All in favor of adopting Section 7 and keeping it in the draft law as we were gonna propose to the legislature, please say aye.

1:34:39.200 --> 1:34:39.560

ALBERT Todd * PRA

Aye.

1:34:42.170 --> 1:34:42.450

Suo, Steve

Aye.

1:34:43.330 --> 1:34:43.780

Emily Gothard - She/Her

I.

1:34:41.740 --> 1:34:45.700

Emily Harris (Guest)

All opposed. Ohh two. I sorry. Three eyes. I'm going.

1:34:45.380 --> 1:34:46.600

Emily Gothard - She/Her
Sorry, delayed eye.

1:34:46.380 --> 1:34:49.200

Emily Harris (Guest)
Microphones. OK, so we have three eyes, correct?

1:34:50.550 --> 1:34:51.810

Emily Harris (Guest)
OK, I'll opposed.

1:34:52.850 --> 1:34:53.250

Tyler Janzen, AOC
Opposed.

1:34:52.890 --> 1:34:53.550

Mark Landauer
Opposed.

1:34:53.940 --> 1:34:54.310

Emily Harris (Guest)
Post.

1:34:54.700 --> 1:34:55.600

Kron Michael C
Opposed.

1:34:56.780 --> 1:35:4.860

Emily Harris (Guest)
For a post. OK, so this will this will not be we're we're we're we're revisiting and and and undoing something we just agreed on last week.

1:35:6.100 --> 1:35:10.330

Emily Harris (Guest)
OK, I think we have actually gone through everything that was on my agenda.

1:35:11.790 --> 1:35:18.600

Emily Harris (Guest)
Again, we've gone over time but and I know some people may need to leave, but if anybody can stay, I'm here to hear some more public testimony.

1:35:20.80 --> 1:35:22.180

Emily Harris (Guest)
And we have some hands up, Tyler.

1:35:22.690 --> 1:35:28.700

Tyler Janzen, AOC

Well, just a quick clarification because we adopted this last week, do we need to take a vote to actually table this?

1:35:31.700 --> 1:35:32.590

Emily Harris (Guest)

Oh, I see what you mean.

1:35:33.20 --> 1:35:34.110

Tyler Janzen, AOC

Yeah, because we just.

1:35:34.160 --> 1:35:34.990

Emily Harris (Guest)

Yeah, probably.

1:35:34.890 --> 1:35:39.380

Tyler Janzen, AOC

If so, I would. I would make that motion. Let's scrap 7 from our proposal.

1:35:40.360 --> 1:35:40.990

Tyler Janzen, AOC

Yeah.

1:35:38.610 --> 1:35:41.960

Emily Harris (Guest)

OK, so basically they reverse if we just voted on 2nd for that motion.

1:35:42.40 --> 1:35:42.560

Suo, Steve

I'll second it.

1:35:41.430 --> 1:35:42.570

Kron Michael C

I'll second that.

1:35:43.150 --> 1:35:47.830

Emily Harris (Guest)

OK. All in favor of scrapping 7, what's now labeled 7?

1:35:48.800 --> 1:35:49.240

Kron Michael C

Uh.

1:35:49.30 --> 1:35:49.540

Tyler Janzen, AOC

I.

1:35:49.860 --> 1:35:50.150

Suo, Steve

Hi.

1:35:50.480 --> 1:35:50.910

Emily Harris (Guest)

I.

1:35:52.480 --> 1:35:53.630

Emily Harris (Guest)

OK. And the nays?

1:35:54.340 --> 1:35:54.690

ALBERT Todd * PRA

Yeah.

1:35:55.780 --> 1:35:56.130

Emily Gothard - She/Her

Name.

1:35:58.630 --> 1:36:3.150

Emily Harris (Guest)

OK. So we're going to scrap it. OK, Steve, and then mark.

1:36:8.10 --> 1:36:8.440

Emily Harris (Guest)

Tweaks.

