

# Chapter 292

## 1983 REPLACEMENT PART

### Salaries and Expenses of State Officers and Employes

#### PROCEDURE FOR PAYMENT OF SALARY AND EXPENSES OF STATE OFFICERS AND EMPLOYES

- 292.010 Salaries of state officers and employes payable monthly
- 292.014 Definitions for ORS 292.014 to 292.036
- 292.016 Centralized payroll procedure; may be used in lieu of other procedures
- 292.018 Designation of agent
- 292.022 Preparation of payroll
- 292.024 Warrant for aggregate amount allowed
- 292.026 Issuing payroll checks
- 292.032 Filing paid checks; unrepresented checks
- 292.033 Advances of regular and terminal salary or wages
- 292.034 Payment for use of centralized payroll services
- 292.036 Rules and regulations
- 292.039 Paying officers and employes of certain state institutions and agencies
- 292.040 Bond of payroll officer
- 292.042 Paying employes by single checks to designated banks
- 292.043 Department of Higher Education; wage deduction for foundations
- 292.045 Deduction of United Fund contribution; payment to United Fund
- 292.051 Deduction of cost of group insurance and other services; payment to insurance companies or other contractors
- 292.055 Deduction of payment for labor organization; payment to organization; fees payable to state
- 292.065 Deduction of payment for parking fees; agreements for parking in state lots
- 292.067 Deduction of requested payments to financial institutions; payment to designated central depositories
- 292.070 Withholding compensation to purchase United States Savings Bonds or other obligations; Employes' Bond Savings Account
- 292.080 Issuance of bonds; delivery to employe
- 292.090 Use of balances to purchase bonds in advance
- 292.100 Refunds from account
- 292.110 Procedure where employe dies having credit in account
- 292.150 Advances upon mileage allowances of members of legislature and upon salaries of legislative clerks and other state employes
- 292.160 Repayment of amounts advanced
- 292.170 Procedure when employe leaves employment after overpayment
- 292.180 Invoice reflecting certain savings; use of savings; refunding

#### FEDERAL FUNDS

- 292.200 Expenditure of federal money; approval of positions

#### SUBSISTENCE AND MILEAGE ALLOWANCES FOR TRAVEL BY STATE OFFICERS AND EMPLOYES

- 292.210 Definitions for ORS 292.220 and 292.230
- 292.220 Executive Department to regulate subsistence and mileage allowances for travel
- 292.230 Travel outside state at public expense by state officers and employes of state agencies; letter of authorization required
- 292.250 Reimbursement for use of privately owned motor vehicle on official business
- 292.280 Advance for expenses of travel and subsistence
- 292.286 Approval of advance by agency head; payment; regulations
- 292.288 State claim on advances

#### SALARIES AND EXPENSES OF ELECTED STATE OFFICERS

- 292.313 Governor, Secretary of State, State Treasurer, Attorney General, Superintendent of Public Instruction, Commissioner of Bureau of Labor and Industries
- 292.316 Governor, Secretary of State, State Treasurer and Attorney General to pay fees and commissions into treasury; biennial report
- 292.405 Court of Appeals Judge
- 292.410 Supreme Court Justice
- 292.415 Circuit court judge
- 292.422 District court judge
- 292.425 Tax court judge
- 292.430 Retirement and insurance benefits extension to state elected officers

#### SALARIES AND EXPENSES OF NONELECTIVE STATE OFFICIALS

- 292.495 Compensation and expenses of members of state boards and commissions
- 292.860 Nonelective officials to be charged for any maintenance furnished

#### PUBLIC OFFICIALS COMPENSATION COMMISSION

- 292.907 Public Officials Compensation Commission; eligibility; term
- 292.912 Duties
- 292.917 Officers; quorum; meetings; compensation and expenses; staff
- 292.920 Legislative Assembly to act on recommendations; authority to lower salaries
- 292.930 Annual salary of certain public officials

