Chapter 283

1977 REPLACEMENT PART

Department of General Services

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GENERAL PROVISIONS

283.010 Definitions. As used in this chapter, unless the context requires otherwise:

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

(2) "Director" means the Director of the Department of General Services.

(3) "State agency" or "agency" has the meaning given such term in ORS 291.002.

(4) "Sheltered workshop" has the meaning given such term in ORS 344.710.

(5) "Work activity center" means a nonprofit facility established and operated by a private organization, agency or institution to provide therapeutic activities for handicapped individuals whose physical or mental impairment is so severe as to make their productive capacity inconsequential. Therapeutic activities include those activities which focus on teaching basic living skills, social-recreational skills and work skills.

(6) "Residential facility" has the meaning given such term in ORS 443.400 to 443.455 and 443.994.

[1967 c 419 §17, 1975 c 345 §1, 1977 c 717 §19]

Note: 283 010 first becomes operative July 1, 1978 See section 26, chapter 717, Oregon Laws 1977 Until then, 283 010 (1975 Replacement Part) remains operative

283.020 Federal laws and rules govern when federal granted funds involved. In all cases where federal granted funds are involved, the federal laws, rules and regulations applicable thereto shall govern notwithstanding any provisions to the contrary in this chapter.

[1967 c.419 §18]

DEPARTMENT OF GENERAL SERVICES

283.030 Department of General Services established; organization. (1) The Department of General Services is established.

(2) For the purpose of administration, the Director of the Department of General Services, with the approval of the Governor, shall organize and reorganize as necessary the department in the manner he considers necessary to conduct properly the work of the department.

[1967 c 419 §19]

283.040 Director; appointment; salary. (1) The department shall be under the supervision and control of a director, who is responsible for the performance of the functions of the department.

(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) The director shall receive such salary as may be provided by law or, if not so provided, as may be fixed by the Governor.

[1967 c 419 §20, 1973 c 792 §9]

283.050 Deputy director; subordinate officers and employes. (1) The director may appoint a deputy director to serve at the pleasure of the director and not be subject to the State Merit System Law, with full authority to act for the director, but 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 subsection (1) of this section, the director, subject to any 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.

[1967 c 419 §21]

283.060 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.

[1967 c 419 §22]

283.070 Agreements with Oregon Building Authority. (1) The Department of General Services may enter into an agreement with the Oregon Building Authority established under ORS 276.815, to:

(a) Construct and lease extensions to the State Capitol.

(b) Construct and lease an office building on the Capitol Mall.

(c) Refinance debt on existing state buildings.

(2) Prior to entering into a binding agreement pursuant to subsection (1) of this section, the Department of General Services shall first obtain approval of the plans for construc-

tion or refinancing and any bids thereon from the Joint Committee on Ways and Means if during a session of the Legislative Assembly or by the Emergency Board if ready during an interim between legislative sessions.
[1975 c 447 §5]

283.080 Special revolving fund for immediate payments. (1) The Executive Department may draw a warrant on the State Treasurer for the sum of $2,500 in favor of the Department of General Services payable out of the General Services Revolving Fund established under ORS 279.742. The amount drawn shall be credited to a special revolving fund which shall be carried with the State Treasurer and shall be used by the Department of General Services when it is necessary or desirable to make immediate payments.

(2) The Department of General Services shall file with the Executive Department at least once each month a verified voucher covering current disbursements from the special revolving fund. The voucher shall be accompanied by an itemized statement showing the names of the persons, firms or corporations to whom and the purposes for which the disbursements were made.

(3) Upon receipt of the voucher, the Executive Department shall draw a warrant on the State Treasurer in favor of the Department of General Services payable out of the General Services Revolving Fund. The amount drawn shall be deposited in the special revolving fund and shall be for a sum sufficient only to replenish the special revolving fund.
[1977 c 316 §2]

STATE AGENCY SERVICES GENERALLY

283.110 Furnishing by state agency to another state agency of services, facilities and materials; services, facilities or materials furnished to other persons. (1) Subject to rules prescribed by the department, any state agency shall, as its own facilities permit, furnish to any other state agency such services (including labor), facilities and materials as are requisitioned by the head of another agency. The expense shall be charged to the agency served, which shall pay the expense to the agency furnishing the services, facilities or materials in the manner other claims are paid. Agencies shall, as far as practicable, cooperate with one another in the use of services, quarters and equipment.

