

# Oregon Fish and Wildlife Commission

*GOVERNANCE MANUAL*

*Approved at the June 13, 2025 Meeting*

# OREGON FISH AND WILDLIFE COMMISSION

## Governance Manual 2025

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## WHY IS THIS NEEDED?

The Oregon Fish and Wildlife Commission (Commission) is a volunteer member commission whose role is to represent the public interest and make decisions affecting the fish, wildlife, and habitat resources of the state. They do this by using their statutory authority in support of the agency's mission which is to protect and enhance Oregon's fish and wildlife and their habitats for use and enjoyment by present and future generations. *This manual is intended to support the work of individual Commissioners and advance the work of the Commission as a statewide body.*

Oregon has many laws, rules, and policies established to guide the work of statewide commissions and boards, of which key elements are incorporated into this guidance manual. In addition to these guiding materials, in 2024, Governor Kotek asked the natural resource agency directors to focus their respective boards and commissions on:

- Enhancing transparency and collaboration;
- Strengthening internal partnerships; and
- Implementing best practices by developing and instituting policies that define best practices for all commission members.

This manual was created in response to the Governor's direction and serves as a valuable resource for onboarding new members of the Commission and interpretations for existing Commissioners. It includes language from relevant laws, rules, and policies that apply to the Commission's work and explains how those laws, rules, and policies are put into practice by the Commission. Relevant laws, rules, and policies are referenced so that Commissioners may delve deeper, should they choose. It also points commissioners in the direction of additional resources on which they can rely to do their work.

In addition to this Governance Manual, the Director's Office will maintain a central location for resources to support Commissioners, including links to DAS, DOJ, and Oregon Ethics guidance, basic information about the Department's programs, and information to support IT needs of commissioners with department assigned phones, emails, and equipment.

## WHO ARE WE?

### The Commission

The Oregon Fish and Wildlife Commission (Commission) consists of seven members who are appointed by the Governor and confirmed by the Senate. They are responsible for establishing policies in accordance with Oregon Revised Statutes (ORS) and the Department's mission.

By statute, all members of the Commission shall represent the public interest of the state, make decisions affecting the wildlife resources of the state for the benefit of those resources, and provide for the productive and sustainable utilization of wildlife resources for all groups of users. (ORS 496.090(6)). At its 2025 retreat, the Commission described the work it aspires to do as a team as follows:

*The Commission as a team demonstrates shared purpose and respect for diverse perspectives. They trust each other as colleagues.*

*The team has:*

- *a shared purpose,*
- *camaraderie that is supportive and respectful,*
- *synergy,*
- *is non-hierarchical, and*
- *values understanding various commissioner's skills, strengths, and weaknesses both individually and as a team.*

The 2025 Commission agreed that the following graphic describes their work together:



## COMMISSION ROLES AND RESPONSIBILITIES

### **Chair**

By law, the Governor selects a member of the Commission to serve as Chair (ORS 496.108(1)(a)). The Chair is responsible for maintaining the integrity of the Commission's governance and processes and the general conduct of the Commission's meetings. Procedural disputes are guided by Parliamentary Procedure as interpreted by the Chair and consistent statutory requirements (**Appendix A**). Unless the Commission delegates otherwise, the Chair serves as official spokesperson for the Commission.

#### In Practice - The Chair:

- Conducts official meetings and conference calls of the Commission, unless delegated to the Vice Chair or another Commissioner.
- Works with the Director and Vice Chair to determine the agenda and placement of items on agendas.
- Works with the Director to ensure that the Executive Assistant provides advance public notice for Commission meetings, including distribution of agendas and meeting materials.
- Remains open to receiving feedback from other Commissioners about how meetings are being run.

### **Vice Chair**

The Commission selects one of its members as Vice Chair (ORS 496.108(1)(b)) who serves in the absence of the Chair. The Chair may assign additional duties to the Vice Chair to facilitate the work of the Commission.