1:36:5.630 --> 1:36:16.390

Suo, Steve

I had a you had flagged something in in the section. The language that we approved earlier relating to categories of costs, there's like a.

1:36:17.180 --> 1:36:48.290

Suo, Steve

There's a housekeeping change that needs to be made because we failed to eliminate that. We're we're we we meant to replace the existing language about specified cost categories such as attorneys, but we left it in. So we want to preserve the ability to recoup costs for attorneys under certain circumstances, but we don't want to say it in two places. So that's I put something in writing that I submitted. We're not going to get to it today, but I think that's something we need to address at some point.

1:36:49.50 --> 1:36:49.830

Suo, Steve

As housekeeping.

1:36:50.880 --> 1:36:53.410

Emily Harris (Guest)

Right. And that's it. I think that's in this section, right?

1:36:56.730 --> 1:36:56.930

Suo, Steve

Yeah.

1:36:54.310 --> 1:37:5.780

Emily Harris (Guest)

The attorneys in the review. Actually. Yeah, OK. There's also a A we had gone back and forth on hourly compensation versus hourly rate. So there are a number of just very small things like that.

1:37:6.630 --> 1:37:19.130

Emily Harris (Guest)

I know we'd like to get this draft to Senator Thatcher, and honestly, I'm not quite sure if the right procedure for that, like we need to take it back to the full prac for approval. We have a meeting scheduled in two weeks for that right or is it next week?

1:37:20.430 --> 1:37:21.140

Emily Harris (Guest)

Sit next week.

1:37:21.530 --> 1:37:22.190

ALBERT Todd * PRA

The 18th.

1:37:22.420 --> 1:37:38.170

Emily Harris (Guest)

18th, OK. So should we make these tweaks or proposed tweaks? And then, you know, include proposed clean up language in the version that we share with the full prac for approval to send to sender Thatcher does that does that work?

1:37:40.930 --> 1:37:41.210

Emily Harris (Guest)

Yeah.

1:37:44.730 --> 1:37:45.10

Emily Harris (Guest)

OK.

1:37:47.170 --> 1:37:47.660

Emily Harris (Guest)

Thank you.

1:37:39.590 --> 1:38:10.640

Mark Landauer

Madam Chair, this this, this was actually the reason why I had my my hand up was that was procedure right in getting, moving towards and final resolution of what we've put together here. I I would like to suggest and I'm certainly amenable to any further suggestions. But what I I think we need to do is codify what we have agreed to as a group into one document.

1:38:11.170 --> 1:38:42.460

Mark Landauer

And get that document posted so that all the members of the PRAC have sufficient time to be able to examine the document and what we've agreed to do here and then at our November 18th meeting it is,

it would be my intention to have a vote of the full pack on forwarding this draft to Senator Thatcher for submission to Legislative Council.

1:38:43.520 --> 1:38:56.430

Mark Landauer

That would be my intention, but I'm certainly open to suggestions and modifications to that procedural sort of outline that I just provided.

1:38:56.940 --> 1:39:21.590

Emily Harris (Guest)

Thanks, mark. Question to you. So where would the like you know, clean up bits like what Steve is talking about and what this compensation rate thing, would that be something that you'd like to see, for example, when we caught defied which I'm happy to do what we've agreed to is a group and post it for the public and the practicing and enough time to digest it, would it be appropriate in your estimation, would you like as chair of the full project to have at that point?

1:39:21.670 --> 1:39:31.200

Emily Harris (Guest)

You know, uh, some suggestions for clean up that are very specific that could be considered at the crack. Would that be appropriate to post as along with the what we've what we've agreed on.

1:39:32.650 --> 1:39:38.520

Mark Landauer

Well my my response would be Todd, how much time have we set aside for the Prague meeting?

1:39:39.350 --> 1:39:40.70

Emily Harris (Guest)

Two hours usually.

