



# STATE AVIATION BOARD BYLAWS



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## ARTICLE I - PURPOSE & AUTHORITY

The State Aviation Board was created by the 1999 Oregon Legislative Assembly through the Senate Bill 108. The State Aviation Board provides policy guidance and oversight to the Department of Aviation. The Board works through the Oregon Department of Aviation to develop airports, state airways and the state's aviation industry. The Board works with policy makers and aviation stakeholders on aviation issues, matters, and interests in Oregon.

The Board is authorized by Oregon Revised Statutes 835.035 – 835.210 to:

- Incorporate as part of its program a definite plan for the development of airports, state airways, aircraft industries and aviation generally.
- Cooperate with and assist the federal government, the municipalities of the state, and other persons in the development of aviation activities.
- Adopt or amend and issue such orders, rules and regulations necessary to carry out the provisions of ORS 835.035 – 835.210 and to perform its duties thereunder.
- Protect and ensure:
  - General public interest and safety;
  - Safety of persons receiving instruction concerning, or operating, or using or traveling in aircraft, and of persons or property on land or water; and
  - Develop and promote aviation in this state.

## ARTICLE II – BOARD MEMBERS

### Section 1 – Composition of the Board

- The State Aviation Board consists of seven members.
- Members shall reside in different geographic regions of the state, with one member being a resident of the area east of the Cascade Range.
- No more than four members shall belong to the same political party. Party affiliation shall be determined by the appropriate entry on official election registration cards.
- The board membership shall represent diverse aviation interests from both the private and public sectors.

### Section 2 – Appointment of Members

- The board members are appointed by the Governor, subject to confirmation by the Senate pursuant to ORS 171.562 and 171.565.

### Section 3 – Length of Term

- The term of office of each member is four years.
- Before the expiration of the term of a member, the Governor shall appoint a successor whose term begins on July 1 next following.
- A member is eligible for reappointment once after initial term.

### Section 4 – Vacancies

In case of a vacancy for any cause, the Governor shall appoint a person to fill the office for the unexpired term.



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## Section 5 – Compensation

Members of the Board receive no compensation for their services, but shall be reimbursed for per diem and travel expenses for their attendance at Board meetings and Committee meetings as provided in ORS 292.495:

“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...”

## Section 6 – Orientation of Board Members

- The Board and ODA staff shall assist each new member to understand the Board’s functions, policies and procedures.
- The appointee shall be given selected material for orientation to the work of the Board.
- Prior to taking office, the Chair and ODA Director shall invite the appointee to attend Board meetings to participate in discussion.
- The Chair and ODA staff shall supply material pertinent to meetings and explain its use.
- New Board members’ must attend the Boards & Commissions trainings sponsored through iLearn or the Government Ethics Commission within one year of appointment.

## Section 7 – Authority of Individual Board Members

- Board members have individual authority to act on behalf of the Board only when approved by the full board.
- The Board cannot be bound by any statements or actions of individual Board members, pursuant to instructions or policies of the Board.
- Board members must abide by the roles and responsibilities as described in these bylaws.

## Section 8 – Removal of a Board Member

The office of a board member shall be vacated by the Governor if the member ceases to possess the qualifications required for appointment, to include status designations provided in ORS 182.010:

“Any member of a state board or commission appointed by the Governor who fails to attend two consecutive meetings of the board or commission, whether regular, adjourned or special, shall forfeit office unless the member is prevented from attending by the serious illness of a member or the family of the member or for any other cause that in the judgment of the Governor constitutes a valid reason for failing to attend. The Governor shall immediately appoint a successor.”

## Section 9 – Government Ethics Law

All board members must adhere to the Oregon Code of Ethics set forth in ORS 244.050. This code prohibits public officials from:

- Using their position to obtain financial gain for themselves, members of their household, or any other business with which they or members of their household are associated;
- Using confidential information received in their position for private gain;
- Soliciting or receiving a promise of future employment for official action; or



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- Offering, soliciting or receiving, during a calendar year, gifts totaling over \$50 in value, from any source with a possible interest in the public official's governmental agency.
- No person shall attempt to represent a client for a fee before the governing body of a public body of which the person is a member.

### Section 10 – Voting Privileges

Each of the seven voting board members shall be entitled to one vote on all issues presented at meetings at which the board member is present.

## **ARTICLE III – OFFICERS**

### Section 1 – Designation

- In accordance with ORS 835.104, the Governor shall appoint one member of the State Aviation Board as chairperson and another member as vice chairperson.
- The chairperson and vice chairperson shall have such terms, duties and powers as the board determines are necessary for the performance of such offices.

### Section 2 – Officers Term of Service

- If the chair or vice chair role is permanently vacated for any reason, the Governor shall elect an interim to serve each role for the remainder of the term.

### Section 3 – Duties of the Chair

- Preside over all regular and special meetings of the Board.
- Work with staff to determine agenda items for each meeting.
- Performs such duties as are assigned by the Board, as well as those customarily delegated to the office of the Chair.

### Section 4 – Duties of the Vice-Chair

In the absence of the Chair or in the event of the Chair's temporary inability to act, the vice chair shall perform the duties of the Chair.

## **ARTICLE IV – MEETINGS**

### Section 1 – Regular Meeting

- The Board shall meet at least once a quarter, at a time and place determined by the members of the board.
- The Board shall also meet at such other times and places as are specified by the call of the chairperson or of a majority of the board.