### **Members of the Commission**

Members of the Commission are public officials of Oregon (ORS 244.020(15)). As such, Commissioners are guided by and responsible for complying with a variety of laws, rules, and policies that give them authority and clarify how they do their work.

#### In Practice - Commissioners:

- Prepare for and attend Commission meetings, having reviewed the public comment and supporting materials in advance of the meeting.
- Work collaboratively with other Commission members during Commission meetings and the Director to deliver transparent and effective decision-making, consistent with public meeting laws.
- Comply with state ethics laws. If Commissioners have any questions about these laws, they are encouraged to contact the Oregon Ethics Commission.
- Comply with state policies that support transparency in government.
- Speak on behalf of the Commission only when authorized by the Chair or Commission to do so.
- Maintain confidentiality of sensitive or privileged Commission business.
- Conduct an annual review of the Director.

## COMMISSION MEETINGS

By statute, the Commission must hold meetings at least once every two months at a time and place determined by the Commission and must meet in each congressional district once per year. (ORS 496.108 (3), (5))

To promote an informed public aware of the deliberations and decisions of governing bodies like the Commission, Oregon's public meetings law generally requires that Commission meetings be open for public attendance. This law applies anytime a quorum (*i.e.* a majority) of the Commission communicates, whether verbally or in writing, on any Commission-related business. Exceptions to this law apply to specific situations (such as personnel matters or when receiving confidential legal counsel).

In Practice - To support transparency and public meeting requirements, the Commission has instituted the following:

### **Meeting Schedule and Agenda Development**

1. Before January of each year, the Commission publishes on its webpage its annual meeting schedule for regular meetings. Changes to the regular meeting schedule are published on the Commission webpage in advance of the meeting date.
2. On an annual basis, Commissioners respond to a survey provided by the Director's office regarding priority topics to come before the Commission, meeting date selection, meeting format (e.g., virtual, hybrid, in person), Commission focal areas for the year, topics for tours and other work sessions or reports, and logistical feedback. Based on the survey and the forecast of actions required by the Commission, the Chair, Vice Chair, and Director review the survey and then present an overall schedule for the coming year for Commission approval.
3. In setting each meeting agenda, the Chair, Vice Chair, and Director consider the priority topics to include, order of exhibits, timing of breaks, anticipated public testimony, and desired format to best support decision-making by the Commission. When possible, the Chair attempts to alert the Commission of changes to agendas prior to their publication.
4. In addition to providing topics and feedback in the annual Commission planning survey, Commissioners may request agenda topics and issues to the Chair or Director for consideration at a future Commission meeting. Commissioners may also bring forward issues and topics under 'Other Business' at regular meetings. If the issue or topic is proposed as an agenda item, it requires a majority approval of the Commissioners present to move that item to a future meeting.

### **Public Input**

The Commission places great value on information received from the public and encourages citizens to provide public input. To provide clarity for the public and Commissioners, see **Appendix B** for an outline of the Commission's process for taking public input.

## COMMUNICATIONS

### **With the Public**

Commission members promote relationships with all individuals interested in the conservation and use of Oregon’s fish, wildlife and their habitat. Commissioners regularly interact with members of the public to better understand issues and perspectives related to their policy setting and other statutory activities.

In engaging with members of the public, it is important to recognize that the Commission’s authority is vested in the Commission collectively and not in any individual member.

In Practice – When engaging with the public, Commissioners:

- Actively engage with members of the public and listen to their perspectives with the modality that best suits each commissioner. This can include email, phone, face-to-face, or virtual discussions.
- Distinguish between representing the Commission and speaking as individuals, presenting only formal decisions as official positions.
- When appropriate, help connect members of the public for follow-up with contacts at the Department, determined by the Director (or her delegates), on issues that may or may not be related to Commission action.
- Promote transparency by encouraging those who seek individual attention of Commissioners to share their perspectives through Commission meeting public comments or public meeting participation, when appropriate.