1:39:39.760 --> 1:39:45.880

Mark Landauer

I I my concern with with that might be that we get into a long drawn out.

1:39:45.960 --> 1:39:53.540

Mark Landauer

Rehashing of everything that we've been discussing and I would prefer to.

1:39:54.680 --> 1:39:55.350

Mark Landauer

You know.

1:39:56.210 --> 1:40:28.280

Mark Landauer

Limit that discussion simply because if you weren't on this subcommittee, you made that conscious decision not to participate in these discussions. Having said that, my preference would be that we get everything cleaned up prior to it being posted. I think that we need to have something solid that we've all pretty much come to agreement on and we can live with and defend our describe to the other members of the PRAC.

1:40:28.350 --> 1:40:28.980

Mark Landauer
For the public.

1:40:29.420 --> 1:40:36.560

Emily Harris (Guest)

OK. So should we just make those decisions of that these kind of housekeeping clean up pieces and put them in the final?

1:40:39.260 --> 1:40:39.720

Emily Harris (Guest)

Version.

1:40:40.250 --> 1:40:45.340

Mark Landauer

Personally, that would be my preference unless others have strong feelings in the other way.

1:40:46.260 --> 1:40:46.650

Emily Harris (Guest)

OK.

1:40:48.500 --> 1:40:50.640

Emily Harris (Guest)

I think Michael Crown, you had your hand up.

1:40:52.940 --> 1:40:53.460

Emily Harris (Guest)

Not any.

1:40:54.850 --> 1:40:55.540

Emily Harris (Guest)

OK, OK.

1:40:53.230 --> 1:40:58.480

Kron Michael C

I did, but I put it down marks statements answered my question.

1:40:58.230 --> 1:40:58.660

Emily Harris (Guest)

OK.

1:40:59.930 --> 1:41:2.420

Emily Harris (Guest)

Sender Thatcher has your hand up. Please go ahead.

1:41:3.940 --> 1:41:8.500

Sen Thatcher

Hey, just a heads up, I'm a little premature mentioning this but.

1:41:9.480 --> 1:41:16.240

Sen Thatcher

We're going to be tweaking all these things and then when it comes down to it, Legislative Council will do it, Legislative Council does.

1:41:16.960 --> 1:41:25.230

Sen Thatcher

And the other thing I want to mention is that we generally when there's been somebody real familiar with the legislation we give.

1:41:26.70 --> 1:41:30.740

Sen Thatcher

Legislative Council the permission note to mother. They call it to talk to.

1:41:31.840 --> 1:41:37.530

Sen Thatcher

Somebody about this and so keep in mind, you know, who do we want you, Emily. Or do we want our public records that.

1:41:38.80 --> 1:41:40.770

Sen Thatcher

Uh advisor to.

1:41:41.880 --> 1:42:5.800

Sen Thatcher

And to do this when it comes down to discussions of legislation, it doesn't need to be decided now, but once we get to what we think is the final thing, just keep in mind that the Legislative Council is gonna write things how they do, because that's why we have a legislative Council so that they can conform their their writing to, you know, the style and everything to how we do things in Oregon. So I don't know that there would be a lot of changes, but just keep in mind that.

1:42:6.800 --> 1:42:12.870

Sen Thatcher

Things might you know, there might be a lot of questions back and forth which need to be changed and you need to have that freedom to.

1:42:13.950 --> 1:42:28.730

Sen Thatcher

Then make an an executive decision, as you. Well, I mean I can, I can do, I can play that role and just advise be an advisor with you or the Legislative Council can talk to one or both of you. What whatever you guys decide. But that's just something to keep in mind for the future.

1:42:29.140 --> 1:42:52.530

Emily Harris (Guest)

That's great. Thank you very much, Senator Thatcher, and I mean, I would were one person, certainly defer to Todd as a lawyer and a, you know, about a five public records expert and the vice chair of the subcommittee, but would appreciate any role that was appropriate for you to play. Sender that trend you had time for as well. But that's great to have that heads up. Mark, you have your hands up.

