

80th OREGON LEGISLATIVE ASSEMBLY--2020 Regular Session

Senate / House Bill \_\_\_\_\_

Sponsored by \_\_\_\_\_ (at the request of Public Records Advisory Council) (Pre-session filed.)

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SUMMARY

Changes the manner in which the Public Records Advocate is selected. Empowers the Public Records Advisory Council to appoint the Public Records Advocate, who ~~serves at the pleasure of the Council; reports to the Council.~~

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A BILL FOR AN ACT

Relating to the Public Records Advocate; amending ORS 192.461 and section 8, chapter 728, Oregon Laws 2017.

Be It Enacted by the People of the State of Oregon:

SECTION 1. ORS 192.461, as amended by section 16, chapter 728, Oregon Laws 2017, and Section 1, chapter 107, Oregon Laws 2019, is amended to read: 192.461.

(1) The office of the Public Records Advocate is created. ~~The Public Records Advocate shall function separately and independently from any other state agency.~~

Commented [GM1]: This language is lifted from the Long Term Care Ombudsman's statute

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(2) ~~[The Public Records Advocate shall be appointed by the Governor from among a panel of three qualified individuals nominated by the Public Records Advisory Council under section 8, chapter 728, Oregon Laws 2017, and shall be confirmed by the Senate in the manner prescribed in ORS 171.562 and 171.565.]~~ ~~The Public Records Advisory Council shall appoint the Public Records Advocate who shall serve at its discretion shall be removable for cause by the Council. The advocate shall report to the Council, and shall serve as custodian of Council records. The advocate shall chair the council, administer the laws, and appoint, assign and coordinate personnel of the council within budget limitations and the State Personnel Relations Law.~~

Commented [GM2]: Lifted from Rob's proposals (OLCC statute), with modification to clarify that Advocate reports to the Council.

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(3) The Public Records Advocate shall be a member in good standing of the Oregon State Bar.

~~[(4) The term of office of the Public Records Advocate shall be four years, except that the advocate may be removed for cause by the Governor or upon motion of the Public Records Advisory Council with the consent of the Governor. A determination to remove for cause may be appealed as a contested case proceeding under ORS chapter 183.]~~ ~~by vote of seven members of the Council.~~

Commented [GM3]: This needed to be removed anyway, per DAS HR, because unclassified service usually means serving at the pleasure of the Governor

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~~[(5) The advocate may be reappointed to consecutive terms.]~~

~~[(6)] (4) The Public Records Advocate is in the unclassified service.~~

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