

Oregon's Public Meetings Laws

Guidelines for operating as a public body

Oregon's Public Meetings Law sets requirements for both conducting public meetings, and for communications among group members between meetings.

The basics

A public meeting occurs, and decisions can be made, when a quorum is present. For the Board of Forestry and its committees a quorum means a majority of the members. (See ORS 526.016(3) and OAR 629-010-0050)

Requirements that apply when a quorum is convened include advance public notice through news media or other means; a formal agenda and minutes; ADA-accessible meeting locations; and deliberations, voting and decisions conducted in public.

Parliamentary procedures, such as the use of motions to frame significant decisions for discussion, deliberation and decisions, ensure orderly conduct of business. Public bodies have discretion in the use of various systems of parliamentary procedure, and in the degree of formality involved. Staff will provide guidance as needed.

Although the law requires that meetings be open to the public, it does not require public comment periods, although the body may decide to make this opportunity available.

Communication among members between meetings

This is perhaps the most significant implication of serving on a committee as a public body. Deliberations among members regarding the group's business must be held in a public forum. This includes deliberations via electronic means such as telephone or email. These guidelines can help ensure that the group does not deliberate and make decisions outside of a public setting:

- Successive email or telephone exchanges among multiple members could constitute deliberation and movement toward a decision. This should not occur.
- However, with accommodations for public notice and participation, subgroup consultations may be organized to accomplish specific "homework" assignments for review or action by the full group. Documents generated during this process, such as emails or drafts of work products, are public, and are subject to disclosure if requested under Oregon's public records law.
- Although information-gathering and fact-finding are allowable subjects of communication among members, we recommend that email or telephone conversations among group members be limited and conducted with care, as the distinction between information-gathering and deliberation may be difficult to discern.
- Staff or group members may send agenda items, educational materials or purely informational emails to the group. Members should not "reply all". Forwarding and commenting amongst a subset of members should be avoided.
- A staff member seeking input from members of the group on a draft work product may email the draft individually to each member. Each member should reply directly to the sender, without cc's to other members.
- Members are encouraged to consult with staff regarding any concerns or clarification of Public Meetings Law requirements.