

June 25, 2020

Joint Committee on the First Special Session of 2020  
Oregon State Capitol  
900 Court Street NE, Room 453  
Salem, Oregon, 97301

Chair Courtney, Co-Chair Kotek and Member of the Committee:

Thank you for the opportunity to provide this written testimony. The Special Districts Association of Oregon represents 956 members including rural fire protection, 9-1-1 telecommunications, park and recreation, library, water, sewer and ports among others. We would like to thank the committee for the inclusion of Sections 1 & 2 of House Bill 4212 and request the adoption of the -23 amendment.

On April 15<sup>th</sup> of this year, Governor Brown issued Executive Order 20-16. That order covered a series of statutory requirements that would have forced local governments to contradict COVID-19 related guidance already provided by the state. Those requirements covered topics including the adoption a local budget law, how to conduct public meeting, executive sessions, what would constitute a quorum if an elected official contracted the disease, and if a local government failed to adopt a budget in a timely manner.

Section one of the bill is intended allow local government to continue to operate in an open and transparent manner to the public during these difficult times of social distancing. Among other things, it permits local governments to conduct public meetings whether in person, virtually, telephonically or using some other electronic means that will be accessible while ensuring the public's input.

Regrettably we have found a mistake with the current language in subsection 4 of Section 1 that would have some unintended consequences and likely create some confusion amongst local governments. The intent was to ensure timely notification of certain public meetings. However, the language is superfluous because the statute already more than adequately covers this situation under ORS 192.640(3).

ORS 192.640(3) No special meeting shall be held without at least 24 hours' notice to the members of the governing body, the news media which have requested notice and the general public. In case of an actual emergency, a meeting may be held upon such notice as is appropriate to the circumstances, but the minutes for such a meeting shall describe the emergency justifying less than 24 hours' notice. [1973 c.172 §4; 1979 c.644 §3; 1981 c.182 §1]

The -23 would remove this unnecessary language and for this reason we ask that you adopt the -23 amendment. Thank you for your consideration.

Sincerely,

Mark Landauer  
Special Districts Association of Oregon