

Chapter 182

1977 REPLACEMENT PART

State Administrative Agencies

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CROSS REFERENCES

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Accountancy, State Board of [Department of Commerce], 673.410
 Accounting and Data Systems Division [Executive Department], 184.305
 Adjutant General, Const. Art. X, §3; 396.150
 Adjutants General, Assistant, 396.165
 Adult Community Services unit, 423.027
 Adult and Family Services Division, 411.040;
 Assistant Director, 411.080
 Aeronautics Administrator, 491.120
 Aeronautics Division [Department of Transportation], 491.005
 Affirmative Action, Director of, 243.315
 Aging, Commission on, 184.900

Agricultural Experiment Station, Oregon, Director of, Ch. 567
 Agricultural Experiment Stations, Ch. 567
 Agriculture, Director of, 561.010
 Agriculture, State Board of, 561.130
 Agriculture, State Department of, 561.010
 Alcohol and Drug Problems, Oregon Council on, 430.100
 Ambulance and emergency medical technicians, advisory council on, 485.570
 Anatomy, Demonstrator of [State Board of Higher Education], 97.170
 Apprenticeship and Training Council, State, 660.110
 Architect Examiners, State Board of [Department of Commerce], 671.120
 Architectural barriers elimination, advisory committee on, 447.230
 Archivist, State, 357.815
 Arts Commission, Oregon, 359.020
 Attorney General, 180.010
 Auctioneers, State Board of [Department of Commerce], 698.710
 Auditor of Public Accounts [Secretary of State], 293.505

- Audits, Division of [Secretary of State], 297.010
 Banking Board, State [Department of Commerce], 706.245
 Banking Division [Department of Commerce], 706.205
 Banks, Superintendent of, 706.215
 Bar, Oregon State, 9.010
 Board of Governors, 9.025
 Beef Council, Oregon, 577.210
 Bicycle lane and path advisory committee [Highway Division], 366.112
 Blind, Commission for the, 346.120
 Advisory committee, 346.135
 Blind, Industries for the, 346.190
 Blind, Oregon State School for the, 346.010
 Boiler Rules, Board of, 480.535
 Budget Division [Executive Department], 184.305
 Builders Board, 701.205
 Building Authority, Oregon, 276.815
 Building Code Administrator, State, 456.790
 Building Codes Division [Department of Commerce], 184.520
 Capitol Building Police Officers, 276.021
 Capitol Planning Commission, 276.030
 Career and Vocational Education, State Advisory Council, 344.225
 Certificate of Need Appeals Board, 442.360
 Charter commission, city-county consolidation, 199.725
 Chief Apiary Inspector, 602.020
 Chief Justice of the Supreme Court, 2.045
 Chief State Steward, 462.250
 Child welfare services advisory committee, 418.005
 Children's Services Division [Department of Human Resources], 184.805
 Advisory committee on court services, 423.320
 Chiropractic Examiners, State Board of, 684.130
 Citizen Involvement Advisory Committee, State [land use], 197.160
 Collections Unit [Department of Revenue], 293.250
 Columbia Park Hospital and Training Center, 428.420
 Superintendent of, 179.331, 427.010
 Columbia River Gorge Commission, 390.420
 Secretary, 1963 Ch.148 §1
 Commerce, Director of, 184.530
 Advisory board, plumbing, 447.085
 Advisory committee, architectural barriers, 447.230
 Commission on Judicial Fitness, 1.410
 Commodity Commissions, agricultural, see cross references under heading "Commodity Commissions Generally" in Ch. 576
 Community Coordinated Child Care Council, 418.379
 Community Corrections Advisory Board, 423.405
 Conciliation Service, State [Employment Relations Board], 662.415
 Consumer Advisory Council [Consumer Services Division], 184.595
 Consumer Protection Division [Department of Justice], 180.510
 Consumer Services Division [Department of Commerce], 184.590
 Controlled Substances, Committee on, 475.075
 Corporation Commissioner, 56.012
 Corporation Division [Department of Commerce], 56.012
 Correctional Institution, Oregon State, 421.705
 Superintendent of, 179.331, 421.710
 Corrections Division, 423.020
 Assistant Director for Corrections, 423.040
 Corrections Ombudsman, 423.400
 Council of State Governments, 189.100
 Council on Court Procedures, 1.730
 County service districts, advisory committees, 451.555
 Court of Appeals, 2.510
 Chief Judge, 2.550
 Court services, advisory committee on, 423.320
 Credit Agencies Board, 697.402
 Crime detection laboratories [state police], 181.080
 Criminal identification, bureau of [state police], 181.066
 Data Processing Advisory Committee, 184.610
 Deaf, Oregon State School for the, 346.010
 Dental Examiners, State Board of, 679.230
 Detective bureau, state [state police], 181.070
 Domestic and Rural Power Authority, 1977, Ch.888 §40
 Director, 1977, Ch.888 §6
 Dredging operations consulting committee, 517.700
 Drug Diversion Subcommittee, State, [Committee on Drug Problems], 430.520
 Drug Problems, Committee on [Health Division], 689.660
 Dry Cleaners' Advisory Board, 479.121
 Dungeness Crab Commission, Oregon, 307.205
 Eastern Oregon State College, 352.290
 Economic Analysis, Office of [Executive Department], 184.305
 Economic Development Commission, 184.005
 Economic Development Department, 184.105
 Administrator of, 184.105
 Education, Department of, 326.111
 Education, Department of Higher, 351.010
 Education, State Board of, 326.021
 Education, State Board of Higher, 351.010
 Educational Coordinating Commission, Oregon, 348.715
 Advisory Committee, 348.825
 Executive Director, 348.745
 Electrical Advisory Board, 479.800
 Elevator Safety Board, 460.115
 Emergency Board, 291.324
 Emergency Fire Cost Committee, 477.440
 Administrator, 477.460
 Emergency Services Advisory Council, 401.050
 Emergency Services Division [Executive Department], 401.040
 Administrator of, 401.040
 Employee Suggestion Awards Board, 182.320
 Employees' Benefit Board, State [Personnel Division], 243.115
 Employment Agencies Advisory Board, 658.230
 Employment Appeals Board [Employment Division], 657.685
 Employment Division, 176.610
 Assistant Director for, 657.608
 Employment Relations Board, 240.060
 Employment Service, Oregon State, 657.705
 Energy Conservation Board, 456.730 to 456.745
 Energy, Department of, 469.030
 Director, 469.040
 Energy Facility Siting Council, 469.450
 Advisory groups, 469.480
 Energy Policy Review Committee, 469.130
 Engineering Examiners, State Board of [Department of Commerce], 672.240
 Environmental Quality Commission, 468.010
 Environmental Quality, Department of, 468.030
 Director of, 468.040
 Ethics Commission, Oregon Government, 244.250
 Executive director, 244.310
 Executive Appointments, Committee on [Senate], 171.560
 Executive Department, 184.305
 Director of, 184.315
 Executive residence, advisory committee, 276.104
 Fair and Exposition Center, Oregon State, 1977, Ch.55 §2
 Fair Commission, County, 565.410
 Fair Dismissal Appeals Board, 342.930
 Fair, Oregon State, 565.040
 Fairview Hospital and Training Center, 427.010
 Superintendent of, 179.331, 427.010
 Fire Marshal Division [Department of Commerce], 184.520
 Fire Marshal, State, 476.020
 Fire Standards and Accreditation Board, 476.840
 Fish and Wildlife Commission, 496.090
 Fish and Wildlife, Department of, 496.080
 Fish and Wildlife Director, State, 496.112
 Fish Division [Fish and Wildlife, State Department], 496.124
 Forest Conservation, Oregon Board of, 272.050
 Forest practice committees [State Board of Forestry], 527.650
 Forest Research Laboratory, 526.225
 Forester, State, 526.031
 Forestry Department, State, 526.008
 Forestry, State Board of, 526.009
 Funeral Directors and Embalmers, State Board of, 692.300
 Furniture and Bedding Advisory Council, 433.660
 General Services, Department of, 283.030
 Advisory Committee, 273.655

