Chapter 292

1959 REPLACEMENT PART

Payment of Salaries and Expenses of State Officers and Employes

PROCEDURE FOR PAYMENT OF SALARY AND EXPENSES OF STATE OFFICERS AND EMPLOYES

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PROCEDURE FOR PAYMENT OF SALARY AND EXPENSES OF STATE OFFICERS AND EMPLOYES

292.010 State officers and employes generally; circuit court judges; district attorneys. (1) The salaries of the Governor, Secretary of State, State Treasurer, Attorney General, judges of the supreme and circuit courts, district attorneys, and all other state officers, and all persons employed by the state whose salary or compensation is payable by law out of the State Treasury, shall be paid monthly, on or before the fifth day of each month, out of the State Treasury, upon warrants drawn by the Secretary of State.

(2) This section shall not apply where a provision of law provides for the payment of the salaries of the officers and employes of any state institution or department through the medium of a monthly payroll.

292.014 Definitions. As used in ORS 292.014 to 292.036:

(1) "Authorized employe deductions" includes all authorized deductions made from the salary and wages of an officer or employe of a state agency.

(2) "Director" means the Director of the Department of Finance and Administration.

(3) "Salaries and wages" means payments to officers and employes of a state agency for services rendered other than on a fee basis. [1955 c.495 §1]

292.016 Centralized payroll procedure; may be used in lieu of other procedures. (1) The salaries and wages of the officers and employes of any state agency whose salaries and wages are payable out of the State Treasury may be paid through the medium of monthly payrolls as provided in ORS 292.014 to 292.036.

(2) The procedure provided in ORS 292.014 to 292.036 may be used in lieu of any other procedure provided by law for payment of the officers and employes of a state agency through the medium of a monthly payroll. [1955 c.495 §2]

292.018 Designation of agent. The chief administrative officer of any state agency electing to use the procedure provided by ORS 292.014 to 292.036 shall designate the Director of the Department of Finance and Administration as an agent to act for him under ORS 292.014 to 292.036. The designation shall be in writing signed by the chief administrative officer of the state agency and filed with the Secretary of State. The designation shall remain in effect until the chief administrative officer of the state agency revokes it by written notice to the Secretary of State. [1955 c.495 §3]

292.020 [Renumbered 292.038]

292.022 Preparation of payroll. (1) Each month the chief administrative officer of the state agency electing to use the procedure provided in ORS 292.014 to 292.036 shall cause to be prepared one or more monthly payrolls in the form prescribed by the Director of the Department of Finance and Administration.

(2) The payroll shall be certified as correct by the chief administrative officer of the state agency or by the officer designated pursuant to ORS 291.472 to approve voucher claims for the state agency.

(3) After the requirements of ORS 240.150 have been met, the payroll in a form acceptable to the Secretary of State shall be transmitted to the Secretary of State for audit. [1955 c.495 §4]

292.024 Audit of payroll; warrant for aggregate amount allowed. After he audits a payroll submitted under ORS 292.022, the Secretary of State shall draw a warrant for the aggregate amount allowed of the payroll. The warrant shall be drawn on the State Treasurer in favor of the Director of the Department of Finance and Administration. The director shall deposit all such warrants with the State Treasurer, to be held in a special account to be designated as the Joint Payroll Account. [1955 c.495 §5]

292.026 Issuing payroll checks. (1) After depositing the warrant in the Joint Payroll Account, the director shall issue checks in the proper amount. The checks shall bear his signature, be drawn on the State Treasurer and be payable from the Joint Payroll Account. The checks shall be issued to:

(a) The officers and employes of the state agency who are entitled to receive payments under the payroll as allowed by the Secretary of State.

(b) The persons, public or private, entitled to receive the authorized employe deductions under the payroll as allowed by the Secretary of State.

(2) Checks issued under paragraph (b) of subsection (1) of this section may be for the aggregate amount due under the payroll

to the person, public or private, entitled to receive the money. The director may, where monthly payments are not required, issue checks less frequently than monthly to the persons, public or private, entitled to receive payments under paragraph (b) of subsection (1) of this section. [1955 c.495 §6]

292.028 Use of mechanical device to sign checks. The director may use any mechanical equipment or device to affix his signature to any check drawn on the State Treasurer under ORS 292.026. The State Treasurer shall not refuse to honor any such check when presented for payment merely because the signature has been so affixed. [1955 c.495 §7]

292.030 [Amended by 1953 c.347 §3; renumbered 292.039]

292.032 Filing paid checks; unpresented checks. Checks issued under ORS 292.026, after having been paid, shall be filed with the chief administrative officer of the state agency. Unpresented checks shall be treated as are unpresented checks under ORS 291.510 to 291.514. [1955 c.495 §8]

292.033 Advances of terminal salary or wages. (1) As used in this section:

(a) "State agency" means a state agency which has elected to use the procedure provided in ORS 292.014 to 292.036.

(b) "Terminal salary or wages" means the salary or wages payable to an officer or employe who is terminating his office or employment with the state and includes cash payments made in lieu of accrued vacation time.

