

# Oregon Fish and Wildlife Commission

*DRAFT GOVERNANCE MANUAL*

# OREGON FISH AND WILDLIFE COMMISSION

## Governance Manual 2025/Policies and Procedures

### Table of Contents

Why is This Needed? .....	2
Who Are We?.....	2
The Commission .....	2
Commission Roles and Responsibilities .....	3
Chair .....	3
Vice Chair .....	4
Members of the Commission .....	4
Commission Meetings .....	4
Meeting Schedule and Agenda Development .....	4
Public Input.....	5
Communications .....	5
Working with the Public .....	5
Working to Comply with Oregon Public Records and Public Meeting Laws.....	6
Working with Department Staff .....	7
Working with the Media .....	7
Practices for Handling Written Correspondence to the Commission.....	8
Travel Reimbursement and Stipends .....	9
Travel Expense Reimbursement.....	9
Stipends .....	9
Commission Performance Evaluation.....	10
Appendix A – Parliamentary Procedure.....	11
Appendix B - Public Input Process at Fish and Wildlife Commission Meetings .....	14
General Public Input.....	14
Public Input for Specific Decisions.....	14
Testimony for Rulemaking Hearings under the Administrative Procedure Act.....	14
Registering to Speak.....	14
Time Limits .....	14

## 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 wildlife resources of the state. *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 policy 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. It includes language from relevant laws and policies that apply to the Commission's work and explains how those laws and policies are put into practice by the Commission. Relevant laws and policies are referenced so that Commissioners may delve deeper, should they choose.

---

## Who Are We?

### The Commission

The Oregon Fish and Wildlife Commission (Commission) is a body comprised of seven individuals appointed by the Governor that is responsible for setting policies consistent 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:

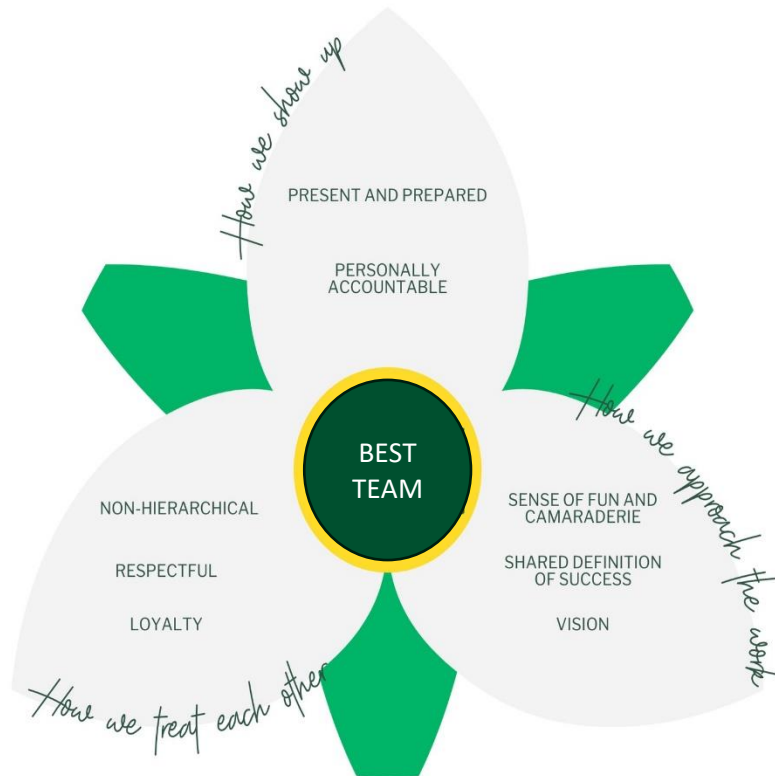
*The Commission as a team demonstrates shared purpose and respect for diverse perspectives. They trust each other as friends.*

*The team has:*

- *a shared purpose,*
- *camaraderie that is supportive and respectful,*
- *synergy,*
- *is non-hierarchical, and*

- *conducts a skills assessment that supports understanding strengths and weaknesses, both individually and as a whole team.*

The 2025 group 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 primary responsibility of the Chair is to maintain the integrity of the Commission's governance and processes and the general conduct of the Commission's meetings. Procedural disputes are guided by Robert's Rules of Order, Newly Revised, 11th Edition, 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 placement of items on agendas and approve final agendas.
- Ensures 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 and the Director to deliver transparent and effective decision-making, consistent with public meeting laws.
- Comply with state ethics laws.
- Avoid activities which give rise to a conflict of interest or appearance of conflict of interest as a Commission member.
- 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.

## **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 any time a quorum (*i.e.* a majority) of the Commission communicates, whether verbally or in writing, on any Commission-related business.

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 Executive Assistant regarding meeting date selection, meeting format (e.g., virtual, hybrid, in

person), topics for tours and other reports, focal areas, and logistical feedback. Based on the survey and the forecast of actions required by the Commission, the Director presents an overall schedule for the coming year.

3. In setting each meeting agenda, the Chair, Vice Chair, and Director consider the order of exhibits, timing of breaks, anticipated public testimony, and desired format to best support decision-making by the Commission. 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.

### **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**

### **Working 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.
- Establish their preferred approach and availability for engaging with members of the public.
- Differentiate between speaking on behalf of the Commission and as individuals, presenting only formal decisions as official positions.
- When appropriate, help connect members of the public with contacts at the Department for follow up on issues not related to Commission action.
- Promote transparency by encouraging those who seek individual attention of Commissioners to share their perspectives through public comments or public meeting participation.

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:

## **Working to Comply with Oregon Public Records 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.
- Texts 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 Meeting:** By statute, a majority of the members of the Commission constitutes 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 for communication related to matters under the commission's authority.

- Serial communications include both voice and email 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 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.
- Commissioners should refrain from intervening in the internal day-to-day operations of the Department unless through official Commission action.
- Commissioners should consider and respect the Department's workload when requesting information unrelated to Commission meetings.

### **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 interacting with the media and 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 assists 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.
- 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 share 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 \(Compensation and expenses of members of state boards and commissions\)](#).

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,
- Meetings held at the invitation of agency staff,
- Agency organized Commission workshop and tours, or
- When the Chair or Director determines attendance to be necessary and official business of the Commission.”

Commissioners may attend and receive reimbursement for attending the Western Association of Fish and Wildlife Agencies (WAFWA) annual conference on behalf of the Commission depending on Director’s Office availability of funding, location, cost, and extent of suitable topics. In considering attendance at WAFWA annual meeting, the Chair and Director prioritize opportunities across the Commission, based on their availability.

Activities outside of the above required duties or without authorization are not eligible for a 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: Could any Commissioner participate in the activity? Are travel opportunities being considered across all Commissioners?
- Perception: How might ODFW constituents perceive your 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.

In Practice
-------------

- 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 Policy and Procedures manual or as other procedures adopted by the Commission.

## 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.