

Chapter 182

1981 REPLACEMENT PART

State Administrative Agencies

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CROSS REFERENCES

Note: Consult the statutory reference after the name of the agency or officer in the following list to determine the statutory designation of the agency or officer

The following list does not, in certain cases, contain the statutory designations of those state officers or agencies subordinate to the principal officers or agencies listed

Accountancy, State Board [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, 243 315

Agricultural Experiment Station, Oregon, Director, Ch 567

Agricultural Experiment Stations, Ch 567

Agriculture, Director of, 561 010

Agriculture, State Board, 561 130

Agriculture, State Department, 561 010

Alcohol and Drug Problems, Oregon Council, 430 100

Ambulance and emergency medical technicians, advisory council, 485.570

Anatomy, Demonstrator [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, 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

Bargaining Unit Benefits Board; [Personnel Division], 243 235

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

STATE EXECUTIVE DEPARTMENT AND ORGANIZATION

- 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
- Clinical Social Workers, State Board of, 675 510
- Collections Unit [Department of Revenue], 293 250
- Columbia Park Hospital and Training Center, 428 420
 - Superintendent, 179 331, 427 010
- Columbia River Gorge Commission, 390 420
- Commerce, Department of, 184 520
- Commerce, Director, 184 530
 - Advisory board, plumbing, 447 085
 - Advisory committee, architectural barriers, 447 230
- 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, 423 500
- Conciliation Service, State [Employment Relations Board], 662 415
- Consumer Advisory Council [Consumer Protection and Services Division], 180 520
- Consumer Protection and Services Division [Department of Justice], 180 510
- Controlled Substances, Committee on, 475 075
- Corporation Commissioner, 56 012
- Corporation Division [Department of Commerce], 56 012
- Correctional Institution, Oregon State, 421 705
 - Superintendent, 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, Joint Legislative Committee on, 182 115
- Deaf, Oregon State School for the, 346 010
- Dental Examiners, State Board of, 679 230
- Denture Technology, State Advisory Council on, 680.555
- Detective bureau, state [state police], 181 070
- Dredging operations consulting committee, 517 700
- Drug Diversion Subcommittee, State, [Committee on Drug Problems], 430 520
- Drug Problems, Committee on [Health Division], 689 660
- Dungeness Crab Commission, Oregon, 576 155
- Eastern Oregon State College, 352 290
- Economic Analysis, Office of [Executive Department], 184 305
- Economic Development Commission, 184 005
- 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 Board, 479 800
- Elevator Safety Board, 460 115
- Emergency Board, 291 324
- Emergency Fire Cost Committee, 477 440
 - Administrator, 477 460
- Emergency Management Advisory Council, 401 050
- Emergency Management Division [Executive Department], 401 040
 - Administrator of, 401 040
- Employee Suggestion Awards Board, 182 320
- Employes' Benefit Board, State [Personnel Division], 243 115
- Employment Agencies Advisory Board, 658 230
- Employment Appeals Board [Employment Division], 657 685
- Employment Division, 657 010
 - Assistant Director, 657.608
- Employment Relations Board, 240 060
- Employment Service, Oregon State, 657 705
- Energy Conservation Board, 456 730 to 456 742
- 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 [Department of Commerce], 672 240
- Environmental Quality Commission, 468 010
- Environmental Quality, Department of, 468 030
 - Director, 468 040
- Ethics Commission, Oregon Government, 244 250
 - Executive director, 244 310
- Executive Department, 184 305
 - Director, 184 315
- Executive residence, advisory committee, 276 104
- Fair and Exposition Center, Oregon State, 565 015
- Fair Commission, County, 565 410
- Fair Dismissal Appeals Board, 342 930
- Fair, Oregon State, 565 040
- Fairview Hospital and Training Center, 427 010
 - Superintendent, 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, 496 080
- Fish and Wildlife Director, State, 496 112
- Fish Division [Fish and Wildlife, State Department], 496 124
- Forest Conservation, Oregon Board, 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, 283.040
- Geologist, State, 516 120
- Geologist Examiners, State Board of, 672 615
- Geology and Mineral Industries, State Department of, 516 020
 - Governing Board, 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