(2) Where a state agency does not have an alternative procedure for advances of terminal salary or wages, the Director of the Department of Finance and Administration may make advances of terminal salary or wages to an officer or employe of a state agency by check drawn on the Joint Payroll Account. The provisions of ORS 292.028 and 292.032 apply to such checks. The director shall require the officer or employe to whom the advance is made to execute an assignment of his terminal salary or wages in the amount of the advancement. The assignment shall be made to the Director of the Department of Finance and Administration. The assignment shall have priority over any other claims against the terminal salary or wages owed to the officer or employe by the state. The director shall withhold the amount specified in the assignment from the terminal salary or wages payable to such officer or employe, and the amount so withheld shall be credited to the Joint Payroll Account in payment of the advance made under this section. [1957 c.93 §2]

292.034 Payment for use of centralized payroll services. A state agency electing to use the procedure provided by ORS 292.014 to 292.036 shall pay, as provided in ORS 291.658, for the expense of the services (including labor), facilities and materials furnished by the Department of Finance and Administration under ORS 292.014 to 292.036. [1955 c.495 §9]

292.036 Rules and regulations. The director may prescribe such rules and regulations as are necessary to carry out the provisions of ORS 292.014 to 292.036. [1955 c.495 §10]

292.038 Paying employes of state institutions. (1) As used in this section, "state institutions" means:

Oregon State Hospital.
Eastern Oregon State Hospital.
Oregon State Correctional Institution.
Oregon State Penitentiary.
Oregon Fairview Home.
MacLaren School for Boys.
Oregon State Tuberculosis Hospital.
Mid-Columbia Home.
Oregon State School for the Blind.
Oregon State School for the Deaf.
Hillcrest School of Oregon.

(2) At the end of each month the executive heads of all state institutions shall cause a payroll to be made. The payroll shall show the name of each person employed, the capacity in which such person is employed, the rate of salary or wages and the amount due. Upon receipt of the payroll, duly certified to by the executive officer, the Secretary of the Oregon State Board of Control shall examine the payroll. The Board of Control, if the payroll is found correct and regular, shall approve the payroll and present it to the Secretary of State, who shall audit the payroll and draw a warrant upon the State Treasurer in favor of the executive head, in payment of the payroll, in the same manner as other warrants are drawn for the payment of claims against the state. [Formerly 292.020; 1959 c.588 §18; 1959 c.687 §5]

292.039 Paying officers and employes of certain state institutions, boards, commissions and agencies. (1) The payment of the

salary or compensation of the officers, teachers, instructors, and other employes of the Department of Higher Education, employes of the state fish hatcheries, State Industrial Accident Commission, Department of Employment Commissioner, State Tax Commission, the Public Utility Commissioner and Oregon Liquor Control Commission and the officers and employes of any state agency, as defined in subsection (7) of ORS 291.002, if such agency is authorized by the Director of the Department of Finance and Administration, where such salary or compensation is payable out of the State Treasury and is fixed by law or the proper governing board or authority at a definite rate per day, week, month or year, shall be made monthly, as provided in this section.

(2) The superintendent, president or chief executive officer of the institutions, boards, commissions or state agencies listed in subsection (1) of this section, or such other officer thereof as may be, with the approval of the Secretary of State, designated by the proper governing board or authority, shall, at the end of each month, make out, certify to and transmit to the Secretary of State, a payroll, duly verified by him and approved by the proper auditing committee or officer, showing the names of the several officers and employes during the preceding month, the rate of compensation of each by the day, week, month or year, the time employed, the amount due and any other facts the Secretary of State requires. The Secretary of State, if he approves the payroll, shall draw a warrant on the State Treasurer for the aggregate amount allowed by him thereon, in favor of the superintendent, president or other officer of the institution, board, commission or state agency, who shall immediately pay over the moneys received thereon to the several parties entitled thereto, taking receipts therefor, which shall be transmitted to the Secretary of State.

(3) All institutions, boards, commissions or state agencies, whose officers or employes are paid monthly as provided in this section, shall, in the annual or biennial reports to the Governor or the legislature, give the names of all officers, teachers, instructors or other employes so paid, with the rate of compensation and the gross amount paid each during the period covered by the report. [Formerly 292.030; amended by 1957 c.482 §1; 1959 c.183 §1; 1959 c.566 §5]

292.040 Bond of payroll officer. Before the executive head of any institution listed in ORS 292.038, or the superintendent, president or other officer of an institution, board or commission listed in ORS 292.039, forwards a payroll or receives from the Secretary of State a warrant issued thereon, he shall file in the office of the Secretary of State a bond running to the State of Oregon, for the benefit of whomsoever it may concern, in such sum and amount as the Secretary of State may require, not less, however than 50 percent of the probable aggregate amount of the monthly payroll nor more than $50,000, with an approved surety company as surety. The bond shall be conditioned that he will faithfully pay over the moneys received by him on the warrant issued by the Secretary of State to the several parties entitled thereto, and properly account for the same. The premium on the bond shall be considered an expense of the state and payable from any funds appropriated for the benefit of the institution, board or commission. [Amended by 1953 c.95 §2]

292.045 Deduction of United Fund contribution; payment to United Fund. (1) As used in this section, "United Fund" means the organization conducting the single, annual, consolidated effort to secure funds for distribution to agencies engaged in charitable and public health, welfare and service purposes, which is commonly known as the United Fund, or the organization which serves in place of the United Fund organization in communities where an organization known as the United Fund is not organized.

(2) Any state official authorized to disburse funds in payment of salaries or wages of state officers or employes is authorized, upon written request of the state officer or employe, to deduct each month from the salary or wages of the officer or employe the amount of money designated by the officer or employe for payment to the United Fund. The moneys so deducted shall be paid over promptly to the United Fund designated by the officer or employe. Subject to any regulations prescribed by the Secretary of State, the state official authorized to disburse the funds in payment of salaries or wages may prescribe any procedures necessary to carry out this section. [1955 c.255 §1]

292.050 Deduction of cost of contracts for medical, hospital and other services; payment to contracting agency. (1) The

Secretary of State or other state official authorized to disburse funds in payment of salaries and wages of employes of any department, institution or commission is authorized to deduct a portion of the salaries or wages of the employes of such department, institution or commission to pay the cost of contracts of such employes or contracts on their behalf for medical, surgical, hospital and related services and supplies, upon receiving written authorization from each employe from whose wages or salary a deduction is made if the agency contracting to provide such services and supplies is authorized by law to enter into such a contract.

