

Chapter 184

1975 REPLACEMENT PART

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ECONOMIC DEVELOPMENT DEPARTMENT

184.001 Definitions for ORS 184.001 to 184.210. As used in ORS 184.001 to 184.210, unless the context requires otherwise:

- (1) "Commission" means the Economic Development Commission.
- (2) "Department" means the Economic Development Department.
- (3) "Director" means the Director of the Economic Development Department.
[Formerly 184.105]

184.003 Policy for economic and community development. (1) The Legislative Assembly recognizes that:

(a) There exists in the state a great and growing need for balanced economic and community development to provide and maintain orderly economic growth and the preservation and enhancement of all facets of Oregon's environment;

(b) Only properly planned and coordinated growth and development can maintain and improve the total environment by broadening the tax base so that essential governmental services such as education, health, welfare, environmental and transportation services can be adequately funded;

(c) A great imbalance presently exists in the degree of economic health between the state's metropolitan areas and the state's rural communities and that balanced development opportunities must be made available to rural areas to bring about the geographical distribution of business and industry necessary to a healthy economy and environment for all Oregonians;

(d) Oregon cannot offer an attractive future to its youth, particularly those in rural areas, unless additional jobs are made available; and without new payrolls and the expansion and relocation of existing payrolls the state will suffer a loss of its young people, a decline of its rural communities and damage to our quality of life;

(e) Assistance and encouragement of balanced industrial, commercial and community development and of enhanced world trade opportunities are important functions of the state and that the welfare of the state, its people and its institutions depends upon a unified and coordinated program to achieve this development and enhancement on an orderly basis;

(f) The availability of this assistance and encouragement is an important inducement to industrial and commercial enterprises to

locate, remain and relocate in those portions of the state which will contribute most to the environment and economy of Oregon and that the full cooperation of state, local and federal agencies is necessary to this end; and

(g) Development of new and expanded overseas markets for world trade is an area of great potential for furthering balanced economic growth and can be especially significant in the field of increased processing of Oregon agricultural commodities and manufactured products thereby contributing to economic diversification.

(2) It is the purpose of ORS 184.001 to 184.210 to provide such assistance and encouragement through establishment and implementation of policies and priorities designed to maintain and achieve balanced economic growth and development.

[Formerly 184.120; 1975 c.225 s.1]

184.005 Economic Development Commission; confirmation; qualifications; term; vacancy; compensation and expenses; chairman; quorum. (1) There is established an Economic Development Commission consisting of seven members appointed by the Governor and confirmed by the Senate as provided in ORS 171.560 and 171.570. One member shall be appointed from each congressional district with due consideration given to geographical representation, and the other members shall be from the state at large. The member appointed from the second congressional district shall be resident of the area lying east of the summit of the Cascade Mountains. Two members shall be representative of agriculture.

(2) The term of office of each member is four years, but a member serves at the pleasure of the Governor. Before the expiration of the term of a member, the Governor shall appoint a successor whose term begins July 1 next following. A member is eligible for reappointment. If there is a vacancy for any cause, the Governor shall make an appointment to become immediately effective for the unexpired term.

(3) A member of the commission shall be entitled to compensation and expenses as provided in ORS 292.495.

(4) The commission shall select one of its members as chairman and another as vice chairman, for such terms with duties and powers necessary for the performance of the functions of such offices as the commission determines.

(5) Four members of the commission

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constitute a quorum for the transaction of business.

[1973 c.691 ss.2, 3; 1975 c.225 s.2]

Note: 184.005 and 184.015 were not added to and made a part of 184.001 to 184.210 by legislative action.

184.010 State development program; consulting and coordinating with other agencies. (1) The Economic Development Commission shall:

(a) Establish a comprehensive policy and plan for the balanced economic and community development, including the enhancement of world trade opportunities, of the State of Oregon which will preserve and enhance all facets of Oregon's economy and environment and which will give particular recognition to the needs, problems and resources of the rural and under-developed areas of the state.

(b) Define priorities necessary to implement this policy and plan.

(c) Proceed with the immediate implementation thereof.

(2) In establishing this policy and plan, in defining these priorities and in the implementation thereof, the Economic Development Commission shall:

(a) Consult and advise with, and bring together and review pertinent data, plans and programs and budgetary proposals of, state agencies, municipalities and other public bodies, as pertinent to this comprehensive policy and these priorities, and the implementation thereof.

(b) Provide a center of coordination and a clearinghouse for research, planning, programming, basic data, public information, progress control, and reports regarding balanced economic and community development, and for stimulation and guidance in pursuit of the planning and programming processes and the implementation.

(c) Conduct conservation and development research, and coordinate research by state agencies, municipalities and other public bodies in the field of balanced economic and community development, using when feasible the resources and potentials of the state institutions of higher learning, the Agricultural Development Division and the State Department of Agriculture and encouraging the cooperation of other research and developmental organizations.

(d) Consult and advise with and assist the localities and subdivisions of the state in their developmental planning, using when feasible the resources and potentials of the state institutions of higher learning.

(e) Provide contact and liaison with state agencies, municipalities and other public entities, other states and interstate bodies, industrial, commercial, educational, research and civic groups and others.

(f) Consult and advise with and assist each interested party within the state in utilizing existing foreign markets and identifying new avenues of international trade for Oregon products.

[Formerly 184.150; 1969 c.80 s.13; 1973 c.691 s.4; 1975 c.225 s.3]

184.015 Directory of Oregon Manufacturers; other publications; Economic Development Commission Publication Account. (1) The Economic Development Commission may cause to be published a Directory of Oregon Manufacturers and such other publications relating to the economic development of the state. The cost of such publications shall be fully recovered through the sales thereof.

(2) All revenues derived from the sale of publications of the Economic Development Commission shall be deposited in the Economic Development Commission Publication Account, which is hereby established as an account in the General Fund.

(3) The moneys credited to the Economic Development Commission Publication Account under subsection (2) of this section, shall be continuously appropriated exclusively to pay for publication costs of the Economic Development Commission.

(4) Upon July 22, 1973, any revenues on deposit in miscellaneous receipts of the Economic Development Commission up to \$31,375 derived from the sale of publications of the Economic Development Commission shall be deposited in the Economic Development Commission Publication Account.

[1973 c.691 s.22]

Note: See note under 184.005.

184.020[1967 c.397 s.14; 1973 c.691 s.5; 1975 c.225 s.4; repealed by 1975 c.605 s.33]

184.030 Advisory and technical committees. To aid and advise the Economic Development Commission in the performance of its duties, the commission may establish such advisory and technical committees as it considers necessary. Such committees may be continuing or temporary. The commission shall determine the representation, membership, terms and organization of the committees and shall appoint their members. The Director of the Economic Development Department, or his designee, shall be an ex officio member of each committee. Members

of the committees appointed pursuant to this section shall receive no compensation, but may receive payment for their actual and necessary travel and other expenses while engaged in the performance of their official duties.