### Section 2 – Executive Sessions

- Governing bodies are allowed to exclude the public – but generally not the media – from the discussion of certain subjects. These meetings are called executive sessions.
- Executive sessions may be called during any regular, special or emergency meeting.



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- A governing body may set a meeting solely to hold an executive session as long as it gives appropriate public notice.
- Notice requirements for executive sessions are the same as for regular, special or emergency meetings.
- Notice of an executive session must cite the specific law that authorizes the executive session (ORS 192.660). This authorization also must be announced before going into the executive session:
  - (2) The governing body of a public body may hold an executive session:
    - (a) To consider the employment of a public officer, employee, staff member or individual agent.
    - (b) To consider the dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent who does not request an open hearing.
    - (c) To consider matters pertaining to the function of the medical staff of a public hospital licensed pursuant to ORS 441.015 to 441.063 including, but not limited to, all clinical committees, executive, credentials, utilization review, peer review committees and all other matters relating to medical competency in the hospital.
    - (d) To conduct deliberations with persons designated by the governing body to carry on labor negotiations.
    - (e) To conduct deliberations with persons designated by the governing body to negotiate real property transactions.
    - (f) To consider information or records that are exempt by law from public inspection.
    - (g) To consider preliminary negotiations involving matters of trade or commerce in which the governing body is in competition with governing bodies in other states or nations.
    - (h) To consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed.
    - (i) To review and evaluate the employment-related performance of the chief executive officer of any public body, a public officer, employee or staff member who does not request an open hearing.
    - (j) To carry on negotiations under ORS chapter 293 with private persons or businesses regarding proposed acquisition, exchange or liquidation of public investments.
  - (4) Representatives of the news media shall be allowed to attend executive sessions other than those held under subsection (2)(d) of this section relating to labor negotiations or executive session held pursuant to ORS 332.061 (2) but the governing body may require that specified information be undisclosed.
  - (5) When a governing body convenes an executive session under subsection (2)(h) of this section relating to conferring with counsel on current litigation or litigation likely to be filed, the governing body shall bar any member of the news media from attending the executive session if the member of the news media is a party to the litigation or is an employee, agent or contractor of a news media organization that is a party to the litigation.



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- (6) No executive session may be held for the purpose of taking any final action or making any final decision.
- (7) The exception granted by subsection (2)(a) of this section does not apply to:
  - (a) The filling of a vacancy in an elective office.
  - (b) The filling of a vacancy on any public committee, commission or other advisory group.
  - (c) The consideration of general employment policies.
  - (d) The employment of the chief executive officer, other public officers, employees and staff members of a public body unless:
    - (A) The public body has advertised the vacancy;
    - (B) The public body has adopted regular hiring procedures;
    - (C) In the case of an officer, the public has had the opportunity to comment on the employment of the officer; and
    - (D) In the case of a chief executive officer, the governing body has adopted hiring standards, criteria and policy directives in meetings open to the public in which the public has had the opportunity to comment on the standards, criteria and policy directives.
- (8) A governing body may not use an executive session for the purposes of evaluating a chief executive officer or other officer, employee or staff member to conduct a general evaluation of an agency goal, objective or operation or any directive to personnel concerning agency goals, objectives, operations or programs.
- (9) Notwithstanding subsections (2) and (6) of this section and ORS 192.650 (Recording or written minutes):
  - (a) ORS 676.175 governs the public disclosure of minutes, transcripts or recordings relating to the substance and disposition of licensee or applicant conduct investigated by a health professional regulatory board.
  - (b) ORS 671.338 governs the public disclosure of minutes, transcripts or recordings relating to the substance and disposition of registrant or applicant conduct investigated by the State Landscape Architect Board or an advisory committee to the board.

### Section 3 – Quorum

- A majority of the members of the board constitutes a quorum for the transaction of business.
- The continued presence of a quorum is required for any official vote or action of the Board throughout an official meeting.
- No vacancy shall impair the right of the remaining board members to exercise all the powers of the board, except that four members of the board shall constitute a quorum for the conduct of business of the board, and, in case the board members are unable to agree, the Governor shall have the right to vote as a member of the board.

### Section 4 – Conduct of Meetings

- The Board will conduct its business through discussion, consensus building and informal meeting procedures.



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- The Chair may, from time to time, establish specific procedural rules of order to assure the orderly, timely and fair conduct of business. The Chair may refer to the most recent edition of Robert's Rules of Order for guidance.
- Meetings of the Board are subject to the Oregon Public Meetings Law.
- The Board shall maintain all records in accordance with the Oregon Public Records Law.

### Section 5 – Attendance

- Attendance at board meetings is mandatory for board members.
- After a Board member has missed two consecutive meetings the Chair or designee will contact them concerning their intention to serve.
- The Chair or designee will report back to the full Board at its next meeting.
- If the member is absent again the Board will vote as to writing a letter to the Governor's Office requesting the removal of the Board member.

### ARTICLE V – AMENDMENTS

- The procedure for amending the bylaws will consist of formal notification to all members of the Board; with inclusion of the full text of the proposed changes under consideration during the next meeting.
- The Board may amend these bylaws by a two-thirds majority vote at a regular meeting.

### ARTICLE VI – ADOPTION

On *June 18, 2015* these bylaws were adopted and approved by a two-thirds majority of the then-sitting board members at a regular meeting.