### **Complying with Oregon Public Records and Public Meeting Laws**

It is important for Commissioners to feel comfortable engaging with members of the public. The following section is intended to help Commissioners understand how to do this vital public engagement while complying with Public Records laws and Public Meeting laws:

**Public Records:** ORS 192.410(4) states public records include any writing containing information relating to the conduct of the public’s business. The term “writing” is broadly defined in ORS 192.410(6) as including every type of documentation. For instance, handwritten documents, photographs, computer discs, emails, instant messages, text messages, etc. Even after electronic records are deleted, they continue to exist on computer back-ups which are still public records.

DAS Statewide Policy # 107-004-160 (March 2022) states that: “Data and information are strategic assets of the state and must be actively governed to preserve and enhance their value. This policy sets forth a statewide approach to data governance and establishes a baseline framework and accountability structure for agencies to use in establishing internal data governance programs.

State agencies are required to implement internal data governance through the establishment of the requisite authorities, roles, organizational structures, and resources necessary to support the management, use, and maintenance of data as a strategic asset throughout its lifecycle. Agencies are also required to develop and implement internal procedures and documented processes for data governance within their organization that meet the requirements set forth in this policy”.

In Practice - The Commission has implemented the following to comply with the public records laws and DAS policy:

- Emails are public records even if sent or received on a personal email account. Commissioners may receive a state issued email account.
  - If using a state-issued email account, do all your commission-related communications using that account.
  - If not using a state issued email account, copy the Executive Assistant in the distribution of messages related to Commission activities.
  - If a commissioner receives correspondence from the department and responds to the department this is already part of the public record.
  - Commissioners should maintain a separate file on their computer for Confidential and Privileged information from the department as a means of separating this information from other information, and to avoid mistakenly sharing it with others.
  - Regarding responses to mass emails to Commissioners on non-Commission-related natural resource topics, Commissioners are advised to treat them as information only.
- Texts related to Commission business are public records even if sent or received on a personal cell phone. Commissioners may receive a state issued cell phone.
  - If using a state-issued cell phone, do all your commission-related communications using that phone.
  - If not using a state issued cell phone, retain copies of Commission-related texts.

**Public Meetings:** By statute, a majority of the members of the Commission constitute a quorum for the transaction of business (ORS 496.108 (2)). As such, no more than four members may communicate on an issue relating to the Commission’s work outside of a publicly noticed commission meeting.

As a result, the Commission has established procedures and practices that support Commissioners getting information they need outside of Commission meetings without running afoul of state law.

Commissioners may communicate with each other about non-Commission related business to build relationships and rapport as they wish. For communication related to matters under the Commission’s authority, Commissioners must comply with the public meetings laws by avoiding a quorum or ‘serial communications’ with one another.

- Serial communications include both voice, email, and other written communications.
- Serial communications also include communications assisted by an intermediary/third party.

In Practice - The Commission has implemented the following to comply with the public meeting laws and best practices recommended by the Department of Justice:

1. Hold discussion of Commission-related business at noticed public meetings.
2. If you have communications about Commission business outside of public meetings, Commissioners can minimize the risk of serial communication by:
  - Avoiding sharing information about your substantive position or how you are going to vote.
  - Only receiving information and asking questions to clarify information you receive.
  - Avoiding meetings that include other Commission members regarding Commission business.
  - Being mindful of the risk of a public meetings law violation if the communication reaches a quorum of Commission members.

### **Working with Department Staff**

Commissioners have long engaged with staff in a respectful and efficient manner to obtain and share information. By statute, the Commission's primary point of contact at ODFW is the Director who is responsible for overseeing the agency and the workload of their staff. The Director may delegate staff to serve as additional points of contact for Commissioners. (ORS 496.118).

#### **In Practice**

Commission members are encouraged to seek assistance and support from the Director or their delegate(s) to obtain information in preparation for Commission meetings. Commission members should feel there are staff available to answer questions about fish and wildlife information needed to support their Commission-related work. To support this, the Director will clarify which staff member(s) will serve as Commission-liaisons to answer these questions and help Commissioners prepare for Commission meetings.