STATE ADMINISTRATIVE AGENCIES

- Assistant Director for Health, 184 830
 Health Officer, Public, 431 045
 Health Planning and Development Agency, State, 442 085
 Health Sciences University, Oregon, 352 055
 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
 Hillcrest School of Oregon, 420 320
 Historic preservation officer, state, 358 565
 Historic significance, advisory committee, property, [Department of General Services], 358 655
 Historical Society, Oregon, 358 770
 Hospital and Training Center, Eastern Oregon, 426 010
 Superintendent, 179 331, 426 020
 Hospital, F H Dammasch State, 426 010, 426 030
 Superintendent, 179 331, 426 020
 Hospital, Oregon State, 426 010
 Superintendent, 179 331, 426 020
 Hospital, University-State Tuberculosis, 352 065
 Administrator, 437 140
 Housing Council, State, 456 567
 Housing Division [Department of Commerce], 456 554
 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, 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 Branch, Commission on the, 1979 c 611
 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
 Klamath River Basin Compact Commission, 542 620 (Art IX)
 Labor and Industries, Bureau of, 651 020
 Commissioner, 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
 Land Use Board of Appeals, 1979 c 772 §2
 Lands, Division of State, 273 041
 Director, 273 161
 Landscape Architect Board, State, 671 459
 Landscape Contractors Advisory Committee, 671 630
 Law Enforcement Council, 423 220
 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, 357 010
 Library, Supreme Court, 9 770
 Librarian, 9 770
 Life and Health Insurance Guaranty Association, Oregon, 734 800
 Liquor Control Commission, Oregon, 471 705
 Livestock and Marketing Board, State, 599 440
 Lobbyist, regulation, 171 725 to 171 785
 Local Budget Advisory Committee [Department of Revenue], 294 413
 Local Officials Advisory Committee, 197 165
 Local Health Officials, Conference of, 431 330
 MacLaren School for Boys, 420 110
 Superintendent, 420 120
 Management and Organization, Oregon State Commission on, 1979 c 795 §2
 Management Systems Division [Executive Department], 184 305
 Marine Board, State, 488 825
 Marine Director, State, 488 855
 Maritime Pilots, Oregon Board [Department of Commerce], 776 105
 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, 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, 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
 Natural Heritage Advisory Council, 273 571
 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
 Occupational Therapy Licensing Board, 675 310
 Ocean Charter Vessel Advisory Committee, 1979 c 358 §5
 Optometry, Oregon Board of, 683 250
 Oregon Health Sciences University, 352 055
 Oregon Institute of Technology, 352 201
 Oregon State University, 352 230
 Pacific Marine Fisheries Commission, 507 040, 507 050
 Parks and Recreation Division, [Department of Transportation], 390 130
 Administrator, 390 130
 Parole, State Board of, 144 005
 Penitentiary Industries, Advisory Committee, 421 310
 Penitentiary, Oregon State, 421 605
 Superintendent, 179 331, 421 016
 Personnel Division [Executive Department], 240 055
 Pesticide Analytical and Response Center, 1979 c 571 §2

STATE EXECUTIVE DEPARTMENT AND ORGANIZATION

- Pharmacy, State Board of, 689 510
Physical Therapist Licensing Board, 688 160
Planning Division [Executive Department], 184 305
Plumbing Board, State, 693 110
Podiatry, Advisory Council on, 682 150
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, 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 Commission, 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 Broadcasting, Oregon Commission on, 354 115
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
Rural Health Coordinating Council, 442 490
Rural Health, Office of, 442 475
Rural Medical Education Committee, State, 343 380
Sanitarians Registration Board, 700 210
Savings and Loan Supervisor, Office, 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
Senior Services Division, 410 070
Sheep Commission, Oregon, 577 710
Short Term Fund Board, Oregon, 294 884
Small claims division [Oregon Tax Court], 305 515
Social Protection, State Board [Health Division], 436 020
Soil and Water Conservation Commission, State, 561 395
Soil and Water Conservation Division, 561.400
 Advisory Board, 568 120
South Slough Estuarine Sanctuary Management Commission, 273 554
Southern Oregon State College, 352 290
Speech Pathology and Audiology, State Board of Examiners [Department of Human Resources], 681 400
Speed Control Board, State, 483 108
State Accident Insurance Fund Corporation, 656 752
 Manager, 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], 180 340
Supreme Court, Const Art VII (A), §1
 Librarian, 9 770
Surplus state lands advisory committee, 273 655
Synthetic Chemicals in the Environment, Committee on, 634 352
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 preparation of in school, 354 440
Textbook Commission, State, 337 011
Transportation Commission, State, 184 612
Transportation, Department of, 184 615
Transportation, Director, 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
University of Oregon Dental School [University of Oregon Health Sciences Center], 352 100
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, 406 020
Veterinarian, State, 596 210
Veterinary Medical Examining Board, Oregon State, 686 210
Vital Statistics, Bureau of, 432 010
Vital Statistics, State Registrar, 432 020
Vocational Rehabilitation Division, 344 520
 Assistant Director, 344 525
Vocational schools, advisory committee on, 345 330
Wage and Hour Commission, 653 505
Watchmakers, State Board of [Department of Commerce], 695 110
Water Policy Review Board, 536 014
Water Resources Department, 536 008
 Advisory committee on ground water and well operation, 536 090
 Director, 536 032
Ways and Means Committees, 171 555
Wheat Commission, Oregon, 578 030
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
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Youth Corps, Oregon, 418 693
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Actions by state agencies, 30 312
Administrative procedure of state agencies, Ch 183
Appeals where state agency a party, 2 515
Apprentices and trainees, state employes as, 660 128
Board or commission members prohibited from accepting certain positions, 236 145
Collective bargaining for public employes, 243 650 to 243 782
Compensation of members of boards and commissions, 292 495
Defendant, state as, in action involving title to real property in which state has interest, 30 060
Discrimination against optometrists prohibited, 683 035
Expenses of members of boards and commissions, 292 495