(2) Except as provided in subsection (2) of ORS 279.742 and subsection (2) of ORS 291.036, all moneys received by an agency in payment of services, facilities or materials furnished to another state agency as provided in this section, or in payment of services, facilities or materials furnished to other persons may be, or if required by the Executive Department, shall be paid into the State Treasury for deposit to the credit of the miscellaneous receipts account established pursuant to ORS 283.250 for the agency furnishing the services, facilities or materials.

(3) The constitutional state officers and the Legislative Assembly or any of its statutory, standing, special or interim committees, unless prohibited by law, may elect to furnish services, facilities and materials to one another and to state agencies and officers as defined in ORS 291.002, and the courts, constitutional state officers and the Legislative Assembly or any of its statutory, standing, special or interim committees may elect to requisition services, facilities and materials as provided in this section.
[Formerly 291 658]

283.120 State agency may establish agency service unit. Subject to rules prescribed by the department, any state agency may establish a service unit within the agency to furnish to other units of such agency the services, facilities and materials that the service unit is established to provide. The expenses of the service unit shall be charged to the units served and, except as provided in subsection (2) of ORS 279.742 and subsection (2) of ORS 291.036, the amounts so charged shall be credited to the miscellaneous receipts account established pursuant to ORS 283.250 and hereby are appropriated continuously for expenditure by the state agency subject to the allotment system provided by ORS 291.234 to 291.260.
[Formerly 291 670]

283.130 "Agency" defined for ORS 283.140 to 283.160. As used in ORS 283.140 to 283.160, "state agency" or "agency" includes the Legislative Assembly, at its option, or any of its statutory, standing, special or interim committees, at the option of such committee.
[Formerly 291 659]

283.140 Central telephone, mail, shuttle bus and messenger service for state agencies. (1) The department shall exercise budgetary management, supervision and control over all telephone service for all state agencies. The department may operate central

mail, shuttle bus or messenger services for agencies located in Salem , Portland or other cities, where it would be economical so to do. The cost of maintaining and operating any central telephone exchange or switchboard, or intercity trunk line, or the cost of mail, shuttle bus and messenger services, shall be charged to the various agencies served and paid to the department in the same manner as other claims against the agencies are paid.

(2) The department shall adopt rules pursuant to which persons associated with government either temporarily or otherwise, including but not limited to unsalaried volunteers, part-time employes, contractors with the state and employes of contractors, political subdivisions and the Federal Government may use shuttle bus services.
[Formerly 291.660; 1971 c 110 §1; 1977 c 92 §1]

283.150 Central repair and maintenance services; salvage of office equipment. The department may operate central repair and maintenance services for the general repair and servicing of office equipment belonging to the various state agencies. The cost of such services shall be charged to the various agencies served and paid to the department in the same manner as other claims against the agencies are paid. It shall also be the function of the department to salvage office equipment, in so far as is practicable and economical. Salvaged equipment shall be disposed of in accordance with ORS 283.230.
[Formerly 291 662]

283.160 Clerical and stenographic pool services. The department, where it would be economical so to do, may provide clerical and stenographic pool services as needed for unusual work demands of state agencies above the normal demands that can be met by their permanent staffs. The cost of such services shall be charged to the agencies utilizing such services and paid to the department in the same manner as other claims against the agencies are paid.
[Formerly 291 664]

PROPERTY CONTROL

283.210 Inspection, appraisal and inventory of state property; reports by state agencies. The department may provide for the periodical inspection and appraisal of state property, real and personal, and for keeping current and perpetual inventories thereof, and may require any state agency to make reports of the real and personal property in its custody at such intervals and in such form as it may deem necessary.
[Formerly 291 652]

283.220 Leasing of state property. The department may lease any state property, real or personal, not needed for public use, and the leasing of which is not prohibited by law, where the authority to lease such property is not vested in any other state agency.
[Formerly 291 654, 1977 c 598 §32]

283.230 Sale, transfer to or between state agencies, of surplus, obsolete and unused supplies, materials and equipment; costs of transfers. (1) The department may transfer to or between state agencies (including, at their option, the courts, the constitutional state officers and the Legislative Assembly or any of its statutory, standing, special or interim committees, or any sheltered workshop, work activity center, or group care home which operates under contract or agreement with, or grant from, any state agency and which is certified to receive federal surplus), or sell supplies, materials and equipment which are surplus, obsolete or unused.

