

UGB Rulemaking Advisory Committee

Overview of Public Meetings Law

History

“The Oregon form of government requires an informed public aware of the deliberations and decisions of governing bodies and the information upon which such decisions were made. It is the intent of ORS 192.610 to 192.690 that decisions of governing bodies be arrived at openly.”

Oregon’s Public Meetings Law was enacted in 1973 to make sure that all governing body meetings covered by the law are open to the public.

Notice

The Public Meetings Law requires that the public receive notice of the time and place of meetings and those meetings be accessible to everyone, including persons with disabilities. The notice must give actual notice of the meeting to interested persons, specifically including members of the news media who have requested notice.

In order to avoid inadvertently triggering the Public Meetings Law, committee members should direct email messages and replies to department staff only. Department staff will then distribute to the full committee as appropriate.

Public Attendance and Participation

The Public Meetings Law guarantees the public the right to attend governing body meetings, but does not include the right to participate by public testimony. The Public Meetings Law is not a participation law. Under the Public Meetings Law, governing body meetings are open to the public except as provided by law (e.g. Executive Sessions). ORS 192.630(1).

Other statutes, rules, charters, ordinances, and bylaws outside the Public Meetings Law may require governing bodies to hear public testimony or comment on certain matters. But without such a requirement, a governing body may conduct a meeting without any public participation.

Written Minutes or Recording

The Public Meetings Law requires that written minutes or recording of the meeting be taken. Executive Sessions must also have written minutes.

Minutes or recording must include:

- Members present
- Motions, resolutions, etc.
- Result of votes

- Substance of discussion – “true reflection” – not verbatim.
- Reference to any document discussed, subject to Public Records Law

Minutes or recording must be made available to the public in a reasonable time after the meeting.

Control of Meetings

The presiding officer has authority to keep order and to impose any reasonable restrictions necessary for the efficient and orderly conduct of a meeting. The presiding officer can reasonably regulate use of cameras and tape recorders.

The presiding officer may regulate the order and length of appearances by the public and limit appearances to presentations of relevant points. The public has no right to participate in the meeting under Public Meetings Law.

Smoking is banned at public meetings. ORS 192.710

- \$10.00 fine for violation. ORS 192.990

Enforcement of Meetings Law

Oregon Government Ethics Commission (OGEC) enforces Executive Session violations – ORS 192.685(1) and 244.260. No Attorney General enforcement role – acts only as legal counsel to state agencies.

Complaints that public officials have violated the Executive Session provisions of the law may be made to the OGEC. ORS 192.685(1)