- Director of, 283.040
 Geologist, State, 516.120
 Geologist Examiners, State Board of, 672.615
 Geology and Mineral Industries, State Department of, 516.020
 Governing Board of, 516.080
 Governor, Const. Art. V, §1; Ch. 176
 Hair design, schools, advisory committee, 345.420
 Hazardous Substances, Advisory Committee, 689.990
 Health care professions, advisory board, 431.190
 Health Division [Department of Human Resources], 184.830
 Assistant Director for Health, 184.830
 Health Officer, Public, 431.045
 Health Planning and Development Agency, State, 442.085
 Hearing Aids, Advisory Council to the Health Division on, 694.165
 Higher Education, State Board, Chancellor, 351.075
 Higher Education, Department of, 351.010
 Higher Education, Western Interstate Commission for, 351.780
 Highway Division [Department of Transportation], 366.105
 Highway Engineer, State, 366.145
 Highways, Administrator of, 366.145
 Hillcrest School of Oregon, 420.320
 Historic preservation officer, state, 358.565
 Historical Society, Oregon, 358.770
 Hospital and Training Center, Eastern Oregon, 426.010
 Superintendent of, 179.331, 426.020
 Hospital, F. H. Dammasch State, 426.010, 426.030
 Superintendent of, 179.331, 426.020
 Hospital, Oregon State, 426.010
 Superintendent of, 179.331, 426.020
 Hospital, University-State Tuberculosis, 352.065
 Administrator of, 437.140
 Housing Council, State, 456.590
 Housing Division [Department of Commerce], 456.560
 Housing Division Administrator, 456.560
 Human Resources, Department of, 184.750
 Director, 184.755
 Hydroelectric Power, Commissioner of, 543.810
 Industrial Accident Advisory Committee, 656.790
 Indian Services, Commission, 172.100
 Information Agency, State, 110.161
 Inheritance Tax Division [Department of Revenue], Ch. 118
 Institutional Services Division [Executive Department], 184.355
 Insurance Commissioner, 731.208
 Insurance Division [Department of Commerce], 731.204
 Insurance Guaranty Association, Oregon, 734.550
 Intergovernmental Coordination Division [Executive Department], 190.320
 Administrator of, 190.320
 Interstate Cooperation Executive Committee, 189.090
 Interstate Cooperation, Governor's Committee on, 189.080
 Interstate Cooperation, Oregon Commission on, 189.010
 Investment Council, Oregon, 293.706
 Joint Corrections Education Planning and Development Team, 421.082
 Judge Advocate, State, 398.012
 Judicial Conference of the State of Oregon, 1.810
 Judicial Fitness, Commission on, 1.410
 Justice, Department of, 180.210
 Juvenile Compact Administrator, 417.040
 Juvenile Corrections, Task Force on, SJR 54 (1977)
 Klamath River Basin Compact Commission, 542.620 (Art. IX)
 Labor, Bureau of, 651.020
 Commissioner of, 651.030
 Land Board, State, 273.031
 Land Conservation and Development, Commission, 197.030
 Department of, 197.075
 Director, 197.075, 197.085
 Land Use, Joint Legislative Committee on, 197.125
 Lands, Division of State, 273.041
 Director of, 273.161
 Landscape Architect Examiners, State Board of [Department of Commerce], 671.455
 Landscape Contractors Advisory Committee, 671.630
 Law Enforcement Council, 423.220
 Law Improvement Committee, 173.310 to 173.340
 Legislative Administration Committee, 173.710
 Legislative Administrator, 173.710
 Legislative Counsel, 173.111
 Legislative Counsel Committee, 173.111
 Legislative Fiscal Officer, 173.410
 Legislative Liaison, Office of [Executive Department], 184.305
 Legislative Revenue Officer, 173.800
 Librarian, State, 357.015
 Library, State, 357.010
 Trustees of, 357.010
 Library, Supreme Court, 9.770
 Librarian of, 9.770
 Life and Health Insurance Guaranty Association, Oregon, 734.800
 Liquor Control Commission, Oregon, 471.705
 Livestock and Marketing Board, State, 599.440
 Livestock Disease Advisory Board, State, 596.500
 Lobbyist, regulation, 171.725 to 171.785
 Local Budget Advisory Committee [Department of Revenue], 294.413
 Local Officials Advisory Committee, 197.165
 Local Government Investment Board, 294.884
 Local Health Officials, Conference of, 431.330
 Logging permit advisory committee, 526.830
 MacLaren School for Boys, 420.110
 Superintendent of, 420.120
 Management Systems Division [Executive Department], 184.305
 Marine Board, State, 488.825
 Marine Director, State, 488.855
 Market development, division of [Department of Agriculture], 576.009
 Mass Transportation Financing Authority, Oregon, 391.520
 Massage Technicians, State Board of, 687.115
 Medical care, advisory committee on, 656.794
 Medical Examiner Advisory Board, State, 146.015
 Medical Examiners for the State of Oregon, Board of, 677.235
 Medical Examiner, State, 146.035
 Medical Examiner, Deputy State, 146.045, 146.065
 Mental Health Advisory Board, 430.050
 Mental health compact administrator, 428.320
 Mental Health Division, 430.021
 Assistant Director for, 430.110
 Military Council, 396.145
 Military Department, State, 396.305
 Minor Court Rules Committee, 1.510
 Mobile Home Construction and Safety Standard Advisory Board, 446.280
 Motor Vehicles Division [Department of Transportation], 481.910
 Administrator of, 481.930
 Multistate Tax Compact Advisory Committee, 305.670
 Municipal Debt Advisory Commission, Oregon, 287.030
 Museum of Anthropology, Oregon State, 352.090
 National Guard, Oregon, Ch. 399
 Natural Area Preserves Advisory Committee, 273.572
 Naturopathic Board of Examiners, 685.160
 Nuclear Emergency Organization, Oregon, 401.440
 Nursery Advisory Committee, State, 571.025
 Nursing, Oregon State Board of, 678.140
 Nursing Home Administrators, Board of Examiners of, 678.800
 Office of Elderly Affairs [Department of Human Resources], 184.790
 Optometry, Oregon Board of, 683.250
 Oregon College of Education, 352.290
 Oregon Institute of Technology, 352.201
 Oregon State University, 352.230
 Pacific Marine Fisheries Commission, 507.040, 507.050
 Parks and Recreation Division, State [Department of Transportation], 390.120
 Parks Superintendent, State, 390.130
 Parole, State Board of, 144.005
 Penitentiary Industries, Advisory Committee, 421.310
 Penitentiary, Oregon State, 421.605