(2) All proceeds derived from the disposal of property under the authority of this section, except such particular proceeds as may not under federal laws or regulations be deposited in the manner provided by this section, shall be deposited in the State Treasury to the credit of the General Services Revolving Fund created by ORS 279.742.

(3) In addition to the other purposes for which the General Services Revolving Fund may be used, the General Services Revolving Fund hereby is appropriated continuously for and may be used for paying the administrative costs incurred in the transfer or disposal of property pursuant to subsection (1) of this section, and for paying the amount due to the agency the property of which has been sold. The total amount payable to the agency for whom property is sold shall be the amount derived from the disposal of the property less the amount of the administrative costs incurred in disposing of the property. Such total amount may be deposited in the State Treasury to the credit of the miscellaneous receipts account established pursuant to ORS 283.250 for the agency the property of which has been sold.

(4) The cost of services for disposal of property under this section that is not recoverable from the proceeds of a sale of such property shall be charged to the agency served and

paid to the department in the same manner as other claims against the agency are paid.
[Formerly 291 656, 1975 c 345 §2]

283.240 Disposition of moneys received as payment for repair or replacement of damaged, destroyed, lost or stolen property. All moneys received from insurers and other sources as payment for the cost and expense of repair and replacement of property of state agencies which has been damaged, destroyed, lost or stolen, except such particular moneys as may not under federal law or regulations be deposited in the manner provided by this section, may be deposited in the State Treasury to the credit of the miscellaneous receipts account established pursuant to ORS 283.250 for the agency whose property has been damaged, destroyed, lost or stolen.
[Formerly 291 666]

283.250 Miscellaneous receipts accounts. (1) The State Treasurer is authorized to establish a miscellaneous receipts account for any state agency and shall credit to such account any amounts paid into the State Treasury pursuant to subsection (1) of ORS 190.240, ORS 283.110, 283.230 or 283.240 by the state agency for which such account was established. The moneys credited to the miscellaneous receipts account of a state agency established pursuant to this section hereby are appropriated continuously for the payment of the expenses of such agency, subject to the allotment system provided by ORS 291.234 to 291.260.

(2) The laws enacted by the Legislative Assembly limiting expenditures do not limit expenditures from miscellaneous receipts accounts established pursuant to this section except where the law limiting expenditures of a particular state agency specifically establishes a limit for expenditures from the miscellaneous receipts account of that agency.
[Formerly 291 678]

CONTROL AND REGULATION OF STATE-OWNED MOTOR VEHICLES

283.305 Definitions for ORS 283.305 to 283.355. As used in ORS 283.305 to 283.355:

(1) "Passenger motor vehicles" includes supplies, parts and equipment for the operation, maintenance or repair of such motor vehicle units.

(2) "State agency" or "agency" includes the Legislative Assembly, at its option, or any of its statutory, standing, special or interim committees, at the option of such committee.
[Formerly 291 702]

283.310 Control and regulation of state-owned passenger motor vehicles. The department shall control and regulate the acquisition, operation, maintenance and disposal of passenger motor vehicles used for state business by state agencies.
[Formerly 291 704]

283.315 Establishing motor pools. The department shall establish a motor pool for the common use of state agencies located in Salem, and may establish in the state such subsidiary pools under the direct control or under the supervision of a state agency as may be found necessary.
[Formerly 291 706]

283.320 Transfer to pool or sale of vehicles not required by state agencies. (1) The department shall study and ascertain the present needs for passenger vehicles and shall authorize transfer to the pool or the sale of vehicles found not to be required by state agencies.

(2) Where any vehicle so transferred from any agency was purchased by the agency from a dedicated fund or trust fund, as defined in ORS 291.002, an amount equal to the current market value of the vehicle shall be paid the agency or shall be entered upon the accounts of the General Services Revolving Fund as a credit in favor of the agency from which the vehicle was transferred, and any charges thereafter made to such agency, pursuant to ORS 283.350, for transportation furnished to the agency, shall be offset against such credit until the entire amount of the credit has been utilized.
[Formerly 291 708]

283.325 Acquiring motor vehicles by department; assignment to state agencies. The department shall have authority to acquire passenger motor vehicles by purchase or transfer and all motor vehicles transferred to or purchased for the department shall become a "motor pool" from which, upon requisition and proper showing to the department of need and use for official state business only, there may be assigned suitable transportation, either on a temporary or permanent basis, to any state agency.
[Formerly 291 710]