- Commissioners should refrain from directing the internal day-to-day operations of the Department except through official Commission action.
  - The Director and Department, in turn, should consider and respect Commissioners' need to engage with the public in support of the mission of ODFW.
- Commissioners should consider and respect the Department's workload when requesting information unrelated to Commission meetings.
  - Department staff should understand the important role and responsibility of volunteer Commissioners. Staff are content experts in a way that Commissioners are not. As such, Commissioners should never feel they are a burden if they need extra staff time and support to analyze and prepare for important decisions.

### **Working with the Media**

Media requests received by the Commission are routed to the Director's Office for follow up. The Director's Office is responsible for coordinating responses on behalf of the Commission with the Chair and Vice Chair, and for interacting with the media. The Director's office coordinates with an agency subject matter expert to provide a timely response.

- Unless the Commission delegates otherwise, the Chair serves as the primary

spokesperson with the media on behalf of the Commission.

- In this role, the Chair conveys to the media the policy positions approved by the Commission and explains the process and procedures used by the Commission that led to a decision.
- The Director's Office can assist in developing talking points and preparing the Chair for the media interview.

In Practice – When engaging with the media on fish and wildlife management in their official capacity, Commissioners:

- Should engage on topics with the media only after Commission decisions have been made to reduce political or legal risk and ensure that public comments are reviewed and synthesized prior to any decision.
- Whenever possible, coordinate with the Director's Office prior to communicating with the media.
- Only convey the policy adopted by the Commission.
- When engaging with the media outside of their official capacity (e.g., letters to the editor or other editorials about fish and wildlife issues), Commissioners may consider sharing a courtesy copy with the Chair, Vice-Chair, and Director for awareness and to avoid surprises.

### **Practices for Handling Written Correspondence to the Commission**

The Commission values public input and has the following practices in place to help ensure they receive copies of any written correspondence directed to them. The Commission's goal is to acknowledge written correspondence received by the Commission. Given the volume of correspondence received, a substantive response to every such contact is rare. The following practices are in place to ensure the input from the public has been acknowledged and shared with all Commissioners.

In Practice – The Executive Assist will support the Commission's goal by managing correspondence as follows:

Correspondence sent to the Commission received by ODFW:

- The Executive Assistant manages correspondence sent to the Commission Inbox. If other Department staff receive correspondence addressed to the full Commission, staff forward this to the Executive Assistant.
- The Executive Assistant will acknowledge receipt of all correspondence received.
- Working with Director, the Executive Assistant will ensure that all correspondence addressed to the Commission is forwarded to each of the Commissioners. If correspondence is related to a specific action before the Commission, it will be forwarded to the Commission as part of the related exhibit for the meeting at which the action is scheduled.

Correspondence received by individual Commissioners:

- If a Commissioner chooses to respond directly, if they do not have a state-issued email address, they should copy the Executive Assistant to maintain public records.
- If a Commissioner believes a Department response is warranted, they should forward the correspondence to the Executive Assistant with a request for a response.

## TRAVEL REIMBURSEMENT AND STIPENDS

A member of the Commission is entitled to compensation and expenses as provided in [ORS 292.495 \(Compensation and expenses of members of state boards and commissions\)](#). (see Appendix C)

This section lays out expectations for Commissioners seeking and receiving compensation (stipends) and reimbursement of actual and necessary travel expenses.

### **Travel Expense Reimbursement**

A Commissioner is eligible for expense reimbursement, per the Oregon Accounting Manual, for actual and necessary travel expenses incurred in the performance of official state duties. Official duties include:

- Participation in Commission meetings (online or in person), pre-meetings, subcommittee meetings,
- Commissioner confirmation hearings before the Senate,
- Meetings with the Governor or Governor's staff,
- Meetings held at the invitation of agency staff,
- Agency organized Commission workshops and tours, or
- When the Chair or Director determines attendance to be official business of the Commission.