- Superintendent of, 179.331, 421.016
 Personnel Division [Executive Department], 240.055
 Administrator of, 240.125
 Pharmacy, State Board of, 689.510
 Physical Therapist Licensing Board, 688.160
 Pilot Commissioners, Oregon Board of [Department of
 Commerce], 776.105
 Planning Division [Executive Department], 184.305
 Plans review committee, 1977 Ch. 821 §2
 Plumber Examiners, State Board of, 693.110
 Podiatry Examiners, State Board of, 682.150
 Police Crime Detection Laboratory Advisory Board, State,
 181.570
 Police, Department of State, 181.020
 Police, Oregon State, 181.020
 Police Standards and Training, Board on, 181.620
 Police, Superintendent of State, 181.200
 Port of Portland, Ch. 778
 Board of Commissioners of the, 778.205
 Portland State University, 352.195
 Ports Division [Department of Transportation], 777.810
 Potato Commission, Oregon, 579.030
 Printer, State, 282.080
 Prison Terms and Parole Standards, Advisory Commis-
 sion, 144.775
 Private schools, advisory committee, 345.575
 Property and Fiscal Officer for Oregon, U. S., 396.175
 Psychiatric Security Review Board, 161.385
 Psychologist Examiners, State Board of, 675.100
 Psychosurgery Review Board, 426.750
 Public Contract Review Board, 279.013
 Public Defender, 151.280
 Public Defender Committee, 151.270
 Public Instruction, Superintendent of, Const. Art. VIII,
 §1, 326.310
 Deputy, 326.330
 Public Transit Division, 184.680
 Public Utility Commissioner of Oregon, 756.020
 Public Welfare Review Commission, 411.125
 Racing Commission, Oregon, 462.210
 Radiation Advisory Committee, 453.645
 Radiation Control Agency, State, 453.635
 Radiologic Technology, Board of, 688.545
 Real Estate Board [Department of Commerce], 696.405
 Real Estate Commissioner, 696.375
 Real Estate Division [Department of Commerce], 696.375
 Reciprocity Officer [Motor Vehicles Division], 481.630
 Recreation Director, State, 390.130
 Recreation Trails Advisory Council, Oregon, 390.977
 Release Assistance Officer, 135.235
 Retirement Board, Public Employees', 237.251, 237.952
 Revenue, Department of, 305.025
 Director of, 305.035
 Rogue River Coordination Board, 517.510
 Sanitarians Registration Board, 700.210
 Savings and Loan Supervisor, Office of, 722.402
 Scholarship Commission, State, 348.510
 Sea Grant College [Oregon State University], 352.275
 Search and Rescue Coordinator, 401.040
 Secretary of State, Const. Art. VI, §1; Ch. 177
 Assistant, 177.040
 Secretary to the Governor, 176.510
 Sheep Commission, Oregon, 577.710
 Small claims division [Oregon Tax Court], 305.515
 Social Protection, State Board [Health Division], 436.020
 Soil and Water Conservation Commission, State, 568.230
 Soil Conservation and Domestic Allotment, State
 Administrative Officer, 568.250
 Advisory Board on, 568.120
 South Slough Estuarine Sanctuary Management Commis-
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 Southern Oregon State College, 352.290
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 Speed Control Board, State, 483.108
 State Accident Insurance Fund, 656.752
 Manager of, 656.754
 State Court Administrator, 8.110
 State Governments, Council of, 189.100
 Statewide Health Coordinating Council, Oregon, 442.035
 Structural Code Advisory Board, State, 456.780
 Support Enforcement Division [Department of Justice],
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 Supreme Court, Const. Art. VII (A), §1
 Librarian, 9.770
 Surplus state lands advisory committee, 273.655
 Synthetic Chemicals in the Environment, Committee on,
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 Table Wine Research Advisory Board, 576.755
 Tax Court, Oregon, 305.405
 Judge, 305.452
 Tax Service Examiners, State Board of, 673.725
 Tax Supervising and Conservation Commission, 294.605
 Teacher Standards and Practices Commission, 342.350
 Teachers' Retirement System, 239.201
 Television and Radio Service Advisory Board, State,
 702.210
 Television programs, advisory committee on planning and
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 Textbook Commission, State, 337.011
 Transportation Commission, State, 184.612
 Transportation, Department of, 184.615
 Transportation, Director of, 184.620
 Treasurer, State, Const. Art. VI, §1; Ch. 178
 Chief Deputy, 178.060
 Unemployment Compensation, State Advisory Council
 on, 657.695
 Uniform State Laws, Commission on, 172.010
 University of Oregon, 352.010
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 Oregon Health Sciences Center], 352.100
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 Utility Commissioner of Oregon, Public, 756.020
 Valuation Committee, 295.095
 Vehicle Equipment Safety Commissioner, 483.672
 Veterans' Affairs, Advisory Committee on, 406.210
 Veterans' Affairs, Director of, 406.020
 Veterinarian, State, 596.210
 Veterinary Medical Examining Board, Oregon State,
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 Vital Statistics, Bureau of, 432.010
 Vital Statistics, State Registrar of, 432.020
 Vocational Rehabilitation Division, 344.520
 Assistant Director for, 344.525
 Vocational schools, advisory committee on, 345.330
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 695.110
 Water Policy Review Board, 536.014
 Water Resources Department, 536.008
 Water Resources Director, 536.032
 Ways and Means Committees, 171.555
 Wheat Commission, Oregon, 578.030
 Willamette Valley Rail Study Committee, 1977, Ch. 899
 §1
 Winter Recreation Advisory Committee, 390.780
 Women's Correctional Center, Oregon, 421.610
 Workers' Compensation Board, 656.712
 Workers' Compensation Department, 656.708
 Field Service Division, 656.710
 Evaluation Division, 656.708
 Hearings Division, 656.708
 Director, 656.700
 Youth Corps, Oregon, 418.693
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 Administrative procedure of state agencies, Ch. 183
 Administrative rules, review by Legislative Counsel
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 Agency statement explaining rule required, 171.715
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 Apprentices and trainees, state employees as, 660.128
 Board or commission members prohibited from accepting
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 Compensation of members of boards and commissions,
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 Defendant, state as, in action involving title to real