283.330 Department responsible for motor vehicles under its control. The department shall direct and be responsible for the acquisition, operation, maintenance,

storage, repair and replacement of state motor vehicles under its control. The department shall utilize all state facilities available for the maintenance, repair and storage of such motor vehicles.
[Formerly 291 712]

283.335 Storage, repair and maintenance facilities; interagency agreements. The department may arrange, by agreement with agencies, for the utilization by one of the storage, repair or maintenance facilities of another, with such provision for charges and credits as may be agreed upon. Any such agreement to which the department is not a party shall be subject to the approval of the department. The department may acquire and maintain storage facilities for the motor vehicles under its control.
[Formerly 291 714]

283.340 Rules and regulations; keeping records. The department may adopt rules and regulations necessary for the efficient and economical operation, maintenance, repair and replacement of all state passenger motor vehicles, and shall require the keeping of such records of costs and operations and the making of such reports as will enable the exercise of proper cost controls.
[Formerly 291 716]

283.345 Use of privately owned vehicles. The use of privately owned vehicles shall be permitted where necessary, subject to regulations established by the department.
[Formerly 291 718]

283.350 Use of General Services Revolving Fund for automotive purposes. (1) In addition to the other purposes for which the General Services Revolving Fund created by ORS 279.742 may be used, the General Services Revolving Fund hereby is appropriated continuously for and may be used for the acquisition, operation, storage, maintenance, repair and replacement of motor vehicles under the control of the department, the payment of insurance premiums as provided in ORS 278.090 (1973 Replacement Part) and payment of the administrative expenses of the department in connection with the operation of the motor pool and a proportionate amount of the administrative costs in connection with the operation of the General Services Revolving Fund. The type of motor vehicles purchased shall be limited to the most appropriate economical models. At the end of each month the department shall render a statement, on a basis of mileage or rental, to all state agencies to which transportation has been furnished, and all amounts due shall be credited to the General Services Revolving Fund and shall be a charge against the appropriation allotments of the agencies involved. Any proceeds from the sale or other disposition of used vehicles owned by the department shall be credited to the General Services Revolving Fund. Administrative costs in connection with the operation of the motor pool and a proportionate amount of the administrative costs in connection with the operation of the General Services Revolving Fund shall be included in the computation of the rental or mileage charge to the agencies to which transportation is furnished.

(2) There is continued in existence a petty cash fund in the amount of $100 as part of the General Services Revolving Fund, and the director may authorize designated persons to make disbursements from the petty cash fund in any case where it is necessary to make an immediate cash payment which is payable from the General Services Revolving Fund for an expenditure referred to in subsection (1) of this section. Disbursements from the petty cash fund shall be made only by the persons so designated in payment of claims authorized by law. When the person designated by the director from time to time files with the Secretary of State verified vouchers covering disbursements from the petty cash fund, accompanied by an itemized statement showing in detail the names of the persons to whom and the purposes for which such disbursements were made as authorized by this subsection, the Secretary of State shall issue his warrants on the State Treasurer payable out of the General Services Revolving Fund in favor of the person designated by the director. The payments of such warrants shall be credited to the petty cash fund. The verified vouchers covering disbursements shall bear the approval of the individual designated by the director.
[Formerly 291 720]

283.355 [Formerly 291 722, repealed by 1975 c 605 §33]

283.390 State-owned vehicles to be marked; exceptions. (1) Any state department or institution owning or operating automobiles or trucks shall have printed or painted in plain lettering of a size so as to be readily read the name of the department or institution owning or operating the vehicle, followed by the words "State of Oregon."

(2) A vehicle need not be marked as required by subsection (1) of this section and

need bear only such license plates as are required on privately owned vehicles if:

(a) In the opinion of the director, the marking of the vehicle as required by subsection (1) of this section would unduly hinder the department or institution owning or operating the vehicle in carrying out its duties and functions; and

(b) The department has approved in writing the operation of the particular vehicle without being marked as required by subsection (1) of this section.

[Formerly 291.724]

283.395 Driving state-owned vehicles for private purposes prohibited. No person shall drive, operate or use, or authorize or permit any person to drive, operate or use, any automobile, motor truck or other motor or horsedrawn vehicle owned by the state for any private purpose.

[Formerly 291 726]

PENALTIES

283.990 Penalties. Violation of ORS 283.395 is punishable, upon conviction, by a fine of not less than $25 nor more than $100.

[Formerly part of 291 990]

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

CHAPTERS 284 AND 285

[Reserved for expansion]