(2) The Secretary of State or other state official authorized to disburse funds in payment of salaries and wages shall not be required to deduct such moneys for more than one such contract in any one department, institution or commission.

(3) The money deducted shall be paid over promptly to the agency, in accordance with the terms of the contract.

292.055 Deduction of payment for employe organization; payment to organization; fees payable to state. (1) Upon receipt by him of the request in writing of a state officer or employe so to do, the state official authorized to disburse funds in payment of the salary or wages of such state officer or employe each month shall deduct from the salary or wages of such officer or employe the amount of money indicated in such request, for payment thereof to an employe organization authorized by law to do business in this state and in such request designated by such officer or employe to receive it.

(2) Such state official each month shall pay such amount so deducted to any such employe organization so designated to receive it.

(3) Upon receipt by him of the request in writing of such officer or employe so to do, such state official shall cease making such deductions and payments.

(4) No such deductions for, or payments to, more than two employe organizations shall be made in respect of any one department, board, commission, bureau, institution or other agency of the state. Should such deductions and payments be made for and to two such employe organizations in respect of any such department, board, commission, bureau, institution or other agency, they shall be made for and to the two thereof designated in the greatest and next greatest numbers of such requests of officers and employes in that department, board, commission, bureau, institution or other agency, so submitted and not so revoked.

(5) Every employe organization for and to which such deductions and payments are made shall, within 10 days after the close of each quarter-year, report in writing to such department, board, commission, bureau, institution or other agency in respect of which such deductions and payments are made, the name of, and pay to it the sum of six cents for, each officer and employe therein whose request was in effect on the last calendar day of such quarter. Such fees, when received, shall be deposited with other miscellaneous receipts in the account established for such agency pursuant to ORS 291.678, or other account or fund established and appropriated for such agency by law. [1959 c.316 §1]

292.060 Deduction of cost of group life insurance; payment to insurance company. (1) Any state official authorized to disburse funds in payment of salaries or wages of employes of any department, institution or commission of this state, is authorized, upon the written request of the employes of such department, institution or commission, to deduct from such salaries or wages the amounts of money designated by such employes for payment of the cost of group life insurance contracts made and entered into by such employes or in their behalf with a life insurance company authorized by law to do business in this state.

(2) The money so deducted shall be paid over promptly by the state official to the insurance company in accordance with the terms of the contract.

(3) The state official shall not be required to make such deductions for more than one group life insurance contract in respect of any one department, institution or commission.

292.070 Withholding compensation to purchase United States War Savings Bonds or other obligations; Employes' War Savings Account; exemption from garnishment, attachment or execution. (1) As used in ORS 292.070 to 292.110:

(a) "Compensation" means salaries and wages.

(b) "State employes" means state officers and employes, including minors.

(2) The Secretary of State, pursuant to such rules and regulations as he may promulgate, is authorized, with the approval of state employes, to withhold from their compensation sums with which to purchase for them United States War Savings Bonds or other obligations of the United States of America and to deposit such sums with the State Treasurer in a trust account entitled Employes' War Savings Account. The account shall be subject to withdrawal, in whole or in part, upon the check or written order of the Secretary of State, or of such persons as may be deputized by him, for the purposes provided in ORS 292.070 to 292.110. The account, with its component items, shall be exempt from garnishment, attachment or execution under the laws of this state.

292.080 Issuance of bonds; delivery to employe. (1) The Secretary of State shall maintain a record of all deductions made from the compensation of employes under authority of ORS 292.070. When sufficient funds have accumulated to the credit of an employe to permit of the issuance to him of a United States War Savings Bond or other federal obligation of the kind and in the denomination desired by the employe, the Secretary of State shall issue or procure the bond or other obligation purchased by the employe.

(2) All such bonds or other obligations issued by the Secretary of State in behalf of the Federal Government shall be:

(a) Forwarded to the purchasing employe by the Secretary of State by mail in envelopes furnished by the Federal Government; or

(b) Delivered by the Secretary of State to the board, department, commission or other state agency by which the purchaser is employed, for redelivery to the employe.

292.090 Balances may be used to purchase bonds in advance. Balances to the credit of the Employes' War Savings Account may be used for the purchase in advance, from the Federal Government or from any federal reserve bank or other authorized federal agency, of war savings bonds or other obligations of the Federal Government, either in blank or in inscribed form, in convenient denominations to meet the requirements of the purchasers thereof.

292.100 Refunds from account. The Secretary of State may make refunds from the Employes' War Savings Account, of the uninvested amounts therein, of employes' salary deductions.

292.110 Procedure where employe dies having credit in account. (1) If a state employe dies having moneys to his credit in the Employes' War Savings Account, the moneys shall be paid to the co-owner or beneficiary named in the employe's payroll allotment authorization for the purchase of such bonds or obligations. If no co-owner or beneficiary is designated therein, then, if the employe is married, the moneys shall be paid or refunded to the employe's surviving spouse, or, if the employe is unmarried, to a next of kin.

(2) Uncashed refund checks or orders issued and delivered to state employes before death, may be paid to the like parties in the order named, upon indorsement of the checks or orders by such parties in the name of the deceased payee and individually.

292.120 [Repealed by 1955 c.316 §4]

292.130 [Repealed by 1955 c.316 §4]

292.140 [Repealed by 1955 c.316 §4]

292.150 Advances upon mileage allowances of members of legislature and upon salaries of legislative clerks and other state employes. (1) The State Treasurer is authorized, under such rules as he shall promulgate, to make cash advances in payment of mileage allowances of members of the Legislative Assembly, and in payment of earned wages and salaries of clerks and employes thereof, and of state employes during sessions of the Legislative Assembly and in emergency cases, pursuant to assignments executed by payees in favor of the State Treasurer.