[1967 c.397 s.15; 1973 c.691 s.6]

184.040 Acceptance and use of federal aid and other money and property. (1) The Economic Development Commission may apply for, receive from the United States or any of its agencies, and disburse or supervise the disbursement of federal aid for economic development research planning and development in this state as authorized by ORS 184.001 to 184.210. The commission may also disburse or supervise the disbursement of funds provided by the State of Oregon for expenditure as a condition of receiving the federal aid.

(2) The Economic Development Commission may take by gift, devise or bequest or in any other lawful manner, money or property for planning and development as authorized by ORS 184.001 to 184.210.

(3) The Economic Development Commission shall deposit money received pursuant to this section in a special account in the General Fund with the State Treasurer as provided in ORS 293.265 to 293.275. The money shall be expended by the commission for the purposes for which it is received.

[Formerly 184.195; 1973 c.691 s.7]

184.050 Federal Planning Revolving Account. There is continued in the General Fund of the State Treasury a revolving account known as the Federal Planning Revolving Account. All moneys in the Federal Planning Revolving Account are appropriated continuously and, pending receipt by the State Treasurer of federal funds for the payment of federally financed planning projects administered by the Economic Development Commission or the Economic Development Department, shall be used by the commission or the department to pay the cost of completing such planning projects. Upon notice that such federal funds have been received by the State Treasurer, the director shall prepare a claim against such funds for the amount advanced from the Federal Planning Revolving Account for the purposes of this section, and the Executive Department shall issue a warrant in payment of such claim, for credit to and reimbursement of the Federal Planning Revolving Account.

[Formerly 184.220; 1973 c.691 s.8]

184.105 [1963 c.580 s.17; 1967 c.397 s.2; 1969 c.80 s.14; 1971 c.57 s.2; 1973 c.691 s.10; renumbered 184.001]

184.110 [1957 c.624 s.2; repealed by 1963 c.580 s.103]

184.120 [1957 c.624 s.1; 1967 c.397 s.3; 1969 c.80 s.15; 1973 c.691 s.1; renumbered 184.003]

184.125 Economic Development Department; authority. (1) The Economic Development Department is created. Pursuant to policies of the Economic Development Commission, the Economic Development Department shall formulate and implement a program of economic development for the state. Through research, promotion and coordination of activities in the state, the department shall foster the most desirable growth and geographical distribution of agriculture, industry and commerce in the state. The department shall serve as a central coordinating agency and clearinghouse for activities and information concerning the resources and economy of the state.

(2) The department shall have no regulatory power over the activities of private persons. Its functions shall be solely advisory, coordinative and promotional.

[1963 c.580 s.18; 1967 c.397 s.4; 1969 c.80 s.16; 1971 c.57 s.3; 1973 c.691 s.11]

184.130 [1957 c.624 s.3; repealed by 1963 c.580 s.103]

184.135 Director; appointment. The Economic Development Department shall be under the supervision and control of a director appointed by the Economic Development Commission. The director shall hold his office at the pleasure of the commission and shall be responsible for the performance of the functions of the department.

[1963 c.580 s.19; 1969 c.80 s.17; 1971 c.57 s.4; 1973 c.691 s.12]

184.137 Authority of director. The Director of the Economic Development Department may:

(1) For purposes of administration, and with the approval of the Economic Development Commission, organize and reorganize the department in whatever manner he deems necessary to conduct the work of the department properly.

(2) Appoint all subordinate officers and employes of the department, prescribe their duties and fix their compensation, subject to applicable provisions of the State Merit System Law. Subject to any other applicable law regulating travel expenses, the officers and employes of the department shall be allowed such reasonable and necessary travel

and other expenses as may be incurred in the performance of their duties.
[1963 c.580 s.20; 1969 c.80 s.18; 1971 c.57 s.5; 1973 c.691 s.13]

184.140[1957 c.624 s.4; 1969 c.80 s.19; 1971 c.57 s.6; repealed by 1973 c.691 s.21]

184.150[1957 c.624 s.5; 1967 c.397 s.11; renumbered 184.010]

184.160 Duties of department. The Economic Development Department shall:

(1) Prepare and maintain a current inventory of all available plant locations and related community resources throughout the state.

(2) Process requests received by state agencies and interested parties for information pertaining to industrial and commercial locations and relocations throughout the state.

(3) Consult and advise with, coordinate activities of, and give technical assistance and encouragement to, state and local organizations, including local development corporations, county, city, and metropolitan-area committees, chambers of commerce, labor organizations and similar agencies interested in obtaining new industrial plants or commercial enterprises.

(4) Act as the state's official liaison agency between persons interested in locating industrial or business firms in the state, and state and local groups seeking new industry or business, maintaining the confidential nature of the negotiations it conducts as requested by persons contemplating location in the state.

(5) Coordinate state and federal economic development programs.

(6) Consult and advise with, coordinate activities of, and give technical assistance and encouragement to all parties within the state working in the field of international trade or interested in promoting their own trading activity.

[1957 c.624 s.6; 1969 c.80 s.20; 1973 c.691 s.14]

184.165 Designation of department as agency to obtain financial assistance involving federal port programs. For purposes of the Merchant Marine Act (46 U.S.C. 861 et seq.), the Economic Development Department shall be the state agency to apply to the Secretary of Commerce for financial assistance to assist ports in achieving compliance with federal law or regulations relating to environmental protection, public health and safety, or port or cargo security.
[1975 c.288 s.2]

184.170 Research and recommendations concerning state development. The Economic Development Department shall:

(1) Conduct research and make recommendations to the Economic Development Commission for guiding and accomplishing balanced economic and community development throughout the state, including recommending priorities for state and local economic and community development, balancing population and economic factors and giving incentives for development in rural areas.

(2) Encourage and coordinate research on such subjects as labor, transportation, housing, international and domestic markets, power, population, state regulations affecting business, taxes, the availability of social services and other factors influencing economic development, utilize and coordinate the research facilities of state agencies, municipalities and other public bodies and encourage cooperation on the part of state institutions of higher education and research agencies outside of state government.

(3) Provide advice and technical assistance to Oregon business and labor.

(4) Bring to the attention of the Governor and the Legislative Assembly those significant problems which may be relieved by state action.

(5) Investigate the advantages, if any, of greater regional governmental structure.
[1957 c.624 s.7; 1969 c.80 s.21; 1971 c.57 s.7; 1973 c.691 s.15]

184.180 New-business development. The department shall:

(1) Collect and disseminate information regarding the advantages of developing new business in the state.

(2) Aid local communities in planning for and obtaining new business to locate therein and provide assistance in local applications for federal development grants.

