

Secretary of State
STATEMENT OF NEED AND FISCAL IMPACT
A Notice of Proposed Rulemaking Hearing accompanies this form

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ARCHIVES DIVISION
SECRETARY OF STATE

Secretary of State, Archives Division

166

Agency and Division

Administrative Rules Chapter Number

Expand public records training and add facilitated dispute resolution for public records requests.

Rule Caption (Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.)

In the Matter of:

Implementing the Secretary of State's Oregon Access Project to improve public records access, the Archives Division will expand public records trainings for members of the public, media, state agencies, and local governments while also adding a new service: facilitated dispute resolution for public records requests. This will maximize current staff expertise, use existing resources, and avoid unnecessary duplication.

Statutory Authority:

ORS 192.015; ORS 357.895; ORS 357.855; ORS 357.875

Other Authority:

Statutes Implemented:

ORS 192 & 357

Need for the Rule(s):

To improve public records transparency by establishing a standardized process for training and evaluating public records management and requests for members of the public, media, state agencies, and local governments.

Documents Relied Upon, and where they are available:

Summary of other state public records ombudsman/mediation programs. Available upon request from the State Archives mary.e.herkert@state.or.us

Fiscal and Economic Impact:

This rule can be absorbed within existing agency resources. Expanded training and availability of dispute resolution services will help reduce costs for all who participate in the public records request process, including state agencies, local governments, members of the public, and the media. By maximizing current Archives staff expertise, using existing resources, and avoiding unnecessary duplication, Oregon will save over \$3.5 million over the next decade compared to alternatives.

Statement of Cost of Compliance:

1. Impact on state agencies, units of local government and the public (ORS 183.335(2)(b)(E)):

None

2. Cost of compliance effect on small business (ORS 183.336):

a. Estimate the number of small business and types of businesses and industries with small businesses subject to the rule:

None

b. Projected reporting, recordkeeping and other administrative activities required for compliance, including costs of professional services:

None

c. Equipment, supplies, labor and increased administration required for compliance:

None

How were small businesses involved in the development of this rule?

They were not since there is no impact on them.

Administrative Rule Advisory Committee consulted?: No

If not, why?:

This is not a new administrative function for the Archives Division. Since we already have ongoing trainings, relationships and communications with state and local government agencies and designed these rules based on feedback received from them, we did not feel the need to create a Rules Advisory Committee at this time.

06-26-2017 Close of Hearing Julie Yamaka julie.a.yamaka@state.or.us
Last Day (m/d/yyyy) and Time Printed Name Email Address
for public comment

Administrative Rules Unit, Archives Division, Secretary of State, 800 Summer Street NE, Salem, Oregon 97310.

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