# PUBLIC FINANCIAL ADMINISTRATION

## PENALTIES

### 292.990 Penalties

## CROSS REFERENCES

Application to State Accident Insurance Fund Corporation, 656.753  
Appropriation necessary before withdrawal from State Treasury, Const. Art. IX, §4; see 291.232 to 291.260  
Benefits for public employes while on temporary active duty in Armed Forces, 408.290  
Commodity commissions, salary of administrators determined by commissions, 578.120, 579.140  
Compensation plans for employes in exempt, unclassified or classified service, 240.233 to 240.245  
Encumbrances, defined by rule of Executive Department, 293.075  
Hours and overtime for labor directly or indirectly employed by public agencies, 279.334 to 279.342  
Payment of salary due deceased state employe, 293.490 to 293.500  
Payment of salary while on temporary duty in Armed Forces, 408.290  
Public employe wages as affected by absence to engage in search or rescue operation, 652.250  
Unclaimed property held for owner by public officer or agency, 98.336, 98.302 to 98.436  
Unemployment insurance, 657.020, 657.065, 657.505  
When compensation not allowed by state agency for services of attorney, 180.230

### 292.010 to 292.180

Designation of officer to approve disbursements, 293.330  
Furnishing state employes with itemized statement of amounts and purposes of deductions, 652.610

Furnishing state employes with statement of yearly compensation, 652.620  
Paying employes of Highway Division, 366.160, 366.440  
Paying employes of Adult and Family Services Division, 411.245

### 292.040

Allowance for expense of bond, 743.738  
Bond not invalidated by omission of statutory provision, 743.759

### 292.043

Department of Higher Education, 351.010 to 351.260

### 292.051

Deduction of premiums for health benefit plan participation of participating state employe, 243.195

### 292.150

Compensation of members of Legislative Assembly, Const. Art. IV, §29, 171.072

### 292.220

Interim committees, reimbursement of members for travel and other expenses, 171.620  
Travel and expense allowances and use of privately owned vehicles, 283.345

### 292.250

Use of privately owned vehicles, 283.345

### 292.410

Compensation to be fixed by law and not diminished during term, Const. Art. VII (A), §1  
Deductions from salary for retirement fund, 1.360

**PROCEDURE FOR PAYMENT  
OF SALARY AND EXPENSES  
OF STATE OFFICERS AND  
EMPLOYEES**

**292.010 Salaries of state officers and employes payable monthly.** The salaries of the Governor, Secretary of State, State Treasurer, Attorney General, judges of the Supreme and circuit courts, district attorneys, and all other state officers, and all persons employed by the state whose salary or compensation is payable by law out of the State Treasury, shall be paid monthly. [Amended by 1969 c.378 §1]

**292.014 Definitions for ORS 292.014 to 292.036.** As used in ORS 292.014 to 292.036:

(1) "Authorized employe deductions" includes all authorized deductions made from the salary and wages of an officer or employe of a state agency.

(2) "Salaries and wages" means payments to officers and employes of a state agency for services rendered other than on a fee basis. [1955 c.495 §1; 1961 c.108 §9]

**292.016 Centralized payroll procedure; may be used in lieu of other procedures.** The salaries and wages of the officers and employes of any state agency whose salaries and wages are payable out of the State Treasury shall be paid through the medium of payrolls as provided in ORS 292.014 to 292.036. [1955 c.495 §2; 1969 c.378 §2]

**292.018 Designation of agent.** The chief administrative officer of any state agency electing to use the procedure provided by ORS 292.014 to 292.036 shall designate the Executive Department as an agent to act for him under ORS 292.014 to 292.036. The designation shall be in writing signed by the chief administrative officer of the state agency and filed with the department. The designation shall remain in effect until the chief administrative officer of the state agency revokes it by written notice to the department. [1955 c.495 §3]

**292.020** [Renumbered 292.038]

**292.022 Preparation of payroll.** (1) The chief administrative officer of the state agency using the procedure provided in ORS 292.014 to 292.036 shall cause to be prepared payrolls in the form prescribed by the Executive Department.

(2) The payroll shall be certified as correct by the chief administrative officer of the state agency or by the officer designated pursuant to

ORS 293.330 to approve disbursements for the state agency.

(3) The payroll in a form acceptable to the department shall be transmitted to the department. [1955 c.495 §4; 1967 c.454 §80; 1969 c.378 §3; 1979 c.468 §32]

**292.024 Warrant for aggregate amount allowed.** The Executive Department shall, as it determines and may at any time redetermine, either draw a warrant for or transfer the aggregate amount allowed of a payroll transmitted under ORS 292.022. Such amounts shall be deposited with the State Treasurer, to be held in a special account to be designated as the Joint Payroll Account. [1955 c.495 §5; 1961 c.108 §10; 1967 c.454 §81; 1969 c.378 §4]

**292.026 Issuing payroll checks.** (1) After preparation of the payroll, the aggregate amount as prescribed by ORS 292.024 shall be deposited in the Joint Payroll Account. The Executive Department may issue checks in the proper amount even though reimbursement funds payable to the Joint Payroll Account are not available on the date of issuance. The checks shall be drawn on the State Treasurer and be payable from the Joint Payroll Account. The checks shall be issued to:

(a) The officers and employes of the state agency who are entitled to receive payments under the payroll as allowed by the department.