[1957 c.624 s.8; 1969 c.80 s.22; 1973 c.691 s.16]

184.190 Execution of development program. The department shall:

(1) Generally assist the Governor and the Legislative Assembly in putting developmental programs, procedures and actions into effect.

(2) Perform such other functions as the Governor or the Legislative Assembly may direct to aid in the development of the state.
[1957 c.624 s.9; 1967 c.397 s.5; 1969 c.80 s.23; 1971 c.57 s.8; 1973 c.691 s.17]

184.195[1961 c.315 ss.1, 2, 3; 1967 c.397 s.12; renumbered 184.040]

184.196[1967 c.397 s.8; 1969 c.80 s.24; repealed by 1973 c.691 s.21]

184.198 Federal Economic Development Research Account. There is created in the General Fund of the State Treasury a revolving account known as the Federal Economic Development Research Account. All moneys in such account are appropriated continuously and, pending receipt by the State Treasurer of federal funds for the payment of federally financed economic development research projects administered by the Economic Development Commission or the Department of Economic Development, shall be used by the department to pay the costs of completing such research projects. Upon notice that such federal funds have been received by the State Treasurer, the director shall prepare a claim against such funds for the amount advanced from the Federal Economic Development Research Account for the purposes of this section, and the Executive Department shall issue a warrant in payment of such claim, for credit to and reimbursement of such account.

[1967 c.397 s.9; 1973 c.691 s.9; 1975 c.371 s.6]

184.200[1957 c.624 s.10; 1967 c.397 s.6; 1969 c.80 s.25; repealed by 1971 c.57 s.11]

184.210 Promotion of formation of state development credit corporations. The Economic Development Department shall encourage and promote the formation of state development credit corporations, as defined in ORS 63.210, where it determines that their formation is in the public interest. The department may consult with, advise and give technical assistance to persons interested in organizing a state development credit corporation.

[1959 c.660 s.17; 1969 c.80 s.26; 1973 c.691 s.18]

184.220[1965 c.597 s.3; 1967 c.397 s.13; renumbered 184.050]

184.260[1961 c.137 ss.1, 2, 3, 4, 5; 1961 c.716 s.1; 1963 c.589 s.1; renumbered 273.380]

EXECUTIVE DEPARTMENT

184.305 Executive Department; transfer of authority from other agencies; divisions. (1) By transformation of the Department of Finance that has operated under ORS chapter 291, chapter 80, Oregon Laws 1969, establishes in the executive-administrative branch of the government of the state a coordinative, directive department to be known as the Executive Department.

(2) Chapter 80, Oregon Laws 1969, transfers to the department:

(a) The functions of the Department of Emergency Services that has operated under ORS chapter 401;

(b) The functions of the Intergovernmental Coordinator who has operated under ORS 190.310 to 190.340; and

(c) The functions of personnel program development and other nonappellate personnel functions of the Civil Service Commission that has operated under ORS chapter 240.

(3) Initially, the department shall include the following divisions and offices:

(a) Budget Division.

(b) Management Systems Division.

(c) Accounting and Data Systems Division.

(d) Personnel Division.

(e) Emergency Services Division.

(f) Planning Division.

(g) Intergovernmental Coordination Division.

(h) Office of Legislative Liaison.

(i) Office of Economic Analysis.

(j) Office of Committee Coordination.

[1969 c.80 s.1 (1), (2), (3); 1971 c.57 s.9]

184.310[1965 c.299 s.1; renumbered 390.010]

184.315 Director of Executive Department; appointment; compensation; bond. (1) The department shall be under the supervision and control of a director, who shall be responsible for the functions of the department. The Governor may, however, assume the office of director of the department whenever and for whatever time he deems advisable, but shall receive no increased compensation for doing so.

(2) Subject to confirmation by the Senate in the manner provided in ORS 171.560 and 171.570, the Governor shall appoint the director, who shall hold his office at the pleasure of the Governor. The person appointed as director shall be well qualified by training and experience to perform the functions of the office.

(3) An appointed director of the department shall receive such salary as is provided by law or, if not so provided, as is fixed by the Governor.

(4) Before entering upon the functions of his office, the director shall give to the state a fidelity bond with one or more corporate sureties authorized to do business in this state in the penal sum fixed by the Governor.

[Formerly 291.007; 1973 c.792 s.4]

184.325 Duties of director; administrative divisions; appointive power; exception. (1) The Director of the Executive Department, with the approval of the Governor, shall organize and reorganize the department in the manner he considers necessary to conduct the work of the department properly.

(2) The functions of the department may be divided into administrative divisions or staff offices. Each division or office shall be under the supervision of a person appointed by the director, with the approval of the Governor. The appointee shall serve at the pleasure of the director, not be subject to the State Merit System Law, and be well qualified by technical training and experience in the functions he is to perform.

(3) Notwithstanding subsection (2) of this section, the Administrator of the Personnel Division shall be appointed and removed in the manner set forth in ORS 240.125 and 240.130.

[Formerly 291.005]

184.335 Deputy director; subordinate officers. (1) With the approval of the Governor, the director may appoint a deputy director who shall serve at the pleasure of the director, not be subject to the State Merit System Law, and have full authority to act for the director, subject to his control. The appointment of the deputy director shall be by written order, filed with the Secretary of State.

(2) Except as provided in ORS 184.325 and subsection (1) of this section, the director, subject to applicable provisions of the State Merit System Law, shall appoint all subordinate officers and employes of the department, prescribe their functions and fix their compensation.

[Formerly 291.009]

184.340 Rules. The department, with the approval of the Governor, may make reasonable rules and regulations that are necessary or proper for the administration of the laws that the department is charged with administering.

[Formerly 291.013]

184.345 Executive Department to provide services to certain divisions on reimbursable basis. The Executive Department shall provide such administrative and other services to the Corrections Division, the Mental Health Division and the State

Board of Education as such divisions and the department may agree on a reimbursable basis.

[1969 c.597 s.268]

184.355 Institutional Services Division. (1) The Institutional Services Division is established in the Executive Department. The division shall be under the supervision of a person appointed in the manner provided in ORS 184.325.

(2) The Institutional Services Division may provide administrative facilities and services for the divisions listed in ORS 176.610. However, the discretionary duties, advisory functions or review powers vested by law in such divisions shall be performed solely by the respective divisions.

[1969 c.597 s.5]

184.410[Formerly 182.410; amended by 1965 c.416 s.1; 1969 c.593 s.33; repealed by 1969 c.653 s.1]

184.420[Formerly 182.420; repealed by 1969 c.653 s.1]

184.430[Formerly 182.430; 1965 c.416 s.2; repealed by 1969 c.653 s.1]

184.440[Formerly 182.440; repealed by 1969 c.653 s.1]

184.450[Formerly 182.450; repealed by 1969 c.653 s.1]

184.460 [1957 c.664 s.1; 1959 c.465 s.1; renumbered 542.710]

184.470 [1957 c.664 s.2; 1959 c.465 s.2; renumbered 542.720]

DEPARTMENT OF COMMERCE (Generally)

184.510 Definitions for ORS 184.520 to 184.570. As used in ORS 184.520 to 184.570:

(1) "Department" means the Department of Commerce.

