

**KATE BROWN**  
**GOVERNOR**



February 6, 2017

**To:** Chair Riley and members of the Senate Committee on General Government and Accountability

**Subject:** SB 106

Mr. Chairman, and members of the Committee, thank you for having me here today. My name is Emily Matasar, and I am the Government Accountability Attorney in the Governor's Office.

As you know, one of Governor Brown's leading priorities is improving state government accountability and transparency. Governor Brown believes in a state government that is open, accessible and accountable to its people.

In the two years that she has been in office, Governor Brown has taken a number of executive and administrative actions to improve the state's public records systems. Most recently, the State has made significant progress in the efficiency and fairness of administering public records law. In January 2016, through Executive Order No. 16-06, the Governor directed DAS to work with the Governor's office to implement recommendations from the Secretary of State's 2015 Audit. As a result, every single state agency has adopted a public records policy compliant with the state archivist's model policy. And just this week, DAS will implement a Statewide Standardized Fee-Structure to help standardize both the grant of fee waivers and the cost of requests.

But the reality is that there is still much more we can do. Governor Brown believes there are many improvements that can still be made, at both the state and local levels. Senate Bill 106 would be a significant step toward making such improvements.

Senate Bill 106 creates the office of the Public Records Advocate, whose core mission is to improve the way public bodies respond to public records requests. The Advocate will serve government bodies, requesters, and the public at large by 1) providing education and training on topics related to public records; 2) mediating disputes between public bodies and requesters on the most common public records disagreements, such as the scope of the request, denials of fee waivers, and costs to produce; and 3) providing guidance and advice on public records topics by issuing advisory opinions.

Senate Bill 106 also creates the Public Records Advisory Council, which will meet regularly to discuss public records practices and procedures and will make recommendations to the Governor and Legislative Assembly.

The Governor is passionate about Senate Bill 106, and we are still working out the details with various stakeholders, including those who came to speak today. We want to ensure that this is a value-add to the state's public records process and not an impediment. That means the input of stakeholders and the public is essential to developing a meaningful position.

The Governor believes that the Public Records Advocate and Public Records Advisory Council is another step toward improving administration of the public records law and ultimately toward guaranteeing an open, accessible and accountable government.

Sincerely,

Emily Matasar  
Government Accountability Attorney  
Office of Governor Kate Brown