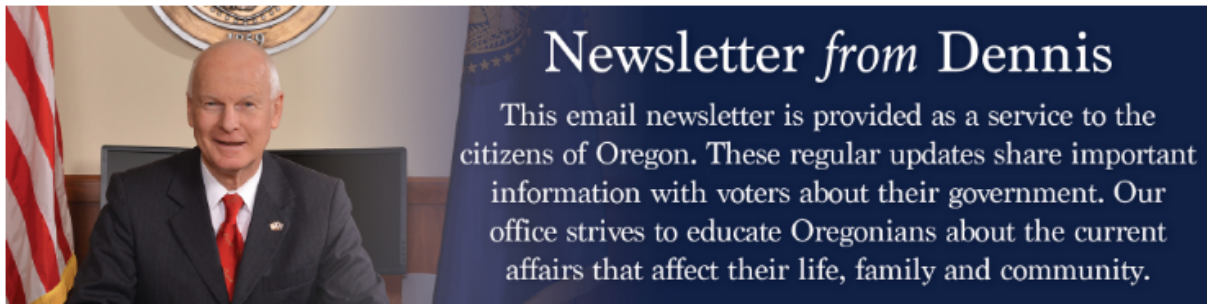




## Oregon Secretary of State Dennis Richardson

### Secretary of State's Post Legislative Session Newsletter

*Oregon Secretary of State Dennis Richardson sent this bulletin at 07/10/2017 04:39 PM PDT*



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Mark Twain once said: "No man's life, liberty, or property are safe while the legislature is in session." While, sadly, this is true more often than we'd all like to admit, the legislature does some very important things for Oregonians. With the 2017 legislative session now over, I wanted to update you on some transparency and accountability bills that I supported and passed with broad bipartisan support.

#### **Accessibility & Transparency for State Rules (Senate Bill 227)**

Since I mentioned Mark Twain, I'll stay on the topic of 19<sup>th</sup> century writing processes and discuss Oregon's Administrative Rulemaking. As many of you already know (especially those who make a living in agriculture, medicine, or banking), the legislature often does not nail down every detail when passing bills. That's why we have administrative rules, which are guidelines written by agencies to govern and regulate how bills are implemented. In all candor, Oregon's current administrative rulemaking process is opaque at best and downright anti-transparent at worst.

Now that the people of Oregon have put me in a position to affect some changes, I have prioritized restoring transparency to administrative rulemaking. I'm happy to report that with the passage of SB 227, Oregon's administrative rules will be processed online as opposed to the manual, paper-based system we use today. My office will soon be launching a searchable online database where citizens can track new rules all the way through the process. This may seem like a small change, but it gives the busy people of Oregon, who can't afford to spend hours and hours combing through files in Salem, instant access to the decisions your government is making. This will also save money and increase environmental conservation due to much less printing and paper. Special recognition goes to Senator Chuck Riley (Democrat from Hillsboro) for his work to help pass this bill.

## **Campaign Finance Accountability (Senate Bill 225)**

This may shock you, but sometimes lawyers make mistakes. I know I know, it's a hard fact to accept. Well, it happens, and it happened in the Oregon Legislature in 2013, when an error was made on a bill that shifted liability for campaign finance violations from campaign treasurers to candidates. Since political action committees and petition committees don't have candidates, this oversight left Oregon with no way to hold political and petition committees accountable for campaign finance law violations. For example, under the previous law the high-spending campaigns on both sides of the Measure 97 debate last year could have refused to disclose their donors (in violation of Oregon law), and my office would have been powerless to do anything about it.

Fortunately, most people were unaware of the 2013 mistake, so there haven't been any big problems. Since part of my job as your Secretary of State is to anticipate and avoid problems, my office shepherded Senate Bill 225 through the legislative process this session and it will now become law. SB 225 will preserve transparency and accountability in Oregon's campaign finance reporting by requiring every political committee to designate someone who can be held accountable for any reporting violations. Special recognition goes to Senator Brian Boquist (Republican from Dallas) for his work to help pass this bill.

## **Sunshine Committee Transparency Reform (House Bill 2101)**

Oregon's public records law is filled with hundreds of loopholes allowing government entities to refuse to disclose public records. The Society of Professional Journalists (SPJ) came up with the idea of a Sunshine Committee that would review all of these loopholes to find ones that can be modified or eliminated to increase government transparency. After the SPJ initially received a chilly reception from legislators, they asked me to help promote their idea. I gladly agreed! Working together with the SPJ and Representative John Huffman (Republican from The Dalles), a specific proposal to house the Sunshine Committee in my office was negotiated and the bill "got legs." I worked with our State Archivist, Mary Beth Herkert, to reprioritize staff work in the Archives Division, so that this additional assignment could be accomplished within the Archive's budget and without additional cost to the state. Unfortunately, politics entered into the consideration of this important transparency bill.