(2) "Director" means the Director of Commerce.

[1963 c.580 s.1]

184.520 Department of Commerce established. (1) The Department of Commerce is established.

(2) The Department of Commerce shall consist of the following:

- (a) Banking Division.
- (b) Corporation Division.
- (c) Insurance Division.
- (d) Real Estate Division.
- (e) Housing Division.
- (f) Consumer Services Division.
- (g) Fire Marshal Division.
- (h) Building Codes Division.

(i) Such professional licensing and advisory boards as are established by law within the Department of Commerce.

[1963 c.580 s.2; 1971 c.57 s.10; 1971 c.505 s.8; 1971 c.753 s.3; 1975 c.429 s.1]

184.530 Director of Commerce; appointment; confirmation. (1) The Department of Commerce shall be under the supervision of a Director of Commerce who shall be appointed by and shall hold his office at the pleasure of the Governor.

(2) The appointment of the Director of Commerce shall be subject to confirmation by the Senate in the manner provided in ORS 171.570.

(3) When an appointment to the office of Director of Commerce is made in the interim between legislative sessions, the Senate shall act through the Committee on Executive Appointments provided by ORS 171.560 in the manner provided in that section, and the director so appointed shall be subject to the confirmation of the Senate when it next convenes.

[1963 c.580 s.3; 1969 c.695 s.3]

184.540 Authority of director. (1) Except as otherwise provided by law, the Director of Commerce shall coordinate all of the activities of the department, and shall have the power of general supervision over the administration of each division and professional licensing, advisory and administrative review agency within the department, and shall be directly responsible to the Governor therefor.

(2) The director may provide administrative facilities and services for the professional licensing, advisory and administrative review agencies established within the department, provided that the discretionary duties, advisory functions or review powers vested by law in such agencies shall be performed solely by the respective agencies. Such agencies shall use the administrative facilities and services so provided and shall pay to the director the cost thereof, as determined by the director. Moneys received by the director under this subsection shall be paid into the State Treasury and credited to the Commerce Administration Account.

(3) Except as otherwise provided by law, the director may appoint subordinate officers and employes to assist him in carrying out the duties and responsibilities imposed upon the director. He may prescribe the duties and fix the compensation of such officers and employes, subject to the applicable provisions of the State Merit System Law.

[1963 c.580 s.5; 1965 c.597 s.5]

184.545 Director as ex officio member of certain boards. The Director of Commerce, or his designated representative, shall serve as an ex officio member of all professional licensing boards and advisory boards in the Department of Commerce but without the right to vote.

[1971 c.753 c.7]

184.550 Preparation and reporting of plans; administrative organization of department; deputy. (1) The Director of Commerce shall develop and report to the Governor on legislative, budgetary, and administrative programs to accomplish comprehensive, long-range, coordinated planning and policy formulation in the matters of public interest related to the department. To accomplish this end, the director may hold public hearings, consult with and use the services and cooperation of other state agencies, employ consultants and appoint advisory and technical committees to assist in the work.

(2) For the purpose of administration, the director shall review the organization of the department and report to the Governor on such changes as he deems necessary properly to segregate and conduct the work of the department.

(3) Whenever a power is granted to the director the power may be exercised by such officer or employe within the department as designated in writing by the director. Any such designation shall be filed in the office of the Secretary of State.

[1963 c.580 s.6]

184.560 Salary and expenses of director; bond. The Director of Commerce shall receive such salary as may be provided by law. In addition to his salary, the director shall, subject to the limitations otherwise provided by law, be reimbursed for all reasonable expenses necessarily incurred by him in the performance of his official duties.

Before entering upon the duties of his office the director shall give to the state a fidelity bond with one or more corporate sureties authorized to do business in this state in the sum fixed by the Governor.

[1963 c.580 s.4]

184.570 Commerce Administration Account. (1) There hereby is established in the General Fund of the State Treasury the Commerce Administration Account. Except as otherwise provided by law, all moneys appropriated or credited to the Commerce Administration Account hereby are appropri-

ated continuously for and shall be used by the director for the purpose of carrying out the duties and responsibilities imposed upon him.

(2) The Department of Commerce shall be subject to the allotment system provided for in ORS 291.234 to 291.260.

[1963 c.580 s.7; 1965 c.597 s.6]

184.575[1971 c.753 s.1; renumbered 670.275]

184.580 [1971 c.753 s.6; 1973 c.387 s.26; repealed by 1975 c.429 s.2]

(Consumer Services)

184.590 Consumer Services Division; administrator. (1) The Consumer Services Division shall be under the supervision and control of an administrator, appointed by the Director of Commerce, with the approval of the Governor. The administrator shall hold his office at the pleasure of the Director of Commerce and shall be responsible for the performance of the duties imposed upon his division.

(2) The administrator of the Consumer Services Division shall have the authority in his division to:

(a) For the purpose of administration, with the approval of the Director of Commerce, organize and reorganize, as necessary, the internal affairs of the division in the manner that he deems necessary to properly conduct the work of the division.

(b) Appoint all subordinate officers and employes of the division and prescribe their duties and fix their compensation, subject to the applicable provisions of the State Merit System Law.

[1971 c.753 s.4]

184.595 Duties of Consumer Services Division. (1) It shall be the duty of the Consumer Services Division to:

(a) Coordinate consumer services carried on by state departments and agencies;

(b) Further consumer education;

(c) Conduct studies and research concerned with consumer services; receive, process, investigate and take action on complaints from consumers; and refer such complaints as require further action to appropriate agencies for enforcement;

(d) Inform the Governor and the Attorney General and other law enforcement agencies of violations of laws or regulations affecting consumers as its investigations or studies may reveal;

(e) Advise the executive and legislative branches in matters affecting consumer interests;

(f) Study and report all matters referred to it by the legislature or the Governor; and

(g) Inform the public through appearances at federal and state committee, commission or department hearings of the policies, decisions or legislation beneficial or detrimental to consumers.

(2) Every state agency shall cooperate with the Consumer Services Division in carrying out its functions under this section.

(3) To assist in carrying out chapter 753, Oregon Laws 1971, there is created in the division a Consumer Advisory Council.

(a) The consumer council shall consist of seven members appointed by the director, two of whom shall represent business, two of whom shall represent labor, and three of whom shall represent voluntary consumer agencies.

(b) Except as provided in paragraph (a) of this subsection the director shall appoint members of the Consumer Advisory Council in the manner set forth in ORS 670.340.

(c) The members of the council shall be entitled to compensation and expenses computed as provided in ORS 292.495.

