

OVERSIGHT COMMITTEE
OFFICE OF ADMINISTRATIVE HEARINGS
BY-LAWS

Article 1. Name, Authority, Membership, Terms, Purpose, Address

Section 1. Name of the Committee

This committee shall be known as the Office of Administrative Hearings, Oversight Committee.

Section 2. Legal Authority for the Committee

The Oversight Committee is organized in accordance with Or Laws 1999, ch 849, section 21.

Section 3. Membership of the Committee

The Committee shall be composed of the following members: two Senators appointed by the President of the Senate; two Representatives appointed by the Speaker of the House; two members appointed by the Governor, one of whom is an active member of the Oregon State Bar with experience in representing parties who are not agencies in contested case hearings; two members appointed by the Attorney General, and the Chief Administrative Law Judge serving *ex officio*.

Section 4. Terms of Membership

- A. The term of a legislative member shall be two years. If a legislative member ceases to be a senator or representative during the person's term on the Committee, that person may continue to serve the balance of the term.

- B. The term of all appointed members shall be four years. Appointed members may be reappointed. If a vacancy occurs prior to the expiration of a member's term, the appointing official shall appoint a new member to serve the remainder of the term. An appointed member may be removed from the Committee at any time by the appointing official.

Section 5. Duties of the Committee

The Committee shall study the implementation and operation of the Office of Administrative Hearings, make any recommendations to the Governor and Legislative Assembly to increase the effectiveness, fairness and efficiency of the OAH operations, make any recommendations for additional legislation governing the operations of the OAH, and conduct such other studies as necessary to accomplish the purposes of the Committee. Oversight Committee make recommendations to the governor on the appointment or reappointment of the chief administrative law Judge.

Section 6. Committee Address

The official office location and mailing address of the Committee shall be:

Rema Bergin, Oversight Committee
Office of Administrative Hearings
4600 25th Street NE, Suite 140
Salem, OR 97301

Mail: PO Box 14020, Salem, OR 97309

Article 2. Officers, Terms of Office, and Elections

Section 1. Officers

The officers of the Oversight Committee shall be the Chairperson and Vice Chairperson

Section 2. Terms of Office

There shall be no limit to the number of terms of office the Chairperson and Vice Chairperson may serve.

Section 3. Election of Officers

Elections of the Chairperson and Vice Chairperson shall be held at the first meeting of the Committee. Elections shall be held every two years thereafter at the first meeting of the year when a quorum of the Committee is in attendance.

Article 3. Meeting Procedures, Voting Rights, and Quorum

Section 1. Meeting Procedures

- A. The committee shall meet in the months of August and January or at such times as determined by the chairperson
- B. The Chairperson may from time to time request an emergency meeting. The provisions of Article 3 shall govern the conduct of these meetings.
- C. The Chairperson or Vice Chairperson, at the Chairperson's request, shall preside at all meetings of the Committee.
- D. Public notice of all regular meetings of the Committee shall be given at least 48 hours prior to the meeting and all meetings shall be held in accordance with Oregon's Public Meetings Law, ORS 192.610 to 192.690. Notice shall be mailed, faxed, e-mailed, or delivered personally to each member of the Committee. The meeting notice will be posted on the Oregon transparency website.

Section 2. Voting Rights

Each member of the Committee who is present shall cast one vote on any question. The Chief Administrative Law Judge may vote only when the votes of the other members are equally divided. A vote of the majority of members present (50 percent plus one, excluding the Chief Administrative Law Judge) shall be sufficient to pass a motion, providing a quorum is present.

Article 4. General Provisions

Section 1. Record Keeping

Written minutes shall be kept. These minutes shall record all members present, motions, proposals, resolutions, and measures proposed and their dispositions, the result of all votes, and the substance of any matter discussed. The draft minutes will be sent to the committee members and appropriate staff within two weeks of the meeting. That member edits will be submitted to the Office of Administrative Hearing Staff within 30 days of the meeting and that the final version shall be completed and posted on the Office of Administrative Hearings Oversight Committee website within 45 days of the meeting. The meeting minutes may be approved by the committee members via e-mail or other communication outside of a public meeting, and that the past minutes will be posted on the website, as recommended by Dept. of Administrative Services (DAS). The final version be sent back to committee members for review and any final changes or clarifications by the committee before approval and posting on the website of the final version.

Section 2. Absenteeism

If a Committee member cannot attend a meeting, the Chairperson should be notified as soon as possible before the meeting. Three consecutive absences without notice shall be deemed to be a resignation.

Section 3. Amendments

These By-laws may be amended or repealed and new by-laws enacted by two-thirds vote of the Committee.

Revised September 2022