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 Discrimination against optometrists prohibited, 683.035
 Duties of Water Resources Director; advisory committee on ground water and well operation, 536.090
 Expenses of members of boards and commissions, 292.495
 Interagency services, 283.110
 Labor conciliation services for state and state employees, 662.435
 Leasing of real property to state for term less than 20 years, Const. Art. XI, §7
 Lobbying by public agency, expense statement, filing required, 171.750
 Losses of public funds or property involving public officers, 297.120
 Newsmen as witnesses at agency administrative proceedings, 44.510 to 44.540
 Notary public, functions not constituting lucrative office, 194.010
 Peace Corps volunteers, leave of absence for, 236.040
 Pre-session filing of agency legislation, 171.130
 Private schools, advisory committee, 345.575
 Readability of income tax instructions, 316.364
 Real property, sale by state agency, 273.201 to 273.216
 Records when agency abolished, 357.835
 Release Assistance office, 135.235
 Reports of agencies, 293.600, 293.640
 State agency as party to action involving county administration of state programs, 13.190
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 Transfer of public employes, 236.610 to 236.650
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 Liaison with local governments providing services to state agencies, 190.210, 190.220
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STATE ADMINISTRATIVE AGENCIES GENERALLY

182.010 Nonattendance of member of board or commission at meetings as forfeiting office; appointment of successor. Any member of a state board or commission appointed by the Governor who fails to attend two consecutive meetings of the board or commission, whether regular, adjourned or special, shall forfeit his office unless he is prevented from attending by the serious illness of himself or his family or for any other cause that in the judgment of the Governor constitutes a valid reason for failing to attend. The Governor shall immediately appoint a successor.

182.020 Notice of meetings of boards and commissions; reporting of absences. The secretary or clerk of every state board and commission shall:

(1) Give the members of the board or commission at least 10 days' notice, in writing, of the date and place of each regular, adjourned or special meeting.

(2) Report to the Governor the names of all members who fail to attend any meeting of the board or commission.