1:42:53.990 --> 1:43:2.170

Mark Landauer

Yeah, I was just gonna say I I'm perfectly comfortable if if the two Co chairs of the subcommittee are listed as the people.

1:43:3.510 --> 1:43:10.640

Mark Landauer

The the Legislative Council can reach out to Senator Thatcher. I think that that's a wise move.

1:43:11.710 --> 1:43:36.800

Emily Harris (Guest)

Great. Thank you. OK, I know people may have to leave and I know we didn't take public testimony. I just wanna emphasize too, but I'm happy to anybody who can stay and and and listen to any public testimony that people would like to share at this time. I'm certainly available to stick around. And I'd like to say that this document will be posted and written public testimony on any pieces of it before the final crack meeting would be.

1:43:37.900 --> 1:43:55.600

Emily Harris (Guest)

You know, to the most efficient way to get any commentary considered. So I would encourage any members of the public who are interested in that to take advantage of that. We will get this posted to Thursday early next week for sure, probably by Tuesday. But as far as today.

1:43:57.240 --> 1:44:0.960

Emily Harris (Guest)

I'm I'm happy to, to, to, to, to stay even if we don't have a quorum, Steve.

1:44:5.410 --> 1:44:5.910

Emily Harris (Guest)

Ohh.

1:44:1.880 --> 1:44:7.600

Suo, Steve

And do we need to vote on sending it to the full crack, and if so, I'm happy to make that motion.

1:44:10.120 --> 1:44:10.560

Suo, Steve

I I'd like.

1:44:7.840 --> 1:44:11.580

Emily Harris (Guest)

OK, probably. Shall we? Do you have a? Yeah, go ahead.

1:44:11.370 --> 1:44:13.760

Suo, Steve

I'd like to move that we move that that we.

1:44:15.640 --> 1:44:25.210

Suo, Steve

Deliver the the document as written and agreed upon to the full crack, with the understanding that any housekeeping that needs to be addressed can be done so down the line.

1:44:26.150 --> 1:44:39.990

Emily Harris (Guest)

It's a little bit different than what Mark was proposing, just as far as cleaning it up, posting, cleaning it up and posting it. So like these, these housekeeping things actually be done and posted as what the subcommittee agreed on.

1:44:41.410 --> 1:44:52.60

Emily Harris (Guest)

So just to point that out, I mean, I'm happy to entertain this this, this motion. But I mean, I'm hearing it a slightly different mark from the procedure you just laid out that you wanted to do. Do you have any comments?

1:44:55.980 --> 1:45:6.320

Mark Landauer

Thank you, Emily. My preference would be to have a final final project product that goes before the public and and those who are interested.

1:45:7.500 --> 1:45:16.150

Mark Landauer

Whether that requires another meeting, I don't know. I sort of leave that perhaps to the Co chairs discretion.

1:45:18.140 --> 1:45:23.40

Mark Landauer

But my preference would be to have the final final before we.

1:45:25.440 --> 1:45:28.240

Mark Landauer

Necessarily get that posted.

1:45:29.240 --> 1:45:40.470

Emily Harris (Guest)

OK, I'm just looking through this to see if there's anything there may be other things people other people have found, but the pieces I've highlighted in blue as sort of clean up things are. This is one that Steve.

1:45:41.690 --> 1:46:0.940

Emily Harris (Guest)

Flagged the the the What the lawyers time is is recoverable. Comp hourly compensation versus rate was a word we just we just didn't go. We didn't settle on that. I think those might be the only two things that are left. Yeah, there in what we've agreed on.

1:46:1.610 --> 1:46:2.150

Emily Harris (Guest)

Umm.

1:46:3.240 --> 1:46:4.790

Emily Harris (Guest)

Does knowing that affect?