(b) The persons, public or private, entitled to receive the authorized employe deductions under the payroll as allowed by the department.

(c) Banks, savings and loan associations or credit unions entitled to receive direct deposit of payroll checks as preauthorized by employe.

(2) Checks issued under paragraph (b) or (c) of subsection (1) of this section may be for the aggregate amount due under the payroll to the person, public or private, entitled to receive the money or the department may utilize an automatic or electronic transfer of funds system authorized by the State Treasurer's office in lieu of issuing checks. The department may, where monthly payments are not required, issue checks less frequently than monthly to the persons, public or private, entitled to receive payments under paragraph (b) of subsection (1) of this section. [1955 c.495 §6; 1967 c.454 §82; 1969 c.378 §5; 1979 c.718 §1; 1981 c.567 §1]

**292.028** [1955 c.495 §7; repealed by 1961 c.108 §13]

**292.030** [Amended by 1953 c.347 §3; renumbered 292.039]

**292.032 Filing paid checks; unrepresented checks.** Checks issued under ORS 292.026, after having been paid, shall be filed with the chief administrative officer of the state agency. Unrepresented checks shall be treated as are unrepresented checks under ORS 293.450 to 293.460. [1955 c.495 §8]

**292.033 Advances of regular and terminal salary or wages.** (1) As used in this section:

(a) "Regular salary advance" means any portion of the accrued salary or wages payable to an officer or employe who has filed a written request for the approval of such advance with the administrative head of the state agency by which the employe is employed.

(b) "State agency" means a state agency using the procedure provided in ORS 292.010 to 292.036.

(c) "Terminal salary or wages" means the salary or wages payable to an officer or employe who is terminating the office or employment with the state and includes cash payments made in lieu of accrued vacation time.

(2) Where a state agency does not have an alternative procedure for advances of regular salary or wages or terminal salary or wages, the Executive Department may make advances of regular salary or wages or terminal salary or wages to an officer or employe of a state agency by check drawn on the Joint Payroll Account. The provisions of ORS 292.032 apply to such checks. The department shall require the officer or employe to whom the advance is made to execute an assignment of regular salary or wages or terminal salary or wages in the amount of the advancement. The assignment shall be made to the department. The assignment shall have priority over any other claims against the regular salary or wages or terminal salary or wages owed to the officer or employe by the state. The department shall withhold the amount specified in the assignment from the next salaries or wages or the terminal salary or wages payable to such officer or employe, and the amount so withheld shall be credited to the Joint Payroll Account in payment of the advance made under this section. [1957 c.93 §2; 1961 c.108 §11; 1969 c.378 §6; 1981 c.567 §2]

**292.034 Payment for use of centralized payroll services.** (1) A state agency using the procedure provided by ORS 292.014 to 292.036 shall pay for the expense of the services (including labor), facilities and materials furnished by the Executive Department under ORS 292.014 to 292.036.

(2) All moneys received by the department under the provisions of this section shall be deposited in the State Treasury to the credit of the Executive Department Revolving Fund. [1955 c.495 §9; 1961 c.108 §12; 1967 c.454 §83; 1969 c.378 §7]

**292.036 Rules and regulations.** The Executive Department may prescribe such rules and regulations as are necessary to carry out the provisions of ORS 292.014 to 292.036. [1955 c.495 §10]

**292.038** [Formerly 292.020; 1959 c.588 §18; 1959 c.687 §5; 1967 c.346 §3; repealed by 1969 c.378 §11]

**292.039 Paying officers and employes of certain state institutions and agencies.**

(1) The payment of the salary or compensation of the officers, teachers, instructors and other employes of the Department of Higher Education, employes of the Highway Division of the Department of Transportation and the officers and employes of any state agency, as defined in ORS 291.002 (7), if such agency is authorized by the Director of the Executive Department, where such salary or compensation is payable out of the State Treasury and is fixed by law or the proper governing board or authority at a definite rate per day, week, month or year, shall be made monthly, as provided in this section.