(2) Wages and salaries of clerks and employes of the Legislative Assembly shall be so advanced only pursuant to certificates, showing the amount of salary earned and unpaid, signed by the chief clerk of the branch of the Legislative Assembly with which the party receiving the advance is identified and by the Secretary of State or his duly authorized representative.

(3) The amounts of earned wages and salaries of state employes shall be so advanced only if payable solely from appropriations made by the Legislative Assembly, and then only upon vouchers approved by the proper state officer, board or commission, as the case may be.

292.160 Repayment of amounts advanced. (1) The amounts advanced by the State Treasurer under ORS 292.150 shall be repaid to the State Treasurer through warrants issued by the Secretary of State in payment of properly approved vouchers.

(2) The State Treasurer, as assignee of the parties to whom such advances have been made, is authorized to:

(a) Verify the vouchers.

(b) Indorse, as assignee, the warrants drawn in favor of the parties to whom the advances have been made, or to such parties and to the State Treasurer as assignee jointly.

(c) Reimburse, from the proceeds of the warrants, the funds or accounts from which the advances have been made.

292.170 to 292.200 [Reserved for expansion]

SUBSISTENCE AND MILEAGE ALLOWANCES FOR TRAVEL BY STATE OFFICERS AND EMPLOYES

292.210 Definitions and application of ORS 292.220 and 292.230. As used in ORS 292.210 to 292.230, unless the context otherwise requires:

(1) "State agency" means every state officer, board, commission, institution, branch or agency of the state government, whose costs are paid wholly or in part from funds held in the State Treasury.

(2) "State officer" means any elected or appointed state officer, including members of boards and commissions. [Amended by 1953 c.623 §3]

292.220 Department of Finance and Administration to regulate subsistence and mileage allowances for travel. The amounts and nature of subsistence allowances for travel, and the rate of mileage allowance for travel by private automobile, payable by state agencies, shall be established and regulated by the Department of Finance and Administration, within any limits that may be prescribed by statute. The department shall prescribe by regulation the conditions under which allowances for travel by private automobile may be made.

292.230 Travel outside state at public expense by state officers and employes of state agencies; letter of authorization required. No state officer or employe of a state agency shall be reimbursed for travel expenses for out-of-state travel, nor shall any state agency incur any obligation for such travel, unless a letter of authorization for such travel has been issued by the Department of Finance and Administration prior to the making of the travel or the incurring of the obligation. The issuance of such letters of authorization shall be based upon the department's determination of the propriety, legality and necessity of the proposed travel. The amounts allowable for out-of-state travel expenses shall be governed by regulations prescribed under ORS 292.220. For the purposes of this section, all travel from a point of origin in Oregon to a point of destination in another state, and return therefrom, constitutes out-of-state travel.

292.240 [Repealed by 1953 c.623 §3]

292.250 Rate of reimbursement for use of privately owned motor vehicle on official business. (1) No officer or employe of the state, or of any branch, department, board, commission, bureau, institution or other agency thereof, shall be reimbursed by the state for the use on official business of a privately owned motor vehicle at a rate to exceed seven cents per mile. Reimbursement shall be paid only for distances actually traveled and trips made in the performance of official duties.

(2) The rate prescribed in subsection (1) of this section shall be deemed to be in full compensation for all and every expense, charge or liability incurred through the use of the privately owned motor vehicle, including the cost of gasoline, oil, repair parts, depreciation, taxes, insurance and maintenance and upkeep of every kind and nature.

(3) No law enacted before August 2, 1951, allowing the recovery by an officer or employe of the state of necessary and reasonable traveling expenses incurred in the performance of official duties shall be construed to authorize payment by the state for the use of a privately owned motor vehicle on a basis in excess of the rate provided in subsection (1) of this section.

292.260 Audit or allowance of claim for excessive rate prohibited. The Secretary of State shall not audit and allow any claim for reimbursement for the use of a privately owned motor vehicle in the transaction of state business which is computed at a rate greater than seven cents per mile.

292.270 [Reserved for expansion]

292.280 Advance for expenses of travel and subsistence. Notwithstanding ORS chapters 291 and 292, any officer or employe of any state agency may receive an advance for approved necessary expenses of travel and subsistence arising out of his official duties or employment, in the manner provided in ORS 292.283 to 292.292. [1955 c.765 §1]

292.283 Persons authorized to make advances. The advance referred to in ORS 292.280 shall be made in accordance with the procedure provided in ORS 292.286 and 292.289 by:

(1) If the state agency by which the officer or employe requesting the advance is employed has a revolving fund or account which may be used for travel and subsistence expenses, the official of the agency authorized to disburse such revolving fund or account from such revolving fund or account.

(2) If the state agency by which the officer or employe requesting the advance is employed has no revolving fund or account which may be used for travel and subsistence expenses, the Secretary of State from the Travel Revolving Account created by ORS 292.298. [1955 c.765 §2]

292.286 Approval of advance by agency head. (1) Any officer or employe of a state agency who desires a cash advance for the expenses of travel and subsistence arising out of his official duties or employment shall file a written request for the approval of such advance with the administrative head of the state agency by which he is employed. No advance shall be approved for a greater amount than the amount of salary and wages accrued to such officer or employe on the date the request for an advance is filed.

(2) The administrative head of the state agency by which the officer or employe requesting the advance is employed shall forward a copy of his written approval to:

(a) The official authorized to disburse the revolving fund or account of such agency if such agency has a revolving fund or account which may be used for travel and subsistence expenses.