1:46:6.70 --> 1:46:6.330

Suo, Steve

Cool.

1:46:5.660 --> 1:46:7.430

Emily Harris (Guest)

You know, either you, Steve or you, Mark.

1:46:10.260 --> 1:46:13.30

Mark Landauer

Well, let's ohh go ahead, Steve, please.

1:46:10.560 --> 1:46:35.390

Suo, Steve

I I I'm I I think these are things that you can probably just change Emily and post as changed I I mean I think they are truly housekeeping. I worry a little bit that somebody may look at it and say wait a second I have questions. So maybe we can schedule a shorter meeting like half an hour or 45 minutes with the sub.

1:46:37.900 --> 1:46:38.370

Emily Harris (Guest)

Committee.

1:46:42.650 --> 1:47:5.880

Emily Harris (Guest)

Umm, I mean, that's fine with me. Do people have time for that? Can we do that? It would be just what we would be looking at is the whole codifying what we've agreed to with two sections of housekeeping flagged up. Obviously it have opportunity to bring up any other housekeeping motions, but that it would be a housekeeping only meeting. So we would be we would be.

1:47:6.580 --> 1:47:9.180

Emily Harris (Guest)

Only dealing with things were inconsistent or unclear.

1:47:10.600 --> 1:47:24.650

Emily Harris (Guest)

Unclear of our intent like this compensation versus wage thing that we never settled on a word I would. I would not want to at this point open the meeting to the more discussions of policy. I think our intent in policy is clear.

1:47:26.370 --> 1:47:27.340

Emily Harris (Guest)

Uh, Tyler?

1:47:33.20 --> 1:47:33.350

Emily Harris (Guest)

I.

1:47:27.910 --> 1:47:57.950

Tyler Janzen, AOC

Well, if we're talking about two changes, the irony that we've spent more time talking about talking about these changes is not lost on me. I mean, I think what we have here is pretty I don't have any strong objections to this. I see that this change that Steve has proposed is removing a redundancy compensation, whatever it is, that's current practice. If current language is compensation and we're not talking about changing that, let's leave it as compensation. I would I just second the idea, let's have a final final draft to go before the.

1:47:58.80 --> 1:48:1.350

Tyler Janzen, AOC

Before the full crack so that we can just move on.

1:48:1.990 --> 1:48:7.820

Tyler Janzen, AOC

Umm, I don't think we have anything controversial here, and if it's these two changes, maybe we can knock him out now while we have a quorum.

1:48:8.680 --> 1:48:11.220

Emily Harris (Guest)

OK, thanks. I was appreciate pragmatism, Todd.

1:48:12.170 --> 1:48:39.140

ALBERT Todd * PRA

Yeah, Tyler's right. Review cost being recoverable even if records are not disclosed. And the fact that a public body can charge an hourly compensation are both the current standards and the law. Current law doesn't say compensation, it leaves it agnostic and public bodies can just charge hourly rates or hourly rates plus fringe benefits or compensation and compasses all that. So I would be in favor of keeping these in and then deferring to you, Emily, to finalize the product with that understanding.

1:48:39.510 --> 1:48:40.190

Emily Harris (Guest)

OK.

1:48:43.110 --> 1:48:43.670

Emily Harris (Guest)

Go ahead.

1:48:40.260 --> 1:48:43.940

Mark Landauer

In order to, I'm sorry I was interrupting.

1:48:45.520 --> 1:48:48.400

Mark Landauer

Steve's hand was up before mine. Emily, I'm sorry.

1:48:47.960 --> 1:48:50.550

Emily Harris (Guest)

Yeah. And we're actually also, he had put a motion out.

1:48:50.960 --> 1:48:54.750

Mark Landauer

Oh well, I I was just going to make a motion to retain.

1:48:55.220 --> 1:49:0.710

Mark Landauer

Umm. Basically what Todd just outlined, let's let's finish this.

