



MEMORANDUM

TO: Columbia River Gorge Commission

FROM: Jeff Litwak, Legal Counsel

DATE: March 9, 2021

SUBJECT: Draft Revisions to Bylaws

Action Requested:

Discuss the draft revisions to your bylaws and take public comment. You may adopt the draft revisions at this meeting if you believe they are ready for adoption or have only minor changes to the revisions. If you would like to make significant changes to these draft revisions, you should give direction to the staff and staff will bring a new draft to the Commission at a future Commission meeting.

Background:

The Commission has bylaws that govern its internal working. The bylaws must be consistent with requirements in the National Scenic Area Act and the Columbia River Gorge Compact. The National Scenic Area Act preserves some state law as applicable to the Commission, so the bylaws must be consistent with those laws as well. I reviewed the relevant authorities while crafting these draft revisions.

The draft revisions:

- reflect current Commission practice (e.g., meeting in all counties and when the Commission may meet outside the NSA, and proxy attendance and voting)
- clean up inconsistent text in the current bylaws (e.g., "I removed references to "members of the Commission" and made all references to "Commissioners")
- remove some passive language
- fix pronouns to be gender neutral
- give each paragraph a separate section or subsection number
- divide paragraphs so each has only one subject
- refer to and attach the Commissioners' Code of Conduct (this is currently in your handbook)

This is the first significant revision to the bylaws since 2007. Several commissioners over years have suggested revisions to the bylaws, the Commission's practice has changed through new commissioners bringing their ideas to the Commission and changes in laws applicable to the Commission.

The draft revisions also add new provisions relating to public records and commissioners' service on external committees. The Commission gave direction to staff at the February 2021 meeting for service on external committees. The public records provisions will help the Commission comply with its records retention and public records disclosure requirements.

Several commissioners have reviewed the draft revisions and recommended changes as I have developed them. This draft incorporates those recommendations.