

Public Record Requests
Meeting Minutes
December 15, 2014

ATTENDANCE

Barry Wood
Brian Kane
Dan Blocksom
Julie Hart
Tyler Mallard

Benny Poole
Cally Younger
Jeremy Pisca
Lorna Jorgensen

Betsy Russell
Cynthia Sewell
Jim Dickinson
Seth Grigg

AGENDA

1. Review Minutes
2. Legislation Draft
3. Recodification Approval
4. Next Meeting

DISCUSSION

1. Review Minutes
 - a. Brian Kane moved to approve minutes
 - b. Betsy Russell second
 - c. Minutes approved, all in favor
2. Legislation Draft
 - a. Public records and open meeting ombudsman.
 - i. Emphasis on ombudsman issuing advisory opinions in an attempt to resolve disputes
 - ii. Cities/counties concerned about an ombudsman and the disconnect an ombudsman would potentially have
 - b. Public records and open meetings committee created – Membership – Terms –Vacancies –Expenses.
 - i. Changed one citizen on the committee to two
 - ii. One person representing political subdivisions changed to one elected person representing a city or county general purpose unit of government.
 - iii. Added the state archivist to the committee
 - iv. Staggering terms discussion still being worked out
 - v. Brian Kane proposes having an attorney on the committee
 - vi. Betsy suggests one of the citizens members be required to have legal experience
 - c. States Records Committee – Duties
 - i. Added storage and maintenance to the agency retention policies
 - ii. Three members must now be present for a quorum

- d. Appeals to the public records and open meetings committee.
 - i. The committee now has discretion to allow parties to testify, provide evidence, or comment on the issues
 - ii. Some language in this section cleared up
 - iii. Section discussing what can be disclosed or not disclosed to requester has been removed
 - iv. Tolling statute of limitations added
- e. Issues
 - i. Brian concerned about the time frame
 - 1. Current time frame is modeled after the Utah statute
 - 2. Media is guaranteed a trial in 28 days under current law but this process could make it longer
 - 3. Group agrees to clean up time frame issues to make it quick and efficient
 - ii. Fees
 - 1. Brian also concerned about fee schedules because they can be extremely complicated
 - 2. Betsy wants to make sure people are not denied access because of their inability to pay
 - 3. Brian to look over fee language by next meeting
 - iii. Concerns from cities/counties
 - 1. Seth proposes laying this idea out at the state level and seeing how it works for a few years before requiring cities/counties to follow the system
 - 2. Penalty process is a lot to take in
 - 3. Also concerned with an ombudsman being unfamiliar with local situations
 - 4. Do not want the local prosecutor to be fighting against an ombudsman if they find different opinions
 - 5. Jeremy suggests a sunset provision instead of step by step process but cities/counties tentative to a sunset provision as well
 - iv. Overall
 - 1. Betsy extremely excited about this draft because she believes it could heal a large hole in the current PRR law making it cheaper, easier, and quicker for all interested parties.
- 3. Recodification Approval
 - a. Everyone agrees with the recodification of current law
 - b. Brian Kane to draft
 - c. Jeremy motioned to move forward with recodification
 - d. Seth second

- e. All in favor to move forward
4. Next Meeting
- a. Jeremy meeting with Judge Wood to hear the Judiciary's input
 - b. Move recodification quickly, goal to have it out by the beginning of 2015 legislative session
 - c. Meeting adjourned at 11:45 am

NEXT MEETING
Monday, January 12, 2015
9:00 am