182.030 Employment of persons advocating violent overthrow of the Government of the United States or Oregon prohibited. (1) No state department, board or commission shall knowingly employ any person who either directly or indirectly carries on, advocates, teaches, justifies, aids or abets a program of sabotage, force and violence, sedition or treason against the Government of the United States or of the State of Oregon.

(2) Any person employed by any state department, board or commission shall immediately be discharged from employment when it becomes known to the appointing employer that such person has, during the period of his employment, committed any offense set forth in subsection (1) of this section.

(3) Any person denied employment or discharged pursuant to this section shall have a right of appeal in accordance with the provisions of the State Merit System Law.

182.040 Boards and commissions to pay counties for services. (1) All state boards and commissions which are supported by fees, fines, licenses or taxes or other forms of income not derived from a direct tax on tangible property shall pay the various coun-

ties of the State of Oregon the same fees required of others for services rendered.

(2) ORS 182.040 to 182.060 do not apply to:

(a) Services rendered for the Bureau of Labor on wage claims assigned to it for collection.

(b) Any of the provisions or requirements of ORS 21.110, 21.310, 21.560, 21.570, 21.590, 21.600, 52.410 to 52.440, 156.150, 156.160, 205.360 and 205.370 and the requirements of ORS 21.350 for district court law library fees. [Amended by 1965 c.619 §35; 1967 c.398 §8; 1973 c.381 §7]

182.050 Time and manner of payment to counties. No state board or commission affected by the provisions of ORS 182.040 and 182.060 shall be required at the time of ordering the performance of any services for which a fee or charge may be collected by the county to pay the collectible fee or charge in advance or at the time the services are rendered. The county clerk or other officer performing the service, upon request made by the board or commission, shall charge to the board or commission the amount of the fee or charge, and thereafter on the first days of January, April, July and October of each calendar year supply to the board or commission an itemized statement of all services performed upon order of the board or commission for the three months preceding, together with the legal charge collectible therefor. The board or commission, upon receipt of the statement, promptly shall pay the amount due the county.

182.060 County clerk to file instruments affecting realty for state boards and commissions. When requested by a state board or commission, the county clerk shall file or record, or both, in his office any instrument affecting real property and immediately shall return to the board or commission a receipt for the instrument, aptly describing it and showing the legal charge for the filing or recording of the instrument.

182.065 Public writings of state agencies to be clear and simple; definitions. (1) As used in this section, "public writing" means any:

(a) Rule, as defined in ORS 183.310, adopted by a state agency.

(b) Form prepared and prescribed by a state agency for completion by a member of the public and explanatory material prepared by the state agency for the instruction, guid-

ance or assistance of a member of the public in completing the form.

(c) License, permit, certificate, approval, registration or similar form of permission required by law to pursue any commercial activity, trade, occupation or profession and prepared and issued by a state agency.

(d) Written notice prepared by a state agency and given to a member of the public.

(2) As used in this section, "state agency" means every officer, board, commission, department, division, institution or agency in the executive or administrative branch of state government.

(3) Every public writing prepared by a state agency shall:

(a) Be written in simple words used in their commonly understood senses and conveying meanings clearly and directly. Technical words may be used where necessary for purposes of the subject matter and the audience addressed by the public writing may reasonably be expected to understand those words.

(b) Be written in the present tense and using positive statements wherever possible.

(c) Be written in primarily simple, rather than compound or complex, sentences that are as short as possible.

[1977 c.739 §1]

Note: 182.065 first becomes operative July 1, 1979.

182.070 Publications of state agencies to be furnished to State Librarian. (1) Unless a greater or lesser number is agreed upon by the State Librarian and the issuer of the publication, the person responsible for distribution of a publication issued by, or by authority of a state officer, agency or institution not under the control of the State Board of Higher Education shall make available to the State Librarian for distribution and exchange purposes, 25 copies of each technical publication so issued and 75 copies of all other publications so issued in multiple form, other than interoffice memoranda or forms.

(2) The term "publication," as used in this section, does not include:

(a) Oregon Revised Statutes or any edition thereof.

(b) Legislative bills, calendars and interim committee reports made available under ORS 171.215.

[1953 c.527 §2; 1961 c.167 §21]

182.080 Effect of repeal of statute authorizing state agency to collect, receive and expend money. (1) In the event of

repeal of a statute or a part thereof which granted or conferred power to any state officer, board, commission, corporation, institution, department, agency or other state organization to collect, receive and expend money for or on behalf of the state or for any purpose authorized by law, such repeal shall not affect or impair any act done, or right accruing, accrued or acquired, or liability, or obligation to pay the state a license or other fee, or payment exacted or required by law to be made or authorized by said repealed statute and the rules, regulations and orders, if any, promulgated thereunder and in effect at the time of such repeal, unless otherwise specifically provided by law. In the event of such repeal of a statute, the Secretary of State shall have the authority to determine, collect and disburse any moneys due the state, or payable by or through the state, representing such license or other fee, or payment exacted or required by law in accordance with the provisions of such repealed statute and such rules, regulations and orders promulgated thereunder, and as otherwise provided by law, in order to secure the full force, effect and operation of such statute up to the time of its repeal, but not thereafter.

(2) Upon repeal of a statute or a part thereof as described in subsection (1) of this section, there hereby is appropriated for the payment of all expenses incurred by the Secretary of State in winding up and concluding administration of such repealed statute, as authorized in subsection (1) of this section, so much as may be necessary, and no more, of the balance in the General Fund theretofore appropriated for the use, operation and function of such state officer, board, commission, corporation, institution, department or other state organization or agency. Should the balance of such unexpended appropriation be insufficient to cover said costs and expenses of the Secretary of State in administering and concluding the operation of such repealed statute, then, in addition thereto, such amount as may be necessary, and no more, hereby is appropriated out of any funds, accounts and receipts belonging to the state in the custody or control of such state officer, board, commission, corporation, institution, department or other state organization, to cover in full the costs of winding up and concluding the administration of such statute.