(2) The superintendent, president or chief executive officer of the institutions, boards, commissions or state agencies listed in subsection (1) of this section, or such other officer thereof as may be, with the approval of the Executive Department, designated by the proper governing board or authority, shall, at the end of each month, make out, certify to and transmit to the department, a payroll, duly verified by him and approved by the proper auditing committee or officer, showing the names of the several officers and employes during the preceding payroll period, the rate of compensation of each by the day, week, month or year, the time employed, the amount due and any other facts the department requires. The Executive Department, if it approves the payroll, shall draw a warrant on the State Treasurer for the aggregate amount allowed by it thereon; in favor of the superintendent, president or other officer of the institution, board, commission or state agency, who shall immediately pay over the moneys received thereon to the several parties entitled thereto, taking receipts therefor, which shall be transmitted to the department. [Formerly 292.030; 1957 c.482 §1; 1959 c.183 §1; 1959 c.566 §5; 1967 c.454 §84; 1969 c.378 §8]

**292.040 Bond of payroll officer.** Before the superintendent, president or other officer of an institution, board or commission listed in ORS 292.039, forwards a payroll or receives from the Executive Department a warrant issued thereon, he shall file with the department a bond running to the State of Oregon, for the benefit of whomsoever it may concern, in such sum and amount as the department may require, not less, however than 50 percent of the probable aggregate amount of the monthly payroll nor more than \$50,000, with an approved surety company as surety. The bond shall be conditioned that he will faithfully pay over the moneys received by him on the warrant issued by the department to the several parties entitled thereto, and properly account for the same. The premium on the bond shall be considered an expense of the state and payable from any funds appropriated for the benefit of the institution, board or commission. [Amended by 1953 c.95 §2; 1967 c.454 §85; 1969 c.378 §9]

**292.042 Paying employes by single checks to designated banks.** (1) Notwithstanding the provisions of ORS 292.039 or any other law, any state official authorized to disburse funds in payment of salaries or wages of state officers or employes is authorized, upon written request of state officers or employes to whom salaries and wages are to be paid, and may pay the same to any bank designated by the officers or employes for credit to their accounts. A single check may be drawn in favor of such bank, for the total amount due the officers or employes involved, and written directions provided to such bank of the amount to be credited to the account of each officer or employe. Banks permitted to participate in the payroll program shall be those only which are qualified state depositories as provided by ORS 295.015 and 295.025 to 295.175.

(2) The issuance and delivery by the disbursing officer of a check in accordance with the procedure set forth in subsection (1) of this section and proper indorsement thereof by the bank shall constitute full acquittance for the amount due to the officer or employe. [1967 c.69 §§2, 3; 1969 c.378 §10]

**292.043 Department of Higher Education; wage deduction for foundations.** (1) As used in this section, "foundation" means a tax exempt organization designated by the State Board of Higher Education to solicit contributions for the support of an institution of higher education under the jurisdiction of the board.

(2) Any state official authorized to disburse funds in payment of salaries or wages, as defined in ORS 292.014, of the officers, teachers, in-

structors and other employes of the Department of Higher Education is authorized, upon written request of the individual, to deduct each month from the salary or wages of the individual the amount of money designated by the individual for payment to a foundation.

(3) The individual may withdraw the authorization at any time if he so notifies such officer in writing.

(4) The moneys so deducted shall be paid over promptly to the foundation designated by the individual. Subject to any rules prescribed by the Executive Department, the state official authorized to disburse the funds in payment of salaries and wages may prescribe any procedures necessary to carry out this section. [1975 c.385 §1]

**292.045 Deduction of United Fund contribution; payment to United Fund.** (1) As used in this section, "United Fund" means the organization conducting the single, annual, consolidated effort to secure funds for distribution to agencies engaged in charitable and public health, welfare and service purposes, which is commonly known as the United Fund, or the organization which serves in place of the United Fund organization in communities where an organization known as the United Fund is not organized.