(d) All meetings of the council shall be open and public and all persons shall be permitted to attend any meeting of the council.

[1971 c.753 s.5; 1973 c.832 s.1]

Note: The Legislative Counsel has not, pursuant to 173.160, undertaken to substitute specific ORS references for the words "this Act" in 184.595. Chapter 753, Oregon Laws 1971, enacted into law and amended ORS sections which may be found by referring to the 1971 Comparative Section Table located following the Index in volume 6 of Oregon Revised Statutes (1971 Replacement Parts).

DEPARTMENT OF TRANSPORTATION (Generally)

184.610 Definitions for ORS 184.610 to 184.640. As used in ORS 184.610 to 184.640, unless the context requires otherwise:

(1) "Commission" means the Oregon Transportation Commission.

(2) "Department" means the Department of Transportation.

(3) "Director" means the Director of Transportation.

[1969 c.599 s.1; 1973 c.249 s.1]

184.612 Oregon Transportation Commission; confirmation; qualifications;

term; compensation and expenses. (1) There is established the Oregon Transportation Commission consisting of five members appointed by the Governor, subject to confirmation as provided by ORS 171.560 and 171.570. At least one member shall be appointed from each congressional district in the state and the member from the second congressional district shall be from the area east of the Cascade Range. Not more than three members shall belong to one political party. Party affiliation shall be determined by the appropriate entry on official election registration cards.

(2) The term of office of each member is four years. Before the expiration of the term of a member, the Governor shall appoint a successor whose term begins on July 1 next following. A member is eligible for reappointment, but no person shall be eligible to serve more than two consecutive terms. In case of a vacancy for any cause, the Governor shall appoint a person to fill the office for the unexpired term.

(3) A member of the commission is entitled to compensation and expenses as provided by ORS 292.495.
[1973 c.249 s.3]

184.613 Officers; quorum; meetings; effect of vacancy; seal. (1) The Governor shall appoint one of the commissioners as chairman, and another as vice chairman. The chairman and vice chairman shall have such terms, duties and powers as the commission determines are necessary for the performance of such offices. The commission shall choose from among the commissioners a secretary.

(2) A majority of the members of the commission constitutes a quorum for the transaction of business.

(3) The commission shall meet at least once a month, at a time and place determined by the commission. The commission shall also meet at such other times and places as are specified by the call of the chairman or of a majority of the commission.

(4) No vacancy shall impair the right of the remaining commissioners to exercise all the powers of the commission, except that three members of the commission must agree in the selection, vacation or abandonment of state highways, and in case the commissioners are unable to agree the Governor shall have the right to vote as a member of the commission.

(5) The commission may provide an

official seal, which shall be in the custody of the secretary of the commission.
[1973 c.249 ss.4, 9]

184.615 Department of Transportation; divisions. (1) The Department of Transportation is established.

(2) The Department of Transportation shall consist of the Oregon Transportation Commission, the director and deputy director of the department and all personnel employed in the department. The department shall consist of the following administrative divisions:

- (a) Aeronautics Division.
- (b) Highway Division.
- (c) Motor Vehicles Division.
- (d) Mass Transit Division.

(3) Each division shall be under the supervision and control of a chief administrative officer appointed by the director with the approval of the commission. A division administrator shall be in the unclassified service for purposes of the State Merit System Law. A division administrator, with the approval of the director, may organize and reorganize the division to improve the administration of the work of the division.
[1969 c.599 s.2; 1973 c.249 s.15; 1975 c.371 s.5]

184.617 Functions of commission and department. (1) It is the function of the commission to establish the policies for the operation of the department in a manner consistent with the policies and purposes of ORS 184.610 to 184.640. In addition, the commission shall perform any other duty vested in it by law.

(2) The commission shall keep complete and accurate records of all the meetings, transactions and business of the commission at the office of the department.

(3) The commission shall have general power to coordinate and administer programs relating to aeronautics, highways, motor vehicles, ports, mass transit and such other programs related to transportation as may be assigned by law to the department.

(4) The department shall be the recipient of all federal funds paid to or to be paid to the state to enable the state to provide the programs and services assigned to the department.
[1973 c.249 s.10]

184.618 Duties of commission and divisions in preparing and implementing state transportation policy. (1) As its primary duty, the commission shall develop and maintain a state transportation policy and a

comprehensive, long-range plan for a multi-modal transportation system for the state which encompasses economic efficiency, orderly economic growth, safety and environmental quality. The plan shall include, but not be limited to, aviation, highways, mass transit, pipelines, ports, rails and waterways. The plan shall be used by all agencies and officers to guide and coordinate transportation activities and to insure transportation planning utilizes the potential of all existing and developing modes of transportation.

(2) Each division shall prepare plans to carry out its responsibility and collect, summarize and analyze information concerning the condition and usage of the service provided. Each division shall compile such information in a form suitable for use by the director in the planning activities of the department.

(3) As the plan is developed by the commission, the director shall prepare and submit to the commission for approval, implementation programs. Work approved by the commission to carry out the plan shall be assigned to the appropriate division for design, construction, maintenance and operation of the facility.

[1973 c.249 s.12]

184.619 Rulemaking authority; hearing; exception; orders. (1) In accordance with the applicable provisions of ORS chapter 183, the commission shall adopt such rules and orders as it considers necessary and proper in performing the functions vested by law in the commission.

(2) Except as provided by subsection (2) of ORS 183.335, the commission shall cause a public hearing to be held on any proposed rule prior to its adoption. The hearing may be before the commission, any designated member thereof or any person designated by and acting for the commission.

[1973 c.249 s.11]

Note: Section 13, chapter 249, Oregon Laws 1973, provides:

Sec. 13. The lawfully adopted rules of the Motor Vehicles Division, the State Highway Commission, and any other agency in the Department of Transportation, shall continue in force and effect and be applicable until superseded by, or repealed by, rules legally adopted by the Oregon Transportation Commission. Any references in such rules to the adopting authority shall be considered to be references to the Oregon Transportation Commission.

184.620 Director of Transportation; confirmation; deputy. (1) The department shall be under the supervision of a Director of Transportation who shall be appointed by

and shall hold his office at the pleasure of the commission.

(2) The appointment of the director shall be subject to confirmation by the Senate in the manner provided by ORS 171.560 and 171.570.

(3) The director may designate a deputy with full authority to act for him, but subject to his control. The designation of a deputy shall be by written order filed with the Secretary of State. The deputy director shall be in the unclassified services for purposes of the State Merit System Law.

[1969 c.599 s.3; 1969 c.599 s.3a; 1973 c.249 s.16]

184.625 Compensation and expenses of director and deputy. The director and the deputy director shall receive such salary as may be provided by law or as fixed by the commission. In addition to his salary, the director or deputy, subject to the limitations otherwise provided by law, shall be reimbursed for all reasonable expenses necessarily incurred by him in the performance of his official duties.