[1955 c.73 §1]

182.110 [1959 c.501 §1; repealed by 1959 c.501 §10]

DATA PROCESSING

182.115 Joint Legislative Committee on Data Processing; membership; term; expenses of members; chairman. (1) There is hereby created a Joint Legislative Committee on Data Processing consisting of four members appointed by the Speaker of the House of Representatives, at least two of whom shall have served on the Joint Ways and Means Committee, and three members of the Senate appointed by the President of the Senate, at least one of whom shall have served on the Joint Ways and Means Committee.

(2) The committee has a continuing existence and may meet, act and conduct its business during sessions of the Legislative Assembly or any recess thereof, and in the interim between sessions.

(3) The term of a member shall expire upon the convening of the Legislative Assembly in regular session next following the commencement of the member's term. When a vacancy occurs in the membership of the committee in the interim between sessions, until such vacancy is filled, the membership of the committee shall be deemed not to include the vacant position for the purpose of determining whether a quorum is present and a quorum is a majority of the remaining members.

(4) Members of the committee shall receive an amount equal to that authorized under subsection (3) of ORS 171.072 for each day spent in the performance of their duties as members of the committee or any subcommittee thereof in lieu of reimbursement for in-state travel expenses. However, when engaged in out-of-state travel, members shall be entitled to receive their actual and necessary expenses therefor in lieu of the amount authorized by this subsection. Payment shall be made from funds appropriated to the Legislative Fiscal Office.

(5) The committee shall select its own chairman and vice chairman. The chairman may, in addition to other acts authorized, approve voucher claims.

(6) Action of the committee shall be taken only upon the affirmative vote of the majority of members of the committee.

(7) The Legislative Fiscal Office shall furnish to the committee such services of personnel and such other facilities as are necessary to enable the committee to carry out its functions as provided by law.

[1973 c.457 §1; 1975 c.731 §1; 1977 c.42 §1]

182.120 [1959 c.501 §2; repealed by 1959 c.501 §10]

182.121 Duties of committee. The Joint Legislative Committee on Data Processing shall:

(1) Establish state-wide data processing goals and policy.

(2) Make recommendations regarding established or proposed data processing programs and data processing equipment acquisitions.

(3) Conduct studies of data processing efficiency and security.

[1975 c.731 §2]

182.125 [1973 c.457 §4; repealed by 1975 c.731 §3]

182.130 [1959 c.501 §3; repealed by 1959 c.501 §10]

182.135 [1973 c.457 §3; repealed by 1975 c.731 §3]

182.140 [1959 c.501 §4; repealed by 1959 c.501 §10]

182.145 [1973 c.457 §5; repealed by 1975 c.731 §3]

182.150 [1959 c.501 §5; repealed by 1959 c.501 §10]

182.160 [1959 c.501 §6; repealed by 1959 c.501 §10]

182.170 [1959 c.501 §7; repealed by 1959 c.501 §10]

182.180 [1959 c.501 §8; repealed by 1959 c.501 §10]

182.190 [1959 c.501 §9; repealed by 1959 c.501 §10]

182.200 [1959 c.501 §10; repealed by 1959 c.501 §10]

EMPLOYE SUGGESTION PROGRAM

182.310 Definitions for ORS 182.310 to 182.360. As used in ORS 182.310 to 182.360:

(1) "Board" means the Employee Suggestion Awards Board.

(2) "Employee suggestion program" means the program developed by the board under subsection (3) of ORS 182.320.

(3) "Secretary" means the secretary of the employee suggestion program.

[1959 c.616 §1]

182.320 Employee Suggestion Awards Board; authority. (1) There hereby is established the Employee Suggestion Awards Board consisting of five members appointed by the Governor. Three members shall be state officers or employees who shall serve at the pleasure of the Governor. Two members shall serve for a term of one year and shall be executive or administrative officers, or board or commission members, required by law to be appointed by the Governor. Before the expiration of the one year term of a member, the Governor shall appoint his successor to assume his duties on July 1 next following. In

case of a vacancy for any cause, the Governor shall make an appointment to become immediately effective for the unexpired term.

(2) The members of the board shall annually elect one member as chairman. The Governor shall appoint a state officer or employe to serve as secretary of the employe suggestion program. The board members and the secretary shall serve without compensation.

(3) The board shall formulate, establish and maintain an employe suggestion program to encourage and reward meritorious suggestions by state employes that will promote efficiency and economy in the performance of any function of state government.

(4) The secretary, with the approval of the Employe Suggestion Awards Board, shall prepare rules and regulations necessary or appropriate for the proper administration of ORS 182.310 to 182.360 and for the accomplishment of the purposes of ORS 182.310 to 182.360.

[1957 c.616 §2; 1965 c.9 §1]

182.330 Board's determination final. The board shall make the final determination as to whether an employe suggestion award will be made; and, subject to the rules and regulations adopted pursuant to subsection (4) of ORS 182.320, the board shall determine the nature and extent of the award.

[1957 c.616 §3]

182.340 [1957 c.616 §5; repealed by 1965 c.9 §2]

182.350 [1957 c.616 §4; 1961 c.197 §3; repealed by 1967 c.73 §5]

182.360 Collection and payment of cash awards and administrative expenses.

(1) The amount of the cash awards and administrative expenses under ORS 182.310 to 182.360 which are paid from the Personnel Account shall be in addition to the administrative expenses and costs of operating the Personnel Division and shall be added to and collected with the administrative expenses and costs of operating the Personnel Division collected under ORS 240.165.

