Chapter 415

1969 REPLACEMENT PART

(1971 reprint)

Alien and Nonresident Public Charges

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415.010 Definitions for ORS 415.010 to 415.090. As used in ORS 415.010 to 415.090, unless the context requires otherwise:

(1) "Public charges" includes all persons who are confined in or admitted or committed to any public institution of this state except a person defined as a "patient" in subsection (5) of ORS 428.210.

(2) "Public institution" includes any institutions governed by the Corrections Division or the Mental Health Division or which receive aid through appropriation from the State Treasury except an institution defined as a "state hospital" in subsection (7) of ORS 428.210.

(3) "Resident of this state" means a person who has lived in this state continuously for a period of two years and who has not acquired residence in another state by living continuously therein for at least two years subsequent to his residence in this state. However, the time spent in a public institution or on parole therefrom shall not be counted in determining the matter of residence in this or another state.
[Amended by 1957 c.388 §1]

415.020 [Repealed by 1957 c.388 §17]

415.030 Return of public charges to legal residence. The Corrections Division or the Mental Health Division shall also return all nonresident public charges to the states in which they may have legal residence.

415.040 Reciprocal agreements for exchange of nonresident public charges. For the purpose of facilitating the return of nonresident public charges, the Corrections Division or the Mental Health Division may enter into a reciprocal agreement with other states for the mutual exchange of public charges confined in or admitted or committed to any public institution in one state whose legal residence is in the other state, and may give written permission for the return of any residents of Oregon confined in a public institution of another state, if such institution corresponds to those defined in ORS 415.010; provided, however, that the state making the request for return of such persons has, through the proper authorities, entered into a reciprocal agreement under this section.

415.050 Payment of expenses. (1) All expenses incurred under ORS 415.030 and 415.040 in returning public charges from this to another state shall be paid by this state.

(2) All expenses of returning residents of this state shall be borne by the state making the return.

415.060 Employment of help; expenses. (1) For the purpose of carrying out the provisions of ORS 415.010 to 415.090 and 415.110, the administrator, as defined in ORS 179.010, may employ all help necessary in arranging for and transporting the alien and nonresident public charges.

(2) The cost and expense of providing such assistance and all expenses incurred in effecting the transportation of such persons shall be paid from funds appropriated for that purpose upon vouchers approved by the division and the superintendent of the public institution from which such persons are transported.
[Amended by 1957 c.388 §2; 1969 c.597 §59]

415.070 [Repealed by 1957 c.388 §3 (ORS 415.090 enacted in lieu of ORS 415.070)]

415.080 [Repealed by 1957 c.388 §17]

415.090 Person bringing public charge into state without permission liable for expense of care and maintenance; exceptions. (1) Any person who brings or in any way aids in bringing into this state any public charge not a resident of this state, without the written authorization of the Corrections Division or the Mental Health Division, shall be liable to this state for all expenses incurred in the care and maintenance of such public charge and in the transportation of such public charge to the other state where he legally resides.

(2) This section shall not apply to any officer, agent or employe of a common carrier acting in the line of duty.
[1957 c.388 §4 (enacted in lieu of ORS 415.070)]

415.110 Inquiry into nationality of person committed to institution; notice to immigration officer; cooperation in deportation of aliens. (1) Whenever any person is committed to any state or county institution which is supported wholly or in part by public funds, the officer in charge of such state or county institution shall at once inquire into the nationality of such person.

(2) If it appears that such person is an alien, the officer shall immediately notify the United States immigration officer in

charge of the district in which such institution is located, stating:

(a) The date of and the reasons for such alien commitment.

(b) The length of time for which committed.

(c) The country of which he is a citizen.

(d) The date on which and the port at which he last entered the United States.

(3) The Corrections Division or the Mental Health Division and the officer in charge of any state or county institution which is supported wholly or in part by public funds, shall cooperate with the United States Immigration and Naturalization Service in the deportation of aliens who have been committed to any such institution. Such aliens shall be transported to points designated by the United States Immigration and Naturalization Service.

[Amended by 1957 c.388 §16]

415.120 Furnishing immigration officer with copy of record. Upon the official request of the United States immigration officer in charge of the territory or district in which is located any court committing any alien to any state or county institution which is supported wholly or in part by public funds, the clerk of such court shall furnish without charge a certified copy of the complaint, information or indictment and the judgment and sentence and any other record pertaining to the case of the convicted alien.

415.990 [Repealed by 1957 c.388 §17]

CERTIFICATE OF LEGISLATIVE COUNSEL

Pursuant to ORS 173.170, I, Robert W. Lundy, 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 December 1, 1969.

Robert W. Lundy
Legislative Counsel