Activities outside of the above required duties or without authorization are not eligible for reimbursement, even if they are related to Commission work. Commissioners may choose to forgo reimbursement and will inform the Executive Assistant of this decision.

#### **In Practice – Travel Considerations for the Chair and Director**

- Necessary for an Official Duty: Has the Commissioner been assigned an activity that makes the travel necessary for fulfilling that assignment?
- Funding: Is there adequate funding in the Director's Office budget to support the trip?
- Equity: Are travel opportunities being considered across all Commissioners? Have the Director and Chair considered opportunities that might enhance the strength of the Commission and be affordable and available to Commissioners?
- Perception: How might ODFW constituents perceive your attendance or lack of attendance?

### **Stipends**

If a Commissioner spends one or more hours involved in the performance of official duties of the Commission and meets the eligibility requirements listed in ORS 292.495(4)(b), they are eligible for a stipend. Commissioners may choose to forgo the stipend and will inform the Executive Assistant of this decision.

Official duties are the same as set out in the Travel Expense Reimbursement section above.

Activities outside of official duties or without authorization are not eligible for a stipend, even if they are related to Commission work.

## COMMISSION PERFORMANCE EVALUATION

As prescribed by the Oregon Legislature and to enhance the Commission’s desire to implement best practices, the Commission will conduct an annual self-evaluation of its governance best practices (ORS 291.110). The annual review will provide commissioners and staff an opportunity to reflect on what is working, what is not, and suggest changes to enhance overall performance and results, and suggest changes to the performance measures so they are more accurate or useful measures for the Commission and ODFW.

In Practice
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- The results of the evaluation will be summarized into the annual performance report, which the Chair will place as a Commission meeting agenda topic for discussion.
- If the Commission identifies changes or improvements, it may, upon agreement, implement them as either changes to this Governance Manual or as other procedures adopted by the Commission.
- The Commission will have the opportunity to weigh in on changes needed to the measures and coordinate with the Director to communicate needed changes to the Legislature.

## APPENDIX A – PARLIAMENTARY PROCEDURE

From DAS' *Overview of Boards, Commission, and Small Entities* Online Training

<https://www.oregon.gov/das/hr/documents/bc.pdf>

Parliamentary Procedure is a set of rules for conduct at meetings allowing everyone to be heard and to make decisions. Part of any meeting should be a systematic plan for the orderly conduct of business. The sequence in which business is taken up during a meeting is known as the "Order of Business."

The **Order of Business** is a blueprint for the meeting and typically has the following components:

- The presiding officer should never call the meeting to order until a quorum is present. A quorum is the number of members entitled to vote who must be present in order for business to be legally transacted. Quorum is typically defined in the governing documents. Once a quorum is present, the presiding officer calls the meeting to order by stating, "The meeting will come to order."
- A roll call of members present is completed.
- In meetings when minutes are to be approved, the minutes are typically distributed to all members. Corrections and approval are normally done by unanimous consent. The presiding officer can ask, "Is there any objection to approving the minutes as read [or distributed]." If there is no objection, the minutes are approved.
- The first substantive item of business in meetings is typically hearing from the officers and established committees.
- The logic in this order of arrangement is to give priority to the items of business from the leadership. Typically, the presiding officer learns in advance who needs to report and only calls on those committees.
- Reports are generally for information only. In such instances, no motion is necessary following the reports unless there are recommendations to be implemented. A motion "to adopt" or "to accept" a report is seldom wise except when the report is to be issued or published in the name of the organization. On the other hand, it is common the reporting member end by making a motion if there is a specific recommendation for action.
- Unlike standing committees established in the governing documents, special committees do not have continual existence. Instead, special committees exist solely for the purpose of a specific project. For example, a special committee might be created to plan a specific function or event. Special committees typically go out of existence upon their final report.
- Unfinished business refers to matters carried over from a previous meeting. This category of business is sometimes incorrectly referred to as "old business."
- Instead, unfinished business items typically fall into one of several specific categories. For organizations meeting at least four times a year, unfinished business may include:
  - (1) any matter pending when the previous meeting adjourned;
  - (2) any matters on the previous meeting's agenda not reached; or
  - (3) matters that were postponed to the present meeting.
- The presiding officer should know if there are any items to be considered under

unfinished business. As a result, the presiding officer should not ask, "Is there any unfinished business?" Instead, the presiding officer should simply state the question on the first item of business. If there is no unfinished business, the presiding officer should skip this category of business.