(2) Vouchers for the payment of cash awards and administrative expenses under ORS 182.310 to 182.360 shall be prepared by the Administrator of the Personnel Division payable from the Personnel Account upon certification of the chairman or secretary of the Employe Suggestion Awards Board of the amount of the cash award and the person to

whom the award has been made or the amount of the administrative expenses.

[1957 c.616 §6]

182.410 [Amended by 1955 c.707 §56; renumbered 184.410]

RULES GOVERNING AGENCY-PROVIDED HOUSING

182.415 Definitions for ORS 182.415 to 182.435. As used in ORS 182.415 to 182.435 and 240.086 unless the context requires otherwise:

(1) "Furnishings" includes furniture usually used in connection with occupancy of a household but does not include rugs, draperies, range, refrigerator, washer, dryer or any item of furnishings received by the state or one of its agencies as a gift, nor does it include any furniture purchased for the state-owned residence required in relation to the official duties of an institutional executive or the Chancellor of the Department of Higher Education prior to September 9, 1971.

(2) "Housing" includes single and multiple family dwellings, apartments, and mobile homes and mobile home pads, available on a monthly tenancy but does not include guard stations maintained by the State Forestry Department or dormitory facilities at any state institution or at any state institution of higher education.

(3) "Dormitory" includes any facility which houses students and those facilities used primarily for sleeping purposes by the employes of the Mental Health Division.

(4) "State agency" has the same meaning as in ORS 291.002.

(5) "Department" means the Department of General Services.

[1971 c.575 §1; 1977 c.583 §3]

182.420 [Renumbered 184.420]

182.425 State agency required to collect rental for housing provided employes; furnishing prohibited; determination of fair rental value. (1) Every state agency that provides housing for its officers or employes shall collect a rental for such housing based on the fair rental value as determined by a qualified appraiser approved by the Department of General Services, subject to any reductions therefrom authorized under ORS 182.435. Rentals collected under this section shall be credited to the agency's account.

(2) No state agency shall provide furnishings as part of any housing provided by the agency.

(3) Determinations of fair rental value shall be reexamined periodically but not less frequently than once every five years and the rental shall be adjusted annually unless such adjustment is determined by the department to be unnecessary.

(4) Determination of the net rental of any employe-occupied state-owned housing unit under subsections (1), (2) and (3) of this section shall be considered a personnel action for purposes of ORS 240.086.

[1971 c.575 §§2, 4, 1977 c.583 §4]

182.430 [Renumbered 184.430]

182.435 Uniform schedule of reduction from fair rental value; management policies. (1) The Department of General Services shall by rule establish a uniform schedule of reductions from the fair rental value of any housing described in subsection (1) of ORS 182.425. The schedule shall be examined periodically but not less frequently than once every three years and may be changed as the department considers necessary.

(2) In determining reductions, the Department of General Services shall consider factors such as isolation, invasion of the officer or employe's privacy, the agency's justifiable need in having its officers or employes occupying housing in a specific location and inequities between the fair rental value as determined under subsection (1) of ORS 182.425 and the salary of the officer or employe occupying the housing.

(3) The department shall by rule establish policies for the management of state-provided housing and shall be responsible for the monitoring of agency programs to assure appropriate application of ORS 182.415 to 182.435.

[1971 c 575 §3; 1977 c 583 §5]

182.440 [Renumbered 184 440]

182.450 [Renumbered 184 450]

182.510 [1953 c 588 s.1, repealed by 1957 c 624 §14]

182.520 [1953 c.588 §2; repealed by 1957 c 624 §14]

182.530 [1953 c 588 §3, repealed by 1957 c.624 §14]

182.540 [1953 c.588 §4, 1955 c 152 §1, repealed by 1957 c 624 §14]

DETERMINATION OF PUBLIC NEED FOR CERTAIN STATE AGENCIES

182.605 Definitions for ORS 182.605 to 182.635. As used in ORS 182.605 to 182.635, "agency" means:

(1) The State Board of Accountancy created under ORS chapter 673.

(2) The State Department of Agriculture relating to duties under ORS chapters 576, 618, 621 and 634.

(3) The State Board of Architect Examiners created under ORS chapter 671.

(4) The State Board of Auctioneers created under ORS chapter 698.

(5) The Oregon State Bar created under ORS chapter 9.

(6) The Board of Barber Examiners created under ORS chapter 690 (1975 Replacement Part).

(7) The Billing, Factoring and Collection Agencies Board created under ORS chapter 697, and the Real Estate Commissioner and Real Estate Division of the Department of Commerce relating to duties under ORS chapter 697.

(8) The Board of Boiler Rules created under ORS chapter 480, and the Department of Commerce relating to duties under ORS chapter 480.

(9) The Builders Board created under ORS chapter 701.

(10) The State Board of Chiropractic Examiners created under ORS chapter 684.

(11) The State Board of Cosmetic Therapy created under ORS chapter 691 (1975 Replacement Part).

(12) The State Board of Dental Examiners created under ORS chapter 679.

(13) The Electrical Advisory Board created under ORS chapter 479, and the Director of Commerce relating to duties under ORS chapter 479.

(14) The State Board of Engineering Examiners created under ORS chapter 672.

(15) The State Board of Funeral Directors and Embalmers created under ORS chapter 692.

(16) The Advisory Council to the Health Division on Hearing Aids created under ORS chapter 694, and the Health Division of the Department of Human Resources relating to duties under ORS chapter 694.

(17) The Insurance Commissioner relating to duties under ORS chapter 744.

(18) The State Board of Landscape Architect Examiners created under ORS chapter 671.

(19) The State Landscape Contractors Advisory Board created under ORS chapter 671, and the Director of Commerce relating to duties under ORS chapter 671.