[1969 c.599 s.4; 1973 c.249 s.17]

184.630 Departmental assistance to divisions. (1) Except as otherwise provided by law, the department shall provide a research program for divisions within the department, using the staffs of such divisions for development of solutions to such needs as might arise.

(2) The director may provide administrative facilities and services for the divisions within the department.

[1969 c.599 s.5; 1973 c.249 s.19]

184.633 Duties of director; delegation; bonds for employes. (1) Subject to policy direction by the commission, the director shall:

(a) Be the administrative head of the department;

(b) Have power, within applicable budgetary limitations, and in accordance with ORS chapter 240, to hire, assign, reassign and coordinate personnel of the department and prescribe their duties and fix their compensation, subject to the State Merit System Law;

(c) Administer the laws of the state concerning transportation; and

(d) Intervene, as authorized by the commission, pursuant to the rules of practice and procedure, in the proceedings of state and federal agencies which may substantially affect the interest of the consumers and providers of transportation within Oregon.

(2) In addition to duties otherwise required by law, the director shall prescribe regulations for the government of the department, the conduct of its employes, the assignment and performance of its business and the custody, use and preservation of its records, papers and property in a manner consistent with applicable law.

(3) The director may delegate to any of the employes of the department the exercise or discharge in the director's name of any power, duty or function of whatever character, vested in or imposed by law upon the director. The official act of any such person so acting in the director's name and by his authority shall be considered to be an official act of the director.

(4) The director shall have authority to require a fidelity bond of any officer or employe of the department who has charge of, handles or has access to any state money or property, and who is not otherwise required by law to give a bond. The amounts of the bond shall be fixed by the director, except as otherwise provided by law, and the sureties shall be approved by him. The department shall pay the premiums on the bonds.

[1973 c.249 s.18]

184.635 Reports to Governor; delegation of powers. (1) The commission shall develop and report to the Governor on legislative, budgetary and administrative programs to accomplish comprehensive, long-range, coordinated planning and policy formulation in the matters of public interest related to transportation. To accomplish this end, the commission may hold public hearings, consult with and use the services and cooperation of other state and federal agencies, employ consultants and appoint advisory and technical committees to assist in the work.

(2) Whenever a power is granted to the commission the power may be exercised by such officer or employe within the department as is designated in writing by the commission. Any such designation shall be filed in the office of the Secretary of State.

[1969 c.599 s.6; 1973 c.249 s.14]

184.637 Departmental fiscal officer. The director shall designate a fiscal officer for the department who shall:

(1) Forecast the total resources required to provide for transportation needs for the department.

(2) Identify alternative means of funding for the state's transportation programs.

(3) Plan for the administration and utilization of all available resources, including federal, state and local funds in the most efficient and effective manner.

(4) Provide for sound financial management systems, including all accounting, budgetary and financial control functions for the department.

(5) Perform the financial internal audit of all divisions of the department and reporting discrepancies to the director.

(6) Prepare financial reports as required by statute or as required by the director.

(7) Act in an advisory capacity to the director in all financial matters and perform such other duties and responsibilities with respect to audits, accounting procedures and other like duties and responsibilities as the director considers advisable.

[1973 c.249 s.20]

184.640 Transportation Administration Account; budget and payment for administrative expenses of department.

(1) There is established in the General Fund of the State Treasury the Transportation Administration Account.

(2) Notwithstanding any other law, such amounts as may be necessary to pay the administrative expenses of the department shall be continuously credited to the Transportation Administration Account from the biennial appropriations or transferred to such administration account from the accounts or funds, of the divisions and other agencies within the department. Such amounts as may be requested quarterly by the director, with the approval of the Executive Department, shall be so credited or transferred to the Transportation Administration Account. The department is subject to the allotment system provided for in ORS 291.234 to 291.260.

(3) The amounts credited and transferred to the Transportation Administration Account shall not be greater than the total of any budget approved for the department by the Legislative Assembly and shall be determined by prorating the costs of the office of the director among the respective divisions and agencies within the department. All moneys appropriated, credited or transferred to the Transportation Administration Account are appropriated continuously to pay the administrative expenses of the department.

[1969 c.599 s.7; 1973 c.249 s.21]

(Mass Transit Division)

184.675 Definitions for ORS 184.680 to 184.700. As used in ORS 184.680 to 184.700, unless the context requires otherwise:

(1) "Commission" means the Oregon Transportation Commission.

(2) "Director" means Director of Transportation.

(3) "Mass Transit Division" or "division" means the Mass Transit Division of the Department of Transportation.
[1969 c.599 s.50; 1973 c.249 s.23]

184.680 Mass Transit Division. Subject to subsection (2) of ORS 184.615, the Mass Transit Division is continued within the Department of Transportation. The division shall be under the supervision and control of an administrator appointed by the director with the approval of the commission.
[1969 c.599 ss.51, 53; subsection (3) enacted by 1969 c.599 s.53a; 1973 c.249 s.24]

184.685 Purpose of division. The commission through the division or its successor shall conduct state-wide coordinating, planning and research for systems involving mass transportation of human beings in this state to insure the most orderly, efficient and economical development of such systems.
[1969 c.599 s.57; 1973 c.249 s.25]

184.690[1969 c.599 ss.54, 55; repealed by 1973 c.249 s.91]

184.691 Mass Transit Division Account; use of moneys. The Mass Transit Division Account is established in the General Fund of the State Treasury. Except as otherwise provided by law, all moneys received by the division, from whatever source, shall be paid into the State Treasury and credited to the account. All moneys in the account are appropriated continuously to the division and shall be used by the division for the purposes authorized by law.
[1975 c.522 s.6]

184.695[1969 c.599 s.56; repealed by 1973 c.249 s.91]

184.700 Contracts with persons and public or private agencies. The commission, through the division, is authorized to enter into contracts with and disburse funds to any person or agency, public or private, for the purpose of conducting field research, experimentation in transportation systems, planning and other activities in furtherance of the purposes of the division.
[1971 c.559 s.2; 1973 c.249 s.26]

DEPARTMENT OF HUMAN RESOURCES
(Generally)

184.750 Department of Human Resources; functions; recipient of federal funds. (1) The Department of Human Resources is created.

(2) The Department of Human Resources shall coordinate and provide for programs for the delivery to the public of services relating to public assistance, children and families, mental health, corrections, employment, vocational rehabilitation, economic opportunity, aging, and relating to such other services as may be assigned by other provisions of law to the Department of Human Resources.