(b) The Secretary of State if such agency does not have a revolving fund or account which may be used for travel and subsistence expenses. [1955 c.765 §3]

292.289 Assignment of accrued salary. Upon the receipt of written approval from the administrative head of the state agency by which the officer or employe requesting the advance is employed, the official authorized to disburse the revolving fund or account of such agency or the Secretary of State, as the case may be, shall:

(1) Cause the officer or employe requesting the advance to execute two copies of an assignment of his accrued salary and wages in the amount of the advance requested. Such assignment shall have priority over any other claims against the wages and salary owed to such employe by the state agency by which he is employed. The assignment shall be made to:

(a) The state agency if the advance is to be made from the revolving fund or account of such agency.

(b) The Secretary of State if the advance is to be made from the Travel Revolving Account created by ORS 292.298.

(2) Issue his warrant or check for the amount of the advance upon the execution of the assignment.

(3) Forward one copy of the assignment to the official charged with issuing payroll warrants or checks for the state agency by which the officer or employe who received the advance is employed. [1955 c.765 §4]

292.292 Withholding amount of assignment from salary; payment to official making advance. Upon receipt of a copy of the assignment executed pursuant to ORS 292.289, the official charged with issuing payroll warrants or checks for the state agency by which the officer or employe who received the advance is employed shall:

(1) Withhold the amount specified in the assignment from the salary and wages paid to such officer and employe and record the amount withheld in the payroll records.

(2) Issue his warrant or check for the amount withheld pursuant to subsection (1) of this section, payable to the official who made the advance under subsection (2) of ORS 292.289. [1955 c.765 §5]

292.295 Deposit of amount withheld from salary. Upon receipt of the warrant or check issued pursuant to subsection (2) of ORS 292.292, the official who made the advance under subsection (2) of ORS 292.289 shall deposit the proceeds of the warrant or check to the credit of the fund or account from which the advance was made. [1955 c.765 §6]

292.298 Travel Revolving Account. There hereby is created in the General Fund in the State Treasury an account to be

known as the Travel Revolving Account. All moneys in such account hereby are continuously appropriated to the Secretary of State for the purposes of ORS 292.280 to 292.298. [1955 c.765 §8]

292.300 [Reserved for expansion]

SALARIES AND EXPENSES OF ELECTED STATE OFFICERS

292.310 [Repealed by 1953 c.307 §4]

292.312 [Repealed by 1953 c.307 §4]

292.313 Governor, Secretary of State, State Treasurer, Attorney General, Superintendent of Public Instruction, Commissioner of Labor. The incumbents of each of the following offices shall be paid an annual salary on a monthly basis, as follows:

(1) Governor, $17,500, plus $600 per month regularly for expenses necessarily incurred but not otherwise provided for.

(2) Secretary of State, $12,500.

(3) State Treasurer, $12,500.

(4) Attorney General, $12,500.

(5) Superintendent of Public Instruction, $11,500.

(6) Commissioner of Labor, $11,500. [1953 c.307 §1; 1955 c.706 §1; 1957 c.578 §1; 1959 c.693 §1]

292.314 [Repealed by 1953 c.307 §4]

292.315 [1953 c.517 §1; 1955 c.529 §1; 1957 c.685 §1; renumbered 292.410]

292.316 Governor, Secretary of State, State Treasurer and Attorney General to pay fees and commissions into treasury; biennial report. All fees and commissions of any kind, name or nature collected by the Governor, Secretary of State, State Treasury or Attorney General for any service performed by him by virtue of his office or collected by him by virtue of his office, shall be paid into the State Treasury on or before the tenth day of the month following the collection thereof, accompanied by an itemized statement of the services for which the same were collected. Each of such officers shall, in his biennial report, set forth a statement of all moneys so collected and paid over to the State Treasurer. [Amended by 1953 c.307 §4]

292.317 [1953 c.542 §1; 1955 c.705 §1; last sentence of 1957 Replacement Part enacted as 1955 c.705 §5; 1957 c.486 §1; sentence before last sentence of 1957 Replacement Part enacted as 1957 c.486 §2; 1959 c.588 §15; 1959 c.596 §68; renumbered ORS 292.505 to 292.790]

292.318 [1953 c.542 §2; subsection (2) of 1957 Replacement Part enacted as 1955 c.705 §6; 1957 c.486 §3; renumbered 292.855]

292.319 [1953 c.542 §3; renumbered 292.860]

292.320 [Amended by 1953 c.542 §5; renumbered 292.905]

292.322 [Amended by 1953 c.542 §5; renumbered 292.910]

292.324 [Amended by 1953 c.542 §5; renumbered 292.915]

292.325 Person serving as Governor while Governor is temporarily absent or unable to serve. (1) When a person becomes Governor under section 8, Article V of the Oregon Constitution because of the Governor's temporary absence from the state or other temporary inability to discharge the duties of the office, such person may claim for the period he serves as Governor a salary at a rate equal to that provided by law for the office of Governor and his travel and other expenses actually incurred in connection with the performance of his duties as Governor. The salary and expenses so claimed shall be paid from the moneys in the General Fund not otherwise appropriated and sufficient moneys hereby are continuously appropriated from the General Fund for such purpose.