While we were able to help raise the profile of this issue, some legislators were resistant to the idea of housing this transparency effort in an office overseen by someone from a different party than their own. While this sort of partisan gamesmanship is regrettable, I was determined not to let it sink this critical transparency reform. I suggested moving the Sunshine Committee to the Attorney General's office, and the bill was amended and passed accordingly. In my opinion, House Bill 2101 was the biggest public records reform this session and a huge win for government transparency. As former President Harry S. Truman once said, "It is amazing what you can accomplish if you do not care who gets the credit." Special recognition goes to Nick Budnick (a reporter with the Portland Tribune who oversees legislative work for SPJ), Attorney General Ellen Rosenblum, and Representative Huffman for their work to help pass this bill.

## **Holding Fraudulent Corporations Accountable (House Bill 2191)**

House Bill 2191 gives the Secretary of State the ability to shut down fraudulent "shell" corporations that are used as fronts to conceal illicit business transactions, launder money, and evade taxes. During consideration of this concept, the legislature considered a wide variety of ideas, some of which would have placed significant burdens on small businesses and been very costly to enforce. My office worked collaboratively with a variety of stakeholders—including small businesses—to ensure that the final product was fiscally responsible and targeted bad actors without adding new burdens on the vast majority of law abiding businesses.

I'll continue to do all I can to help grow our economy by protecting job-creating small businesses. I'm also determined to crack down on criminals who defraud Oregon consumers. Special recognition goes to

Representative Paul Holvey (Democrat from Eugene) and Attorney General Ellen Rosenblum for their work to help pass this bill.

### **Expanding Voter Access (Oregon Administrative Rule 165-005-0180)**

On June 16, I finalized a major expansion of voter access through a new administrative rule that protects the rights of an estimated 60,000 Oregonians to receive ballots, including Oregonians serving our country on military deployments, college students, and voters frustrated with the political system. Previously, tens of thousands of Oregonians were not mailed ballots because their voter registrations were moved to inactive status when they did not vote in five years. The new rule will keep voters active even if they haven't voted for ten years, so long as their ballots are not returned as undeliverable. This rule was the first major expansion of voter access that received bipartisan support in many years.

In sum, throughout the 2017 legislative session I kept my promise to avoid taking positions on legislation that did not affect my work as Secretary of State. And, for those bills that did, my team worked hard for you during this session and will continue to do so.

### **Remodeling the Secretary of State's Capitol and Public Services Office Space.**

In Salem, the 200+ employees of the Secretary of State's various divisions are located in the Capitol and across the street from the Capitol in the Public Services Building. Since it has been more than forty years since the Secretary of State's Capitol office has had its stained and worn carpeting replaced, the Capitol Facilities Department has scheduled carpeting and painting projects to occur now that the legislative session has concluded. To accommodate the SOS executive team while remodeling of the Capitol offices occurs, addressing health concerns (there is asbestos under the old carpet) and to provide additional conference and office space for the future, the Dept. of Administrative Services has installed two new walls and doors in the Public Employee Building. Some of the old furniture will be transferred to the new space and a new couch and chairs have been ordered for the remodeled Capitol office. You know that I am very careful about spending the people's money, so the costs incurred for these upgrades have been kept to a minimum and were paid from the 2015-17 budget of the previous Secretary of State.

### **Update on Expanding Access to the Secretary of State**

Oregon is a big state and it is important for me to make myself available to county and city officials, local businesses and individual citizens, and whenever possible, to do so without requiring them to spend the time and money to travel to Salem. To accomplish this, I am making frequent trips to Portland, the tri-counties and around the state. We are also increasing our abilities to conduct tele-video conferencing. Recently, I have hosted two thirty-minute video tele-conferences with nearly a dozen statewide attendees, some of whom previously would have lost several hours in travel time for a face-to-face meeting at the Capitol. In addition, at no cost to the state, I've established a Sothern Oregon Secretary of State office in Jackson County. Now, I can schedule meetings with local officials, businesses and citizens from Douglas, Curry, Josephine, Jackson, Klamath and Lake counties at 55 South Fifth St, Central Point, OR 97502. Cathy and I decided that rather than rent out my old law office for \$800 to \$1,000 per month, we would forego the income and donate the space as a Sothern Oregon Secretary of State office for as long as I'm the Secretary. The only cost to the state was for a couch, flags and a couple of chairs. If you need to meet with me and it would be more convenient to do in the southern Oregon office, just call for an appointment.

That's the news for now. We're expanding our emphasis on responding to citizen inquiries, suggestions, and whistleblowers. If you have a concern please, call our 24/7 whistleblower hotline at 800-336-8218 or file a report online: <https://oregonsos.alertline.com/gcs/welcome>

Thank you for this opportunity to serve as your Secretary of State.

Sincerely,

Dennis Richardson

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