(2) Any state official authorized to disburse funds in payment of salaries or wages of state officers or employes is authorized, upon written request of the state officer or employe, to deduct each month from the salary or wages of the officer or employe the amount of money designated by the officer or employe for payment to the United Fund. The moneys so deducted shall be paid over promptly to the United Fund designated by the officer or employe. Subject to any regulations prescribed by the Executive Department, the state official authorized to disburse the funds in payment of salaries or wages may prescribe any procedures necessary to carry out this section. [1955 c.255 §1]

**292.050** [Repealed by 1965 c.23 §2]

**292.051 Deduction of cost of group insurance and other services; payment to insurance companies or other contractors.** (1) Except as authority over contracts for health benefit plans described in ORS 243.135 is vested in the State Employees' Benefit Board, upon receipt by him of the request in writing of an officer or employe so to do, the state official authorized to disburse funds in payment of the salary or wages of such officer or employe may deduct from the salary or wages of such officer or employe an amount of money indicated in such

request for payment of the applicable amount set forth in contracts made by such officers or employes or in their behalf for:

(a) Group life insurance, including life insurance for dependents of officers or employes.

(b) Group dental and related services and supplies, or any other remedial care recognized by state law and related services and supplies, other than medical, surgical or hospital care, recognized under state law, including such insurance for dependents of state officers or employes.

(c) Group indemnity insurance for accidental death and dismemberment and for loss of income due to accident, sickness or other disability, including such insurance for dependents of state officers or employes.

(d) Automobile casualty insurance under a monthly payroll deduction program indorsed or offered by an employe organization representing 500 or more state employes. Membership in such employe organization shall not be a requirement for participation in this program.

(e) Legal insurance under a monthly payroll deduction program indorsed or offered by an employe organization representing 500 or more state employes.

(2) The Executive Department may establish and collect a fee to cover costs of administering this section.

(3) No state official authorized to disburse funds in payment of salaries or wages is required to make deductions as authorized by subsection (1) of this section for more than one contract of the type referred to in each of the paragraphs in subsection (1) of this section per eligible employe.

(4) Moneys deducted pursuant to subsection (1) of this section shall be paid over promptly to the insurance companies, agencies or hospital associations, or persons responsible for payment of premiums to such companies, agencies or associations, in accordance with the terms of the contracts made by the officers or employes or in their behalf.

(5) As used in this section, "officer or employe" means all persons who receive salaries or wages disbursed by any state official. [1965 c.23 §1; 1971 c.527 §12; 1975 c.475 §1; 1979 c.469 §1; 1979 c.717 §1]

**292.055 Deduction of payment for labor organization; payment to organization; fees payable to state.** (1) Upon receipt by him of the request in writing of a state officer or employe so to do, the state official authorized to disburse funds in payment of the salary or wages of such state officer or employe each

month shall deduct from the salary or wages of such officer or employe the amount of money indicated in such request, for payment thereof to a labor organization as the same is defined in ORS 243.650 (12).

(2) Such state official each month shall pay such amount so deducted to any such labor organization so designated to receive it.

(3) Unless there is a contract to the contrary, upon receipt by him of the request in writing of such officer or employe so to do, such state official shall cease making such deductions and payments.

(4) In addition to making such deductions and payments to any labor organization certified under the rules of the Employment Relations Board as representatives of employes in a bargaining unit, any department, board, commission, bureau, institution or other agency of the state shall make deductions for and payments to noncertified, yet bona fide, labor organizations, if requested to do so by officers and employes in that department, board, commission, bureau, institution, or other state agency, and for so long as the requests are not revoked. No deductions for and payments to any labor organization under this section shall be deemed an unfair labor practice under ORS 243.672.

(5) Upon receipt from the Executive Department of a copy of a valid fair-share agreement in a collective bargaining unit, the state official authorized to disburse funds in payment of the salary or wages of the employes in such unit each month shall deduct from the salary or wages of the employes covered by the agreement the in-lieu-of-dues payment stated in the agreement and pay such amount to the labor organization party the agreement in the same manner as deducted dues are paid to a labor organization. Such deduction and payment shall continue for the life of the agreement. [1959 c.316 §1; 1969 c.414 §1; 1971 c.510 §1; 1973 c.536 §31; 1975 c.347 §1]

**292.060** [Repealed by 1965 c.23 §2]

**292.065 Deduction of payment for parking fees; agreements for parking in state lots.** (1) As used in this section, unless the context requires otherwise:

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

(b) "State agency" means any elected or appointed officer, board, commission, department, institution, branch or other agency of the state government.

(c) "State officer or employe" means every person, including a minor, who receives a salary or wages disbursed by any state official.

(d) "Payroll officer" means any person authorized to disburse funds in payment of state salaries or wages to state officers and employes.

