

The Oregonian

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**Testimony of Therese Bottomly, Managing Editor, The Oregonian
In Opposition to HB 3513
House Committee on Rules
May 22, 2013**

Chair Garrett and Members of the Committee:

Thank you for the opportunity to provide comments in opposition to House Bill 3513. While I attended the previous two scheduled hearings, I am afraid I cannot return to Salem for today's hearing. Please accept this written testimony in the alternative.

As you may recall, the idea of changes to the open meetings law originally came up during the 2012 short session. People quickly realized it was a very complex issue and more harm than good could be done without a deliberative process.

I was a member of the work group that worked on this bill over the interim. We put many hours into the effort to provide clarity to a situation muddled by the Lane County court decision in Dumdi vs. Handy. The proposed wording was an attempt to give public officials a bright line for when they are running afoul of the open meetings law.

In all honesty, I don't think the new language is an improvement on the existing language. The new language creates new areas of ambiguity. In addition to lacking clarity, the proposed language narrows the scope of the open meetings law.

The Lane County case is an outlier. The current law has served us well for 40 years. We should stick with it. If public officials have questions about appropriate behavior, I would encourage them to read the Lane County decision. It's pretty clear: Don't do what they did. If public officials want a bright line, it's this: when the public's business is being done, it should be done in public.

A more lax and lenient open meetings law might make governing easier, but it also would make it more secret. This bill expands areas of the workings of government that could be outside the public's view. I suggest to you the best course of action is to leave the current language in place and reject HB 3513.

Thank you for your time. Please do not hesitate to contact me if you have any questions.

Therese Bottomly, Managing Editor