1:49:2.50 --> 1:49:14.450

Emily Harris (Guest)

So retaining conversation and then, Umm, can I just can we get this language right? See this? You know, I read your piece because, like, pretty detailed. So what should this say to make it make it what should be crossed off and what should?

1:49:15.460 --> 1:49:16.370

Emily Harris (Guest)

Be added to make.

1:49:17.160 --> 1:49:19.920

Emily Harris (Guest)

And they could come into compliance like compliance with itself.

1:49:21.340 --> 1:49:23.690

Suo, Steve

Well, I don't have the document handy.

1:49:24.630 --> 1:49:25.100

Emily Harris (Guest)

I do.

1:49:26.750 --> 1:49:27.760

Emily Harris (Guest)

Somewhere. Hang on.

1:49:37.50 --> 1:49:37.340

Emily Harris (Guest)

OK.

1:49:42.340 --> 1:49:46.910

Emily Harris (Guest)

OK. So we should. It says we should delete 324 four B.

1:49:47.520 --> 1:49:47.910

Suo, Steve

Yes.

1:49:48.390 --> 1:49:52.160

Emily Harris (Guest)

Which is the public body main food which which is this.

1:49:53.940 --> 1:49:54.350

Emily Harris (Guest)

OK.

1:49:52.750 --> 1:49:58.80

Suo, Steve

Yeah. And then and then in our proposal C.

1:49:58.750 --> 1:49:59.210

Suo, Steve

No way.

1:49:58.410 --> 1:49:59.470

Emily Harris (Guest)

Uh-huh. Review.

1:50:0.410 --> 1:50:1.210

Suo, Steve

Yeah, review.

1:50:2.230 --> 1:50:6.700

Suo, Steve

From determining, delete everything after determining.

1:50:7.760 --> 1:50:8.130

Emily Harris (Guest)

Mm-hmm.

1:50:8.870 --> 1:50:10.720

Suo, Steve

Didn't change that to.

1:50:11.810 --> 1:50:15.210

Suo, Steve

The application of the provisions of ORS.

1:50:18.500 --> 1:50:20.320

Suo, Steve

192.311.

1:50:21.460 --> 1:50:23.230

Suo, Steve

2192.478.

1:50:28.110 --> 1:50:29.620

Suo, Steve

So that's the language from the current.

1:50:30.540 --> 1:50:32.670

Suo, Steve

Statute that we're preserving.

1:50:34.650 --> 1:50:35.700

Suo, Steve

Application singular.

1:50:37.40 --> 1:50:37.280

Suo, Steve

Yep.

1:50:33.310 --> 1:50:48.340

Emily Harris (Guest)

OK. And we're also proposing. Oops, sorry. Don't do that and just cross it. Where's the Z? OK. And then the next. OK. And then this is current law. Is that where is that correct? Todd, review costs are recoverable even if a record ultimately is not disclosed.

1:50:48.750 --> 1:50:49.180

Mark Landauer

Yes.

1:50:48.790 --> 1:50:49.400

ALBERT Todd * PRA

Correct.

1:50:49.660 --> 1:50:50.360

Emily Harris (Guest)

OK.

1:50:58.30 --> 1:50:58.940

Mark Landauer

So moved.

1:50:51.450 --> 1:51:0.50

Emily Harris (Guest)

And it would be compensation, not rate, as his proposal. OK. So can I get a motion to adopt this language? OK, any seconds?

1:51:0.620 --> 1:51:1.110

Suo, Steve

2nd.

1:51:0.740 --> 1:51:1.190

ALBERT Todd * PRA

2nd.

1:51:1.500 --> 1:51:2.790

Emily Harris (Guest)

All in favor say aye.

1:51:3.50 --> 1:51:3.640

Mark Landauer

I.

1:51:3.500 --> 1:51:3.830

Suo, Steve

Hi.

1:51:3.510 --> 1:51:4.0

ALBERT Todd * PRA

I.