(20) The Oregon Liquor Control Commission created under ORS chapter 471.

(21) The State Marine Board relating to duties under ORS 488.400 to 488.430.

(22) The State Board of Masseurs created under ORS chapter 687.

(23) The Board of Medical Examiners for the State of Oregon created under ORS chapter 677.

(24) The Naturopathic Board of Examiners created under ORS chapter 685.

(25) The Oregon State Board of Nursing created under ORS chapter 678.

(26) The Board of Examiners of Nursing Home Administrators created under ORS chapter 678, and the Health Division of the Department of Human Resources relating to duties under ORS chapter 678.

(27) The Oregon Board of Optometry created under ORS chapter 683.

(28) The State Board of Pharmacy created under ORS chapter 689.

(29) The Physical Therapist Licensing Board created under ORS chapter 688.

(30) The Oregon Board of Pilot Commissioners created under ORS chapter 776.

(31) The State Board of Plumber Examiners created under ORS chapter 693.

(32) The State Board of Podiatry Examiners created under ORS chapter 682.

(33) The Board on Police Standards and Training created under ORS chapter 181.

(34) The State Board of Psychologist Examiners created under ORS chapter 675.

(35) The Oregon Racing Commission created under ORS chapter 462.

(36) The Real Estate Commissioner, Real Estate Division of the Department of Commerce and Real Estate Board created under ORS chapter 696.

(37) The Sanitarians Registration Board created under ORS chapter 700.

(38) The State Board of Examiners for Speech Pathology and Audiology created under ORS chapter 681.

(39) The State Board of Tax Service Examiners created under ORS chapter 673.

(40) The Teacher Standards and Practices Commission created under ORS chapter 342.

(41) The State Television and Radio Service Advisory Board created under ORS chapter 702, and the Director of Commerce relating to duties under ORS chapter 702.

(42) The Oregon State Veterinary Medical Examining Board created under ORS chapter 686.

(43) The State Board of Watchmakers created under ORS chapter 695.

(44) The Water Resources Department relating to duties under ORS 537.747 to 537.762.

[1977 c.842 §1]

182.615 Legislative review of public need for certain state agencies. The President of the Senate and the Speaker of the House of Representatives acting jointly shall refer review of an agency to an appropriate interim committee. The committee shall review the agency, hold a public hearing and determine whether an agency has demonstrated a public need for its continued existence in accordance with ORS 182.625. The committee shall submit its recommendations or proposed legislation to the President and the Speaker for distribution to the Legislative Assembly so as to allow a thorough review of the recommendations or proposed legislation not later than 18 months before the repeal date of the agency.

[1977 c.842 §47]

182.625 Evidence and factors to be used to determine public need; hearing.

(1) Before submitting its recommendations or proposed legislation to the President of the Senate and the Speaker of the House of Representatives, the interim committee reviewing the agency shall hold a public hearing, receiving testimony from the public and the agency. At the hearing the agency shall have the burden of demonstrating a public need for its continued existence. The agency, before the hearing, shall furnish the committee with:

(a) A statement of why the exercise of its power is necessary to protect the public health, safety or welfare;

(b) A statement of specific and detailed objectives of the agency scheduled for repeal;

(c) A statement of conclusions as to the effectiveness of the agency's program or programs in meeting the stated objectives;

(d) Recommendations with respect to any changes or additional legislative action considered necessary or desirable in carrying out the agency's program or programs; and

(e) A listing of principal models, analyses or studies supporting the conclusions and recommendations provided pursuant to paragraphs (b) and (c) of this subsection.

(2) The interim committee, in determining whether an agency has demonstrated a public need for its continued existence, shall consider the following factors:

(a) Whether the absence of regulation would significantly harm or endanger the public health, safety or welfare;

(b) Whether there is a reasonable relationship between the exercise of the state's official power and the protection of the public health, safety or welfare;

(c) Whether there is another less restrictive method of regulation available which could adequately protect the public;

(d) Whether the regulation has the effect of directly or indirectly increasing the cost of any goods or services involved, and if so, to what degree;

(e) Whether the increase in cost is more harmful to the public than the harm which could result from the absence of regulation;

(f) The extent to which the agency has operated in the public interest, and the extent to which its operation has been impeded or enhanced by existing statutes, rules, procedures and practices of the agency;

(g) The extent to which the agency has permitted qualified applicants for an occupational or professional license, certificate or registration to serve the public;

(h) The extent to which the agency has recommended statutory changes to the Legislative Assembly to benefit the public;

(i) The extent to which the agency has required the persons it regulates to report to it concerning the impact on the public of rules and decisions of the agency regarding improved service, and economy and availability of service;

(j) The extent to which persons regulated by the agency have been required to assess problems in their industry which affect the public;

(k) The extent to which the agency has encouraged participation by the public in making its rules and decisions;

(L) The efficiency with which formal public complaints filed with the agency concerning persons subject to regulation have been processed to completion by the agency;

(m) The extent to which affirmative action requirements of state and federal statutes and constitutions have been complied with by the agency or the industry it regulates;

(n) The extent to which changes are necessary in the enabling laws of the agency to adequately comply with the factors listed in this subsection; and

(o) The condition of the financial affairs of the agency as indicated by the most recent audit report prepared by the Secretary of State under ORS 297.210.

[1977 c.842 §48]

182.635 Duration of continuation of agency; subsequent review; requirement for separate legislative action to continue any agency. (1) An agency may be continued or reestablished by the Legislative Assembly for a period not to exceed eight years, at the end of which period the agency shall be reviewed again pursuant to ORS 182.605 to 182.635.

(2) No more than one agency shall be continued or reestablished in any Act.

[1977 c.842 §49]

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, 1977.

Thomas G. Clifford
Legislative Counsel