(2) As soon as practical, not to exceed 30 days, after receiving a written authorization from a state officer or employe of a state agency, the payroll officer authorized to disburse funds in payment of the salary or wages of such officer or employe shall deduct monthly from such salary or wages the amount of money designated by such officer or employe for payment of parking fees in accordance with an agreement made by such officer or employe with the department.

(3) Any authorization given under subsection (2) of this section is subject to cancellation by giving a written notice of such cancellation to the payroll officer authorized to make the deduction. As soon as practical, not to exceed 30 days, after receiving a written notice from the state officer or employe to cancel the deduction, the payroll officer shall cease making such deductions.

(4) The authorization for deduction and cancellation of deduction shall be made to the payroll officer in such form and manner and under such rules as prescribed by the department.

(5) A state agency or municipal government may enter into an agreement with a state officer or employe for parking in lots or parking structures owned or controlled by a state agency or municipal government under rules prescribed by the Executive Department.

(6) As soon as practical, not to exceed 30 days, after receiving a written authorization from a state officer or employe of a state agency as provided under subsection (5) of this section, the payroll officer authorized to disburse funds in payment of the salary or wages of such officer or employe shall deduct monthly from such salary or wages the amount of money designated by such officer or employe for payment of parking fees in accordance with an agreement made by such officer or employe with the state agency or municipal government.

(7) Any authorization given under subsection (6) of this section is subject to cancellation by giving a written notice of such cancellation to the payroll officer authorized to make the deduction. As soon as practical, not to exceed 30 days, after receiving a written notice from the state officer or employe to cancel the deduction, the payroll officer shall cease making such deductions.

(8) The authorization for deduction and cancellation of deduction shall be made to the payroll officer in such form and manner and

under such rules as prescribed by the Executive Department. [1969 c.445 §§1, 2, 3, 4; 1975 c.634 §1]

**292.067 Deduction of requested payments to financial institutions; payment to designated central depositories.** (1) Upon receipt by him of the request in writing of a state officer or employe to do so, the state officer authorized to disburse funds in payment of the salary or wages of such state officer or employe each month shall deduct from the salary or wages of such officer or employe the amount of money indicated in such request, for payment thereof to a state or federally chartered credit union for public employes, state or federally chartered savings and loan association, state chartered bank, national bank or mutual savings bank, designated by such officer or employe to receive it.

(2) Such state official each month shall pay such amount so deducted to a single central depository or clearinghouse facility designated by participating credit unions for credit union payments, savings and loans for savings and loan payments, banks and mutual savings banks for bank payments, to receive payments on their behalf.

(3) Upon receipt by him of the request in writing of such officer or employe to do so, such state official shall cease making such deductions and payments. [1971 c.71 §2; 1979 c.718 §2]

**292.068** [1977 c.642 §2, repealed by 1979 c.718 §3]

**292.070 Withholding compensation to purchase United States Savings Bonds or other obligations; Employees' Bond Savings Account.** (1) As used in ORS 292.070 to 292.110:

(a) "Compensation" means salaries and wages.

(b) "State employes" means state officers and employes, including minors.

(2) The Executive Department, pursuant to such rules as it may adopt, is authorized, with the approval of state employes, to withhold from their compensation sums with which to purchase for them United States Savings Bonds or other obligations of the United States of America and to deposit such sums with the State Treasurer in a trust account entitled Employees' Bond Savings Account. The account shall be subject to withdrawal, in whole or in part, upon the check or written order of the department, or of such persons as may be deputized by it, for the purposes provided in ORS 292.070 to 292.110. The account, with its component items, shall be exempt from garnishment, attachment or execu-

tion under the laws of this state. [Amended by 1981 c.567 §3]

**292.080 Issuance of bonds; delivery to employe.** (1) The Executive Department shall maintain a record of all deductions made from the compensation of employes under authority of ORS 292.070. When sufficient funds have accumulated to the credit of an employe to permit the issuance of a United States Savings Bond or other federal obligation of the kind and in the denomination desired by the employe, the department shall issue or procure the bond or other obligation purchased by the employe.