- Much of the work in a meeting is accomplished during new business. In this category of business, members can introduce any new item for consideration (unless there are notice requirements). In some instances, the presiding officer may be unaware of what items of business will arise under new business. The presiding officer introduces the heading of new business by asking, "Is there any new business?" Any member can then introduce new items of business by making a motion and obtaining a second. Following the consideration of each item, the chair repeatedly asks, "Is there any further new business?" This process continues until there are no additional business items.
- In most assemblies the presiding officer can adjourn the meeting without waiting for a motion to adjourn. If all items of business have been considered, the presiding officer can ask, "Is there any further business?" If there is no response,
- the presiding officer simply states, "Since there is no further business, the meeting is adjourned." If custom or tradition requires a motion to adjourn be made, the presiding officer can ask, "Is there a motion to adjourn?" Once the motion is made and seconded, the presiding officer can ask, "Is there any objection to adjourning the meeting? Hearing no objection, the meeting is adjourned."

## **Motions**

There are 4 basic types of motions:

1. **Main Motions:** The purpose of a main motion is to introduce items to the membership for their consideration. They cannot be made when any other motion is on the floor, and yield to privileged, subsidiary, and incidental motions.
2. **Subsidiary Motions:** The purpose is to change or affect how a main motion is handled, and is voted on before a main motion.
3. **Privileged Motions:** The purpose is to bring up items that are urgent about special or important matters unrelated to pending business.
4. **Incidental Motions:** The purpose is to provide a means of questioning procedure concerning other motions and must be considered before the other motion.

Obtaining the Floor: Wait until the last speaker has finished. Rise and address the Chair. Wait until the Chair recognizes you.

Make Your Motion: Speak in a clear and concise manner. Always state a motion affirmatively. Say, "I move that we ..." rather than, "I move that we do not ...". Avoid personalities and stay on your subject.

Wait for Someone to Second Your Motion: Another member will second your motion or the Chair will call for a second. If there is no second to your motion it is lost.

The Chair States Your Motion: The Chair will say, "it has been moved and seconded that we ..." Thus placing your motion before the membership for consideration and action. The membership then either debates your motion, or may move directly to a vote. Once your

motion is presented to the membership by the chair it becomes "assembly property", and cannot be changed by you without the consent of the members.

Expanding on Your Motion: The time for you to speak in favor of your motion is at this point in time, rather than at the time you present it. The mover is always allowed to speak first. All comments and debate must be directed to the Chair. Keep to the established time limit for speaking. The mover may speak again only after other speakers are finished, unless called upon by the Chair.

Putting the Question to the Membership: The Chair asks, "Are you ready to vote on the question?" If there is no more discussion, a vote is taken.

Voting on a Motion: The method of vote on any motion depends on the situation and the bylaws or policy of your board. There are five methods used to vote by most boards, they are:

- ✓ By Voice: The Chair asks those in favor to say, "aye", those opposed to say "no". Any member may move for an exact count.
- ✓ By Roll Call: Each member answers "yes" or "no" as their name is called. This method is used when a record of each person's vote is required.
- ✓ By General Consent: When a motion is not likely to be opposed, the Chair says, "if there is no objection ..." The membership shows agreement by their silence, however if one member says, "I object," the objection will be recorded as long as the required majority does not object.
- ✓ By Division: This is a slight variation of a voice vote. It does not require a count unless the Chair so desires. Members raise their hands or stand.