(3) The Department of Human Resources shall provide the programs and services enumerated in subsection (2) of this section including:

(a) Public assistance programs and services through the Public Welfare Division;

(b) Child and family programs and services, through the Children's Services Division created under ORS 184.805;

(c) Mental health programs and services, through the Mental Health Division;

(d) Corrections programs and services, through the Corrections Division;

(e) Employment programs and services, through the Employment Division;

(f) Vocational rehabilitation programs and services, through the Vocational Rehabilitation Division;

(g) Economic opportunity programs and services, through the program of the Office of Economic Opportunity;

(h) Programs and services for the aged, through the program on aging; and

(i) Such other programs and services as may be assigned by other provisions of law to the Department of Human Resources, through a division or office prescribed by law.

(4) The Department of Human Resources shall be the recipient of all federal funds paid or to be paid to the state to enable the state to provide the programs and services assigned by this section or by other provisions of law to the Department of Human Resources.
[1971 c.319 s.1]

184.755 Director; appointment; term; confirmation; salary and expenses. (1) The Department of Human Resources shall be under the supervision and control of a director who is responsible for coordinating

and providing for programs for the delivery to the public of the services assigned to the department by ORS 184.750 or by other provisions of law and for undertaking long-range planning necessary for the effective and efficient delivery of these services.

(2) The Governor shall appoint the director for a term of four years, but he may be removed at any time during such term at the pleasure of the Governor. The appointment of the director is subject to confirmation by the Senate in the manner provided in ORS 171.560 and 171.570.

(3) The director shall receive such salary as may be provided by law or, if not so provided, as may be fixed by the Governor, and shall be reimbursed for all expenses actually and necessarily incurred by him in the performance of his official duties.

[1971 c.319 s.2]

184.760 Deputy director; division administrators; other employes; allocation of functions. (1) With the approval of the Governor, the director may appoint a deputy director who shall serve at the pleasure of the director. The deputy director shall have full authority to act for the director, subject to directions of the director. The appointment of the deputy director shall be by written order, filed with the Secretary of State.

(2) Each division within the Department of Human Resources shall be under the supervision of an administrator appointed by the director, with the approval of the Governor, to serve at the pleasure of the director.

(3) Except as provided in subsection (1) of this section and subject to any applicable provisions of the State Merit System Law, the director may appoint employes within the office of the director of the department, prescribe their functions and fix their compensation.

(4) The functions of the department may be allocated among or delegated to administrative divisions and staff officers within the department, pursuant to the directions of the director.

[1971 c.319 s.3]

184.765 Administrators in unclassified service; salary; expenses. Administrators appointed under ORS 184.760 shall be in the unclassified service of the state and shall receive such salary as may be provided by law. In addition to his salary, each administrator shall, subject to the limitations otherwise provided by law, be reimbursed for all expenses actually and

necessarily incurred by him in the performance of his official duties.

[Formerly 176.630]

184.770 Authority of director. The Director of Human Resources may, consistent with any federal requirements and with the prior consent of the Governor and of the Emergency Board:

(1) Make transfers between the amounts appropriated and expenditure limitations established by legislative action for individual institutions and programs within a division of the department.

(2) Make transfers between the budgets of divisions, programs and offices within the department.

(3) Cause the divisions, programs and offices within the department to make joint use of the personnel resources, information and facilities available to the divisions, programs and offices within the department.

[1971 c.319 s.5]

184.775 Information from divisions. (1) The Director of Human Resources shall require from the administrators of the divisions enumerated in ORS 184.750, such information, reports and documentation, as he, in his discretion, determines will be necessary to enable him to:

(a) Execute his responsibilities pursuant to chapter 319, Oregon Laws 1971.

(b) Develop and report to the Governor from time to time on legislative, budgetary and administrative programs to accomplish comprehensive, long-range, coordinated planning and policy formulation in the matters of public interest related to the department.

(c) File with the Executive Department, for purposes of ORS 291.208, a separate budget report for each division, program or office enumerated in ORS 184.750.

(2) Where such information, reports or documentation is confidential in the hands of the administrator, it shall be confidential in the hands of the director.

[1971 c.319 s.6]

Note: The Legislative Counsel has not, pursuant to 173.160, undertaken to substitute specific ORS references for the words "this Act" in 184.775. Chapter 319, Oregon Laws 1971, enacted into law and amended ORS sections which may be found by referring to the 1971 Comparative Section Table located following the Index in volume 6 of Oregon Revised Statutes (1971 Replacement Parts).

184.780 Federal law supersedes state law. To the extent that there is any conflict between chapter 319, Oregon Laws 1971, and any federal law referred to or to be adminis-

tered under chapter 319, Oregon Laws 1971, the federal law in effect on June 8, 1971, is controlling.

[1971 c.319 s.9]

Note: See note under 184.775.

184.785 Authority of department for performance of support services. (1) The Department of Human Resources may enter into agreements with district attorneys or the Support Enforcement Division for performance of support enforcement services pursuant to federal laws or regulations.

(2) The Department of Human Resources may, if required by federal law or regulation relating to child support programs:

(a) Enter into agreements with the Support Enforcement Division or a district attorney for providing child support services;

(b) Promulgate rules for operation of child support programs under ORS 23.789; or

(c) Provide other services not specified by chapter 458, Oregon Laws 1975.

[1975 c.458 ss.7, 16]

Note: The Legislative Counsel has not, pursuant to 173.160, undertaken to substitute specific ORS references for the words "this Act" in 184.785. Chapter 458, Oregon Laws 1975, enacted into law and amended the ORS sections which may be found by referring to the 1975 Comparative Section Table located following the index in volume 6 of Oregon Revised Statutes (1975 Replacement Parts).

184.790 Authority of department for performance of social services for elderly. (1) The Department of Human Resources is directed to develop and place in effect a program of supportive social services for persons age 60 or older.

(2) The Department of Human Resources is authorized to develop and adopt such rules as necessary for the sound, efficient and economical administration of the provisions of this section and ORS 184.900 to 184.915, including the implementation of a fee for service schedule based upon ability to pay, and to assure that no eligible person, resident in a skilled nursing home or intermediate care facility, shall be removed and placed in an alternative care program unless such services are determined to be more appropriate for the individual citizen based upon appropriate, individual, service considerations.

[1975 c.768 ss.1, 2]

(Children's Services Division)

184.805 Children's Services Division; functions. The Children's Services Division is created in the Department of Human Resources. The division shall administer laws and programs relating to protective services to children, foster care, adoptions, Interstate Compact on Juveniles, restorative services to families with children, licensing of child care facilities and day care centers, the mental health program for children, youth employment programs and services to families and children in compliance with the federal social security laws.

[1971 c.401 s.1; 1973 c.641 s.1]

184.810 Revolving fund. (1) On written request of the Children's Services Division, the Executive Department shall draw warrants on amounts appropriated to the Children's Services Division for operating expenses for use by the division as a revolving fund. The revolving fund shall not exceed the aggregate sum of \$25,000 including unreimbursed advances. The revolving fund shall be deposited with the State Treasurer to be held in a special account against which the division may draw checks.