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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 agencies required to file proposed legislation before legislative session, 171 132
Title to property acquired by state agency to be taken in name of state, 279 711
Transfer of public employes, 236 610 to 236 650
Unclaimed property held for owner by public officer or agency, 98 336, 98 302 to 98 436
Unemployment insurance, coverage of state employes, 657 020, 657 065, 657 505

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Removal from office, 236 010

182.030

Employees of civil defense organizations required to take oath stating they do not advocate overthrow of government, 401 160

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Exemptions from certain county fees in favor of the State of Oregon and its agencies, 21 580, 180 360, 205 400, 273 091
Liaison with local governments providing services to state agencies, 190.210, 190 220

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Distribution and sale of legislative publications, 171 225 to 171 255

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Salary and expenses of members, 171 072

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Housing for officers and employes of state institutions, 179 400
Housing for superintendents of state institutions, 179 370

182.605

Landscape Architect Board, State, subject to review, 1981 c 821 §16
Real Estate Commissioner, Real Estate Division and Real Estate Board continued subject to review, 183 477

182.615

Review of State Board of Clinical Workers, 675 610

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 Personnel Relations Law

182.040 Boards and commissions to pay counties for services; exceptions. (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 counties 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 and Industries 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, 156 160, 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]

Note: The amendments to 182 040 by section 97, chapter 3, Oregon Laws 1981 (special session), become operative January 1, 1983. See section 5, chapter 3, Oregon Laws 1981 (special session) 182 040, as amended, is set forth for the users' convenience

182.040. (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 counties 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 and Industries on wage claims assigned to it for collection

(b) Any of the provisions or requirements of ORS 21 310, 21 600, 52 410 to 52 440, 156 160, 205 360 and 205 370

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 [1977 c 739 §1, 1979 c 593 §5, renumbered 183 025]

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 State Printer or, in the event the State Printer is unable to furnish the number of copies 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, 45 copies of all publications so issued in multiple form, other than interoffice memoranda or forms. The State Printer may withhold the prescribed number of copies from each printing order and forward them to the State Librarian. Cost of printing for all copies of a publication furnished to the State Librarian in compliance with this subsection shall be borne by the issuing agency.

(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 171.206.

(c) Reports and publications of the Oregon Supreme Court, Oregon Court of Appeals and the Oregon Tax Court. [1953 c 527 §2, 1961 c 167 §21, 1979 c 215 §1]

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 pay-

ment 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]

182.090 State agency to pay attorney fees and expenses when court finds for petitioner and that agency acted unreasonably. (1) In any civil judicial proceeding involving as adverse parties a state agency as defined in ORS 291.002 and a petitioner, the court shall award the petitioner reasonable attorney fees and reasonable expenses if the court finds in favor of the petitioner and also finds that the state agency acted without a reasonable basis in fact or in law

(2) Amounts allowed under this section for reasonable attorney fees and expenses shall be paid from funds available to the state agency.

(3) As used in this section, "civil judicial proceeding" means any proceeding, other than a criminal proceeding as defined in ORS 131.005 (7), conducted before a court of this state. [1981 c 871 §2]

182.100 Affirmative action policy implementation on appointments. (1) It is declared to be the policy of Oregon that this state shall be a leader in affirmative action. All appointive authorities for state boards, commissions and advisory bodies shall implement this policy of affirmative action in their appointments, subject to the legal requirements for each appointment.

(2) The Director of Affirmative Action shall assist all persons who have appointing authority at the state level for boards, commissions or advisory bodies in carrying out the state policy stated in subsection (1) of this section.

(3) As used in this section, "affirmative action" means a method of eliminating the effects of past and present discrimination, intended or unintended, on the basis of race, religion, national origin, age, sex, marital status or physical or mental handicaps, that are evident or indicated by analysis of present appointment patterns, practices and policies. [1981 c 255 §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 Assem-

bly 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 ORS 171.072 (3) 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]

EMPLOYEE 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 ORS 182.320 (3).

