

# Commission Authority

**The Environmental Quality  
Commission shall appoint a director  
who shall hold office at the pleasure  
of the commission. ORS 468.040**

# Methods of Appoint

- Direct Executive Appointment
- Recruitment and Selection

# Types of Appointment

- Acting Director
- Interim Director
- Permanent Director

# Public Meeting Law Considerations

- No executive session may be held for the purpose of taking any final action or making any final decision. ORS 192.660 (6)

# Public Meeting Law Considerations

The governing body of a public body may hold an executive session [t]o consider the employment of a public officer ... ORS 192.660(2)

The exception granted by subsection (2)(a) of this section does not apply to: ...

(d) The employment of the chief executive officer ... 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.**

# Public Meeting Law Considerations

A subcommittee of the commission may be used to assist the commission either in a direct executive appointment or in recruitment.

Public meetings law requirements will apply to the subcommittee if it includes more than two commissioners **or** if the subcommittee makes a **committee** recommendation to the commission or makes a decision for the commission.

# Immediate Timing Considerations

- Deputy director has full authority to act for the director under ORS 468.050.
- Statutes are not clear whether the deputy director's authority continues after the resignation of the director.
- Most conservative approach would be to authorize the deputy director to serve as acting director after the Director Pedersen's resignation becomes effective and until an interim or permanent director is appointed.