(2) The revolving fund may be used by the division to pay for travel expenses for employes of the division and for any consultants or advisers for whom payment of travel expenses is authorized by law, or advances therefor, or for purchases required from time to time or for receipt or disbursement of federal funds available under federal law.

(3) All claims for reimbursement of amounts paid from the revolving fund shall be approved by the division and by the Executive Department. When such claims have been approved, a warrant covering them shall be drawn in favor of the division and charged against the appropriate fund or account, and shall be used to reimburse the revolving fund.

[1971 c.774 s.15]

184.815 Children's Services Account.

(1) There hereby is established in the General Fund of the State Treasury an account to be known as the Children's Services Account. All moneys in the Children's Services Account hereby are appropriated for and shall be used by the Children's Services Division for the respective purposes authorized by law. The moneys in the Children's Services Account and all appropriations for the Children's Services Division shall be subject

to allotment made by the Executive Department.

(2) The Children's Services Division shall keep a record of all moneys credited to and deposited in the Children's Services Account. The record shall indicate by separate cumulative accounts the source from which the moneys are derived and the individual activity or program against which each withdrawal is charged.

(3) The unobligated balance in the Children's Services Account on June 30 of each odd numbered year shall be determined by the Children's Services Division as of September 30 following the close of each biennium and certified to the Executive Department. The amount certified pursuant to this subsection shall revert to the General Fund and become available for general governmental purposes.

[1971 c.774 s.14]

(Health Division)

184.830 Health Division; functions; administrator. (1) The Health Division is created in the Department of Human Resources. The Health Division shall be responsible for the administration of health and health-related affairs in this state as provided by law, including but not limited to public health services, migrant health services, licensing of health facilities, and comprehensive health planning, and coordinate the activities of professional and occupational licensing boards.

(2) The Director of Human Resources, after consulting with the State Board of Health, shall appoint an Administrator of the Health Division, who shall be in the unclassified service, and whose salary shall be set by the director unless otherwise provided by law.

(3) The Health Division, shall provide necessary staff assistance and services to, and shall have full authority and responsibility for all administrative matters in connection with the functioning of the State Board of Health and the Comprehensive Health Planning Authority.

(4) In enacting chapter 650, Oregon Laws 1971, it is the intention of the Legislative Assembly to provide for the more effective coordination of the administrative functions of boards charged with responsibility for protecting the public through the licensing and regulating of health-related professions practiced in this state. Further, it is the intention of the Legislative Assembly to

retain responsibility and authority in the professional licensing boards, members of which are qualified by education, training and experience to make the necessary judgments, for decisions on qualifications, standards of practice, licensing, enforcement, discipline and other discretionary functions relating to professional activities. The professional licensing boards shall have authority to employ such personnel as they consider necessary to carry out their respective functions and shall maintain full budgetary control over the boards' expenditures and their recommendations for legislation including but not limited to appropriations. Expenditures are subject to the allotment system under ORS 291.232 to 291.260 and rules adopted thereunder. Budgets shall be prepared pursuant to ORS 291.202 to 291.226 and rules adopted thereunder.

[1971 c.650 s.1; 1975 c.730 s.1]

Note: The Legislative Counsel has not, pursuant to 173.160, undertaken to substitute specific ORS references for the words "this Act" in 184.830. Chapter 650, Oregon Laws 1971, enacted into law and amended ORS sections which may be found by referring to the 1971 Comparative Section Table located following the Index in volume 6 of Oregon Revised Statutes (1971 Replacement Parts).

184.835 Administrator as ex officio member of certain boards. The Administrator of the Health Division, or his designee, shall serve as an ex officio member of all health-related licensing boards, but without the right to vote. However, nothing in this section is intended to authorize the administrator to intervene in the internal functions and administration of the boards.

[1971 c.650 s.3; 1975 c.730 s.2]

184.840 Functions of administrator. The Administrator of the Health Division shall:

(1) Require each licensing board in the Health Division to maintain a register of the names and current addresses of all persons holding valid licenses, certificates of registration or other evidence of authority required to practice the occupation or profession, or operate the facility within the jurisdiction of such board and periodically, as the administrator may require, to file a copy of the register at the office of the division. Any board that is authorized or required to distribute a register described in this section may collect a fee to cover the costs of publication, such fee to be handled as other receipts of the board are handled.

(2) In consultation with the licensing boards, designate a qualified person in the

Health Division as coordinator for the accounting and other processes of the licensing boards who shall be responsible for providing such services as the licensing boards may request.

[1971 c.650 s.4; 1975 c.730 s.3]

GOVERNOR'S COMMITTEE ON AGING

184.900 Creation; membership; consecutive term restriction; compensation and expenses. (1) The Governor's Committee on Aging is created. The committee shall consist of 19 members appointed by the Governor for terms of three years. Prior to making appointments, the Governor shall request and consider recommendations from the area agencies on aging and other interested senior organizations. The Governor shall designate a member to serve as chairman for such term and with such duties as he shall prescribe. The membership of the committee shall be composed of:

(a) Six members broadly representative of major public and private agencies who are experienced in or have demonstrated particular interest in the special needs of the elderly; and

(b) Thirteen members who are actual consumers of services under the aging programs, including low income and minority older persons at least in proportion to the number of minority and older persons in the state.

(2) Members shall serve no more than two consecutive terms.

(3) Members shall be entitled to compensation and expenses as provided in ORS 292.495.

[1975 c.768 s.3]

184.905 Legislative committee members; expenses. (1) In addition to the members of the committee appointed under ORS 184.900, the President of the Senate shall appoint one member from the Senate and the Speaker of the House of Representatives shall appoint one member from the House of Representatives.

(2) The members of the committee appointed under subsection (1) of this section shall be entitled to actual and necessary expenses.

[1975 c.768 s.4]

184.910 Appointments to fill vacancies. In case of a vacancy on the committee, the appointing authority shall appoint a successor for the remainder of the unexpired term.

[1975 c. 768 s.5]

184.915 Special Assistant for Programs for the Elderly; merit system law status; duties and powers. (1) There is created the position of Special Assistant for Programs for the Elderly which shall be a part of the Office of the Director of the Department of Human Resources. The special assistant and the Manager of the State Program on Aging shall be in the unclassified service.

(2) The special assistant shall serve as the executive officer of the Governor's Committee on Aging and shall coordinate, under the direction of the Director of the Department of Human Resources, the various programs within the department that relate to such services. The special assistant shall assume the responsibility for state-wide advocacy for senior citizens.

[1975 c.768 ss.6, 7]

CERTIFICATE OF LEGISLATIVE COUNSEL

Pursuant to ORS 173.170, I, Thomas G. Clifford, 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,
October 1, 1975.

Thomas G. Clifford
Legislative Counsel

CHAPTER 185

[Reserved for expansion]