(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 employes 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 Employee 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 accom-

plishment 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 ORS 182.320 (4), 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 Costs and payment of cash awards and administrative expenses. (1) The costs arising out of the awards under ORS 182.310 to 182.360 shall be paid in the following manner:

(a) For awards to employes not eligible for cash awards, the cost shall be added to and collected with the expenses and costs of operating the Personnel Division collected under ORS 240.165.

(b) For any cash award for a suggestion having multiagency effect, as determined by the board, and for which the board cannot identify the cost savings realized or to be realized by the agencies as a result of implementation of the suggestion, the cost shall be added to and collected with the expenses and costs of operating the Personnel Division collected under ORS 240.165.

(c) If the board is able to identify the agency or agencies which have realized or will realize cash savings as a result of implementation of a suggestion, the cost of any cash award shall be paid by the affected agency or agencies from savings realized or to be realized by implementation of the suggestion. For suggestions with multiagency effect, the board shall determine the portion of the award total to be contributed by each agency.

(d) For administrative expenses of the Personnel Division incurred in administering ORS 182.310 to 182.360, the expenses shall be added to and collected with the expenses and costs of operating the Personnel Division collected under ORS 240.165.

(2) Vouchers for awards described in paragraphs (a) and (b) of subsection (1) of this section and administrative expenses described in paragraph (d) of subsection (1) of this section shall be prepared by the Administrator of the Personnel Division payable from the Personnel Account. Vouchers for awards de-

scribed in paragraph (c) of subsection (1) of this section shall be drawn by the appropriate agency. All vouchers shall be drawn upon certification of the chairman or secretary of the Employee Suggestion Awards Board of the amount or cost of the award and the person to whom the award has been made or the amount of the administrative expenses. [1957 c 616 §6, 1981 c.233 §1]

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 deter-

mined 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 ORS 182.425 (1). 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 ORS 182.425 (1) 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 §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 Oregon State Bar created under ORS chapter 9.
- (5) The Real Estate Commissioner relating to duties regulating debt consolidating agencies under ORS 697.610 to 697.830.
- (6) The Board of Boiler Rules created under ORS chapter 480, and the Department of Commerce relating to duties under ORS chapter 480.
- (7) The Builders Board created under ORS chapter 701.
- (8) The State Board of Chiropractic Examiners created under ORS chapter 684.
- (9) The State Board of Dental Examiners created under ORS chapter 679.
- (10) The Electrical Board created under ORS 479.010 to 479.220, 479.510 to 479.850 and 479.990, and the Director of Commerce relating to duties under ORS 479.010 to 479.220, 479.510 to 479.850 and 479.990.
- (11) The State Board of Engineering Examiners created under ORS chapter 672.
- (12) The State Board of Funeral Directors and Embalmers created under ORS chapter 692.
- (13) 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.
- (14) The Insurance Commissioner relating to duties under ORS chapter 744.
- (15) The State Landscape Contractors Advisory Board created under ORS chapter 671, and the Director of Commerce relating to duties under ORS chapter 671.
- (16) The Oregon Liquor Control Commission created under ORS chapter 471.
- (17) The State Marine Board relating to duties under ORS 488.400 to 488.430.
- (18) The State Board of Masseurs created under ORS chapter 687.
- (19) The Board of Medical Examiners for the State of Oregon created under ORS chapter 677.
- (20) The Naturopathic Board of Examiners created under ORS chapter 685.
- (21) The Oregon State Board of Nursing created under ORS chapter 678.
- (22) 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.
- (23) The Oregon Board of Optometry created under ORS chapter 683.
- (24) The State Board of Pharmacy created under ORS chapter 689.
- (25) The Physical Therapist Licensing Board created under ORS chapter 688.
- (26) The Oregon Board of Maritime Pilots created under ORS chapter 776.
- (27) The State Plumbing Board created under ORS chapter 693.
- (28) The Board of Medical Examiners for the State of Oregon created under ORS chapter 682.
- (29) The Board on Police Standards and Training created under ORS chapter 181.
- (30) The State Board of Psychologist Examiners created under ORS 675.010 to 675.150.
- (31) The Oregon Racing Commission created under ORS chapter 462.
- (32) The Real Estate Commissioner, Real Estate Division of the Department of Commerce and Real Estate Board created under ORS chapter 696.
- (33) The Sanitarians Registration Board created under ORS chapter 700.
- (34) The State Board of Examiners for Speech Pathology and Audiology created under ORS chapter 681.
- (35) The State Board of Tax Service Examiners created under ORS chapter 673.
- (36) The Teacher Standards and Practices Commission created under ORS 342.120 to 342.175 and 342.177 to 342.982.

(37) 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.

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

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

(40) The State Landscape Architect Board created under ORS 671.310 to 671.459. [1977 c 842 §1, 1981 c.85 §10; 1981 c 438 §45, 1981 c 821 §1a]

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]