(2) Nothing in subsection (1) of this section is intended to prevent the payment of the salary and expenses provided by subsection (1) of ORS 292.313 to the Governor who is temporarily absent from the state or temporarily unable to discharge the duties of the office. [1959 c.50 §1]

292.326 [Repealed by 1953 c.307 §4]

292.328 [Repealed by 1953 c.307 §4]

292.330 [Repealed by 1953 c.517 §4]

292.332 [Repealed by 1953 c.382 §4]

292.334 [Amended by 1953 c.542 §5; renumbered 292.940]

292.336 [Repealed by 1953 c.542 §5]

292.338 [Repealed by 1953 c.68 §19]

292.340 [Repealed by 1953 c.542 §5]

292.342 [Repealed by 1955 c.705 §7]

292.344 [Renumbered 292.975]

292.346 [Repealed by 1953 c.25 §2]

292.348 [Amended by 1955 c.705 §2; repealed by 1957 c.486 §5]

292.350 [Amended by 1955 c.705 §3; renumbered 292.945]

292.352 [Repealed by 1953 c.542 §5]

292.354 [1953 c.723 §11; 1955 c.705 §4; 1957 c.486 §4; repealed by 1959 c.55 §1]

292.356 to 292.405 [Reserved for expansion]

292.410 Supreme Court Justice. The annual salary of each justice of the Supreme Court shall be $16,000, payable monthly. [Formerly 292.315]

292.415 to 292.500 [Reserved for expansion]

SALARIES AND EXPENSES OF NONELECTIVE STATE OFFICIALS

292.505 Salary ranges for certain nonelective state officials. (1) Notwithstanding any other provision of law, effective July 1, 1957, the incumbents of the various state offices and positions named in ORS 292.505 to 292.790 shall be paid an annual salary, on a monthly basis, equal to the minimum amount set forth in ORS 292.505 to 292.790 after the designation of the respective offices or positions, unless such salary is or has been altered as prescribed in ORS 292.855.

(2) In no case shall an incumbent of a state office or position named in ORS 292.505 to 292.790, by reason of the minimum limit prescribed by ORS 292.505 to 292.790, be paid less than the monthly salary he is receiving on June 30, 1957. The setting forth in ORS 292.505 to 292.790 of a minimum and maximum annual salary for any office or position is not intended to create such office or position, but only indicates the minimum and maximum salary for any office or position if otherwise created. [Formerly part of 292.317]

Note: ORS 292.505, as a part of ORS 292.317, was amended by two 1959 Acts, i.e., chapters 588 and 596. Chapter 588 was approved by the Governor on May 25, 1959; chapter 596 was approved by the Governor on May 26, 1959. Each Act took effect upon its passage. That part of ORS 292.317 now in ORS 292.505 is compiled as it appeared in section 68, chapter 596, Oregon Laws 1959. Section 15, chapter 588, Oregon Laws 1959, substituted "May 25, 1959" for "July 1, 1957," in subsection (1) of ORS 292.505, and substituted "was receiving before May 25, 1959," for "is receiving on June 30, 1957," in subsection (2) of ORS 292.505.

	Annual Salary Min.	Max.
292.510 Executive Secretary of State Board of Accountancy.		
Executive Secretary of State Board of Accountancy	$ 3,000	$ 4,200
[Formerly part of 292.317]		
292.515 Adjutant General.		
Adjutant General	$ 7,500	$ 9,000
[Formerly part of 292.317]		
292.520 Director of Aeronautics.		
Director of Aeronautics	$ 6,000	$ 7,500
[Formerly part of 292.317]		
292.525 Director of Agriculture.		
Director of Agriculture	$ 8,000	$ 9,500
[Formerly part of 292.317]		

Note: ORS 292.525 has been superseded by ORS 292.935.

292.530 Superintendent of Banks.		
Superintendent of Banks	$ 8,000	$10,000
[Formerly part of 292.317]		
292.535 Secretary-Treasurer of Board of Barber Examiners.		
Secretary-Treasurer of Board of Barber Examiners	$ 3,600	$ 4,800
[Formerly part of 292.317]		
292.540 Administrator, Commission for the Blind.		
Administrator, Commission for the Blind	$ 6,000	$ 7,500
[Formerly part of 292.317]		
292.545 Superintendent of School for the Blind.		
Superintendent of School for the Blind	$ 9,000	$10,500
[Formerly part of 292.317]		
292.550 Director of Civil Defense.		
Director of Civil Defense	$ 6,500	$ 7,500
[Formerly part of 292.317]		
292.555 Secretary of the Board of Control.		
Secretary of the Board of Control	$ 7,200	$ 9,000
[Formerly part of 292.317]		

	Annual Salary Min.	Max.

292.560 Corporation Commissioner.

Corporation Commissioner	$ 8,000	$10,000

[Formerly part of 292.317]

292.565 Superintendent of Oregon State Correctional Institution.

Superintendent of Oregon State Correctional Institution	$11,500	$12,800

[Formerly part of 292.317]

292.570 Secretary of State Board of Cosmetic Therapy Examiners.

Secretary of State Board of Cosmetic Therapy Examiners	$ 3,600	$ 4,800

[Formerly part of 292.317]

292.575 Superintendent of School for the Deaf.

Superintendent of School for the Deaf	$ 9,000	$10,500

[Formerly part of 292.317]

292.580 Executive Secretary of State Board of Dental Examiners.

Executive Secretary of State Board of Dental Examiners	$ 4,200	$ 5,700

[Formerly part of 292.317]

292.585 State Engineer.

State Engineer	$ 9,000	$11,000

[Formerly part of 292.317]

292.590 Secretary of State Board of Engineering Examiners.

Secretary of State Board of Engineering Examiners	$ 4,200	$ 5,700

[Formerly part of 292.317]

292.595 Executive Secretary of Oregon State Fair Commission.

Executive Secretary of Oregon State Fair Commission	$ 6,000	$ 7,500

[Formerly part of 292.317]

	Annual Salary Min.	Max.

292.600 Superintendent of Fairview Home.

Superintendent of Fairview Home	$12,000	$14,200

[Formerly part of 292.317]

Note: ORS 292.600 has been superseded by ORS 292.935.