## APPENDIX B - PUBLIC INPUT PROCESS AT FISH AND WILDLIFE COMMISSION MEETINGS

### **General Public Input**

The Commission provides an open public forum at each full Commission meeting for input on matters not included in the established agenda. Specific public comment periods are designated for this purpose. Individuals wishing to testify on scheduled agenda items during the public forum are asked to wait until the discussion of that item. Those who wish to provide testimony, either in person or virtually, must register at least 48 hours before the meeting.

### **Public Input for Specific Decisions**

Prior to a Commission decision, public input is taken and limited to only the proposed action being considered. In some cases, the Commission may take a final vote in a subsequent meeting without allowing additional public input.

### **Testimony for Rulemaking Hearings under the Administrative Procedure Act**

When the Commission adopts rules under the Administrative Procedure Act, public testimony and written comments are accepted during the periods specified in the rulemaking notices. Communications submitted to the Commission after the close of such deadlines are not considered.

### **Registering to Speak**

For in-person participation at meetings: Individuals wishing to provide testimony in person may register on the day of the meeting by signing the Public Testimony Form available at the registration table before discussion of the relevant agenda item begins. Those who prefer to register in advance may do so through the registration portal on the ODFW website at least 48 hours before the meeting.

For remote participation: Individuals wishing to testify virtually on agenda topics must preregister at least 48 hours before the meeting through the registration portal on the ODFW website. Only those who preregister are allowed to testify virtually, and their testimony may be limited to audio-only rather than video.

### **Time Limits**

To maintain the agenda schedule, the Chair may impose limits on the length of time allotted to public speakers. Time limits are announced at the beginning of the open forum and agenda item scheduled for public input. The Chair may end public comment to meet agenda demands and request that commenters provide written comments via the Executive Assistant.

## APPENDIX C – ORS 292.495 COMPENSATION AND EXPENSES OF MEMBERS OF STATE BOARDS AND COMMISSIONS.

(1) Subject to the availability of funds therefor in the budget of the state board or commission, and except as otherwise provided by law, any member of a state board or commission, other than a member who is employed in full-time public service, who is authorized by law to receive compensation for time spent in performance of official duties, shall receive a payment, in the amount specified in subsection (5) of this section, for each day or portion thereof during which the member is actually engaged in the performance of official duties.

(2) Except as otherwise provided by law, all members of state boards and commissions, including those employed in full-time public service, may receive actual and necessary travel or other expenses actually incurred in the performance of their official duties within the limits provided by law or by the Oregon Department of Administrative Services under ORS 292.210 to 292.250.

(3) As used in subsections (2) and (4) of this section, “other expenses” includes expenses incurred by a member of a state board or commission in employing a substitute to perform duties, including personal, normally performed by the member which the member is unable to perform because of the performance of official duties and which by the nature of such duties cannot be delayed without risk to health or safety. No member shall be reimbursed for expenses incurred in employing a substitute in excess of \$25 per day.

(4)(a) As used in this subsection, “qualified member” means a member who is not in full-time public service and who had an adjusted gross income in the previous tax year:

(A) Of less than \$50,000, as reported on an income tax return other than a joint income tax return; or

(B) Of less than \$100,000, as reported on a joint income tax return.

(b) Except as provided in subsection (6) of this section, and notwithstanding any other provision of law, a state board or commission shall provide to a qualified member of the state board or commission, at a minimum:

(A) Compensation, in the amount specified in subsection (5) of this section, for each day or portion thereof during which the member is actually engaged in the performance of official duties; and

(B) Reimbursement of actual and necessary travel or other expenses actually incurred in the performance of a member’s official duties within the limits provided by law or by the Oregon Department of Administrative Services under ORS 292.210 to 292.250.

(5) The compensation to be provided under subsections (1) and (4)(b)(A) of this section is equal to the per diem paid to members of the Legislative Assembly under ORS 171.072.

(6) A member of a state board or commission may decline to accept compensation or reimbursement of expenses related to the member’s service on the state board or commission. [1969 c.314 §1; 1973 c.224 §2; 1975 c.441 §1; 1979 c.616 §1; 2021 c.627 §1]