1:51:3.300 --> 1:51:7.840

Emily Harris (Guest)

I any no Alan nay. All opposed say no.

1:51:9.440 --> 1:51:10.290

Emily Harris (Guest)

Any abstentions?

1:51:11.660 --> 1:51:28.760

Emily Harris (Guest)

OK, great. So it's passed as we see it here. Thank you all very much. We'll go ahead and clean it up with Todd. Todd and I will clean up and get it posted and shared around and again, thank you for staying over and I will be happy in anyone else's welcome to stay.

1:51:29.820 --> 1:51:37.520

Emily Harris (Guest)

To hear public testimony, and we did during the commute during the meeting. After that if is there anybody who wants to make public testimony, people can go if they need to.

1:51:42.110 --> 1:51:54.660

Emily Harris (Guest)

OK. And I don't see any hands or mic soaked, just to reemphasize, this will be available to the public and written comments will be or will comments welcome written comments are gonna be the fastest way to get it considered.

1:51:56.40 --> 1:51:57.630

Emily Harris (Guest)

Thank you all for participation, Mark.

1:51:58.940 --> 1:52:18.460

Mark Landauer

Hey, I just wanna thank everyone of you for sitting down, really being thoughtful and open and really working hard on this. This is not easy stuff. And as Tyler and I and others have said, you know, this is where we.

1:52:18.540 --> 1:52:49.130

Mark Landauer

And you know, have have really tried to make some improvement in transparency for the state of Oregon. That's not to say that our Members are necessarily going to support this, right? I've I've made that clear. But I I really wanted just acknowledge all the hard work that each one of you have put into this. And I'm very grateful to be a part of this discussion, despite the fact that I'm probably going to get take a number of arrows and other things.

1:52:49.490 --> 1:52:55.460

Mark Landauer

In this process, but I I do want to express my appreciation to each and everyone of you. Thank you.

1:52:56.20 --> 1:53:22.220

Emily Harris (Guest)

Thank you, mark. And I wanna wholeheartedly second that all the ideas that people brought forward, the ideas that have laid out other things for us to work on in the future, values that reflect Oregonians desire for connection with their government or reflected in a lot of these ideas. And I'm really encouraged and appreciate it. And I hope that mark, I totally hear you. I know. I mean, the SPJ might oppose it. Who knows, right?

1:53:22.290 --> 1:53:30.950

Emily Harris (Guest)

Yeah, you did. Well, we all may be taking arrows, but I hope that this worked together to hammer out the language and the concepts has been.

1:53:31.830 --> 1:54:0.970

Emily Harris (Guest)

Strong enough and the research strong enough and the working through the values that we you know share explicitly strong enough that that we can continue to work to together to support this as it works through the legislative process and come back together if we need to as it is being revised which we expect to see where we sit as a, the people who worked through it for so long. So thank you all very much. Do I have a motion to adjourn.

1:54:3.30 --> 1:54:3.640

ALBERT Todd * PRA

So moved.

1:54:4.190 --> 1:54:4.730

Mark Landauer

2nd.

1:54:9.380 --> 1:54:9.740

Mark Landauer

Aye.

1:54:9.330 --> 1:54:9.750

Tyler Janzen, AOC

Alright.

1:54:5.140 --> 1:54:9.810

Emily Harris (Guest)

OK, we may not even have a quorum left, but I'll yeah, we do. All in favor, say aye. Hi.

1:54:10.820 --> 1:54:11.430

Kron Michael C

Aye.

1:54:9.280 --> 1:54:12.970

Emily Harris (Guest)

I. OK. Great. Adjourned. Thank you so much everyone.

1:54:13.420 --> 1:54:13.940

Tyler Janzen, AOC

Thank you.

1:54:13.640 --> 1:54:14.30

Mark Landauer

Thank you.

1:54:13.760 --> 1:54:14.230

Kron Michael C

By here.