292.605 Director of Department of Finance and Administration.

Director of Department of Finance and Administration	$10,000	$12,500

[Formerly part of 292.317]

292.610 State Fisheries Director.

State Fisheries Director	$ 7,500	$ 9,500

[Formerly part of 292.317]

292.615 Administrator of Forest Protection and Conservation Committee.

Administrator of Forest Protection and Conservation Committee	$ 7,500	$10,500

[Formerly part of 292.317]

292.620 State Forester.

State Forester	$ 9,000	$11,000

[Formerly part of 292.317]

292.625 State Game Director.

State Game Director	$ 9,000	$10,500

[Formerly part of 292.317]

292.630 Director of Department of Geology and Mineral Industries.

Director of Department of Geology and Mineral Industries	$ 8,000	$ 9,500

[Formerly part of 292.317]

292.635 State Health Officer.

State Health Officer	$12,000	$14,500

[Formerly part of 292.317]

Note: ORS 292.635 has been superseded by ORS 292.935.

292.640 State Highway Engineer.

State Highway Engineer	$12,300	$16,000

[Formerly part of 292.317]

	Annual Salary Min.	Max.
292.645 Superintendent of Hillcrest School.		
Superintendent of Hillcrest School	$ 9,000	$10,500
[Formerly part of 292.317]		
292.650 Superintendent of Eastern Oregon State Hospital.		
Superintendent of Eastern Oregon State Hospital	$12,500	$14,700
[Formerly part of 292.317]		

Note: ORS 292.650 has been superseded by ORS 292.935.

292.655 Superintendent of Eastern Oregon Tuberculosis Hospital.		
Superintendent of Eastern Oregon Tuberculosis Hospital	$12,000	$14,200
[Formerly part of 292.317]		

Note: ORS 292.655, as a part of ORS 292.317, was amended by two 1959 Acts, i.e., chapters 588 and 596. Chapter 588 was approved by the Governor on May 25, 1959; chapter 596 was approved by the Governor on May 26, 1959. Each Act took effect upon its passage. That part of ORS 292.317 now in ORS 292.655 is compiled as it appeared in section 68, chapter 596, Oregon Laws 1959. Section 15, chapter 588, Oregon Laws 1959, substituted "Mid-Columbia Home" for "Eastern Oregon Tuberculosis Hospital."

292.660 Superintendent of F. H. Dammasch State Hospital.		
Superintendent of F. H. Dammasch State Hospital	$12,500	$14,700
[Formerly part of 292.317]		
292.665 Superintendent of Oregon State Hospital.		
Superintendent of Oregon State Hospital	$13,000	$15,200
[Formerly part of 292.317]		

Note: ORS 292.665 has been superseded by ORS 292.935

292.670 Superintendent of Oregon State Tuberculosis Hospital.		
Superintendent of Oregon State Tuberculosis Hospital	$12,000	$14,200
[Formerly part of 292.317]		

Note: ORS 292.670 has been superseded by ORS 292.935.

	Annual Salary Min.	Max.
292.675 State Industrial Accident and Unemployment Compensation Commissioners.		
State Industrial Accident and Unemployment Compensation Commissioners (3)	$ 9,000	$10,500
[Formerly part of 292.317]		
292.680 Insurance Commissioner.		
Insurance Commissioner	$ 8,000	$10,000
[Formerly part of 292.317]		
292.685 Labor Examiner, Division of Labor Elections.		
Labor Examiner, Division of Labor Elections	$ 4,000	$ 8,000
[Formerly part of 292.317]		
292.690 Clerk of State Land Board.		
Clerk of State Land Board	$ 7,200	$ 8,500
[Formerly part of 292.317]		
292.695 State Librarian.		
State Librarian	$ 7,500	$10,000
[Formerly part of 292.317]		
292.700 Liquor Control Administrator.		
Liquor Control Administrator	$10,000	$12,500
[Formerly part of 292.317]		
292.705 Superintendent of MacLaren School for Boys.		
Superintendent of MacLaren School for Boys	$ 9,000	$10,500
[Formerly part of 292.317]		
292.710 Executive Secretary of Board of Medical Examiners.		
Executive Secretary of Board of Medical Examiners	$ 4,200	$ 5,700
[Formerly part of 292.317]		
292.715 Director of Department of Motor Vehicles.		
Director of Department of Motor Vehicles	$ 9,000	$10,000
[Formerly part of 292.317]		

	Annual Salary Min.	Max.
292.720 Executive Secretary of Oregon State Board of Nursing.		
Executive Secretary of Oregon State Board of Nursing	$ 4,500	$ 6,000
[Formerly part of 292.317]		
292.725 Director of Parole and Probation.		
Director of Parole and Probation	$ 7,200	$ 8,500
[Formerly part of 292.317]		
292.730 Warden of Penitentiary.		
Warden of Penitentiary	$12,000	$13,300
[Formerly part of 292.317]		
292.735 State Police Superintendent.		
State Police Superintendent	$9,000	$11,000
[Formerly part of 292.317]		
292.740 Secretary of Oregon Racing Commission.		
Secretary of Oregon Racing Commission	$ 4,000	$ 6,000
[Formerly part of 292.317]		
292.745 Real Estate Commissioner.		
Real Estate Commissioner	$ 7,200	$ 8,500
[Formerly part of 292.317]		
292.750 Executive Secretary of Public Employes' Retirement Board.		
Executive Secretary of Public Employes' Retirement Board	$ 9,000	$10,500
[Formerly part of 292.317]		
292.755 Administrative Officer of State Soil Conservation Committee.		
Administrative Officer of State Soil Conservation Committee	$ 5,000	$ 7,200
[Formerly part of 292.317]		
292.760 State Tax Commissioners.		
State Tax Commissioners (3)	$ 9,000	$10,500
[Formerly part of 292.317]		
292.765 Director of Oregon Technical Institute.		
Director of Oregon Technical Institute	$ 8,000	$11,000
[Formerly part of 292.317]		
292.770 Unemployment Compensation Administrator		
Unemployment Compensation Administrator	$ 7,500	$10,000
[Formerly part of 292.317]		
292.775 Public Utility Commissioner.		
Public Utility Commissioner	$10,000	$12,500
[Formerly part of 292.317]		
292.780 Director of Veterans' Affairs.		
Director of Veterans' Affairs	$ 8,000	$10,000
[Formerly part of 292.317]		
292.785 Secretary of Water Resources Board.		
Secretary of Water Resources Board	$ 7,500	$ 9,500
[Formerly part of 292.317]		
292.790 Public Welfare Administrator.		
Public Welfare Administrator	$ 9,000	$11,000
[Formerly part of 292.317]		

292.795 to 292.850 [Reserved for expansion]

292.855 Alteration of salaries within ranges specified for nonelective officials; salary for positions under ORS 292.317 prior to 1955 and 1957 amendments. (1) Within the minimum and maximum limits prescribed by ORS 292.505 to 292.790, the annual salary of the incumbent of an office or position named in ORS 292.505 to 292.790 may from time to time be altered upon the appointing authority's filing in the office of the Secretary of State written notification, approved by the Governor, or in the case of offices or positions under the control of the Secretary of State, State Treasurer, State Board of Control or State Land Board,

approved by such officer or agency, specifying the salary to be paid. The salary specified in such notification shall be the annual salary for the office or position therein named beginning with the first day of the month next following the filing of such notification and until subsequently altered pursuant to this section.

(2) The respective appointing authorities, subject to any applicable statute, hereby are authorized to determine the salary for any office or position the salary for which was set forth in ORS 292.317 before such section was amended by section 1, chapter 705, Oregon Laws 1955, or before such section was amended by section 1, chapter 486, Oregon Laws 1957. [Formerly 292.318]

292.860 Nonelective officials to be charged for any maintenance furnished. In the case of all officials enumerated in ORS 292.505 to 292.790, where maintenance is furnished by the state, such officials shall be charged for such maintenance a sum to be fixed by the State Board of Control. [Formerly 292.319]

292.865 to 292.900 [Reserved for expansion]

292.905 Assistant Secretary of State. Subject to ORS 292.505 to 292.855, the compensation of the Assistant Secretary of State shall be fixed by the Secretary of State. [Formerly 292.320]

292.910 Chief Deputy State Treasurer. Subject to ORS 292.505 to 292.855, the compensation of the Chief Deputy employed by the State Treasurer shall be fixed by the State Treasurer. [Formerly 292.322]

292.915 Deputy Attorney General. Subject to ORS 292.505 to 292.855, the compensation of the Deputy Attorney General shall be fixed by the Attorney General. [Formerly 292.324]

292.920 to 292.930 [Reserved for expansion]

292.935 Salaries of Director of Agriculture, State Health Officer and Superintendents of Oregon State Hospital, Eastern Oregon State Hospital, Fairview Home and Oregon State Tuberculosis Hospital. Notwithstanding ORS 292.505 to 292.790, effective July 1, 1959, the occupants of the following positions named in this section shall be paid an annual salary on a monthly basis in the amounts set forth in this section after the designation of the respective position:

(1) Director of Agriculture, $11,000.

(2) State Health Officer, $15,500.

(3) Superintendent of Oregon State Hospital, $16,200.

(4) Superintendent of Eastern Oregon State Hospital, $15,700.

(5) Superintendent of Fairview Home, $15,200.

(6) Superintendent of Oregon State Tuberculosis Hospital, $15,200. [1959 c.693 §2]

292.940 Superintendent of State Police. Subject to ORS 292.505, 292.735 and 292.855, the compensation of the Superintendent of State Police shall be fixed by the Governor. [Formerly 292.334]

292.945 Secretary-treasurer of Board of Barber Examiners. Unless otherwise provided by ORS 292.505 and 292.535, the secretary-treasurer of the Board of Barber Examiners shall receive $400 per month. [Formerly 292.350]

292.950 State Marine Director. The minimum salary of the State Marine Director is $7,200 a year and his maximum salary is $8,400 a year. The director shall receive the minimum salary unless the salary is altered in the manner prescribed in ORS 292.855. [1959 c.686 §33]

292.955 to 292.970 [Reserved for expansion]

292.975 Commanding General of the Oregon National Guard. For the services described in ORS 397.105 the Commanding General of the Oregon National Guard, in lieu of the pay and allowances of his grade, shall receive pay in the sum of $6,000 per year. When on field training duty with troops and when conducting inspections of personnel or installations requiring absence from his home station, he shall receive the pay and allowance of his grade therefor, the total number of days of such duty not to exceed 60 days in any one calendar year. When such Commanding General also performs the duties of Adjutant General he shall receive no additional compensation therefor. [Formerly 292.344]

292.980 [Reserved for expansion]

PENALTIES

292.990 Penalties. (1) The provisions of subsection (1) of ORS 291.990 shall apply to ORS 292.220 and 292.230 the same as such provisions apply to the sections enumerated in paragraph (e) of subsection (1) of ORS 291.990.

(2) If any of the officers mentioned in ORS 292.316 fails to pay over to the State Treasurer any and all moneys collected by virtue of his office, he shall be deemed guilty of embezzlement, and shall be punished accordingly.

CERTIFICATE OF LEGISLATIVE COUNSEL

Pursuant to ORS 173.170, I, Sam R. Haley, Legislative Counsel, do hereby certify that I have compared each section printed in this chapter with the original section in the enrolled bill, and that the sections in this chapter are correct copies of the enrolled sections, with the exception of the changes in form permitted by ORS 173.160 and other changes specifically authorized by law.

Done at Salem, Oregon,
on November 1, 1959.

Sam R. Haley
Legislative Counsel

CHAPTER 293

[Reserved for expansion]