(2) All such bonds or other obligations issued by the department in behalf of the Federal Government shall be:

(a) Forwarded to the purchasing employe by the department by mail in envelopes furnished by the Federal Government; or

(b) Delivered by the Executive Department to the board, department, commission or other state agency by which the purchaser is employed, for redelivery to the employe. [Amended by 1981 c.567 §4]

**292.090 Use of balances to purchase bonds in advance.** Balances to the credit of the Employes' Bond Savings Account may be used for the purchase in advance, from the Federal Government or from any federal reserve bank or other authorized federal agency, of savings bonds or other obligations of the Federal Government, either in blank or in inscribed form, in convenient denominations to meet the requirements of the purchasers thereof. [Amended by 1981 c.567 §5]

**292.100 Refunds from account.** The Executive Department may make refunds from the Employes' Bond Savings Account, of the uninvested amounts therein, of employes' salary deductions. [Amended by 1981 c.567 §6]

**292.110 Procedure where employe dies having credit in account.** (1) If a state employe dies having moneys to the credit of the state employe in the Employes' Bond Savings Account, the moneys shall be paid to the coowner or beneficiary named in the employe's payroll allotment authorization for the purchase of such bonds or obligations. If no coowner or beneficiary is designated therein, then, if the employe is married, the moneys shall be paid or refunded to the employe's surviving spouse, or, if the employe is unmarried, to a next of kin.

(2) Uncashed refund checks or orders issued and delivered to state employes before death, may be paid to the like parties in the order

named, upon indorsement of the checks or orders by such parties in the name of the deceased payee and individually. [Amended by 1981 c.567 §7]

**292.120** [Repealed by 1955 c.316 §4]

**292.130** [Repealed by 1955 c.316 §4]

**292.140** [Repealed by 1955 c.316 §4]

**292.150 Advances upon mileage allowances of members of legislature and upon salaries of legislative clerks and other state employes.** (1) The State Treasurer is authorized, under such rules as he shall promulgate, to make cash advances in payment of mileage allowances of members of the Legislative Assembly, and in payment of earned wages and salaries of clerks and employes thereof, and of state employes during sessions of the Legislative Assembly and in emergency cases, pursuant to assignments executed by payees in favor of the State Treasurer.

(2) Wages and salaries of clerks and employes of the Legislative Assembly shall be so advanced only pursuant to certificates, showing the amount of salary earned and unpaid, signed by the chief clerk of the branch of the Legislative Assembly with which the party receiving the advance is identified and by the Executive Department or its duly authorized representative.

(3) The amounts of earned wages and salaries of state employes shall be so advanced only if payable solely from appropriations made by the Legislative Assembly, and then only upon vouchers approved by the proper state officer, board or commission, as the case may be.

**292.160 Repayment of amounts advanced.** (1) The amounts advanced by the State Treasurer under ORS 292.150 shall be repaid to the State Treasurer through warrants issued by the Executive Department in payment of properly approved vouchers.

(2) The State Treasurer, as assignee of the parties to whom such advances have been made, is authorized to:

(a) Verify the vouchers.

(b) Indorse, as assignee, the warrants drawn in favor of the parties to whom the advances have been made, or to such parties and to the State Treasurer as assignee jointly.

(c) Reimburse, from the proceeds of the warrants, the funds or accounts from which the advances have been made.

**292.170 Procedure when employe leaves employment after overpayment.** If a state employe leaves state employment after having received payment of salary or wages in an

amount greater than the employe's entitlement, the amount of overpayment shall be considered a delinquent account and shall be subject to collection by the Collections Unit in the Department of Revenue under ORS 293.250. [1981 c.567 §12]

**292.180 Invoice reflecting certain savings; use of savings; refunding.** (1) The Executive Department may render a monthly or quarterly invoice to all state agencies utilizing or intending to utilize the joint payroll system in the future. This monthly or quarterly invoice shall be equal to demonstrated savings of Workers' Compensation workday tax costs which are a direct result of the savings from payment of the workday tax based on actual days worked by the employe.

(2) It is the intention of this section to allow the Executive Department to use demonstrated savings of Workers' Compensation workday tax costs to pay for the implementation costs of ORS 237.153, 240.546, 292.026, 292.033, 292.070 to 292.110, 292.170 and this section and the moneys received are continuously appropriated for the purposes of ORS 237.153, 240.546, 292.026, 292.033, 292.070 to 292.110, 292.170 and this section.

(3) Any excess moneys remaining after the implementation of ORS 237.153, 240.546, 292.026, 292.033, 292.070 to 292.110, 292.170 and this section shall be returned pro rata on the basis of total moneys to agency contributions to the agencies from which received. However, if the amount remaining is less than \$10,000, that amount may be transferred to the General Fund as a miscellaneous receipt. [1981 c.567 §11; 1983 c.81 §1]

## FEDERAL FUNDS

**292.200 Expenditure of federal money; approval of positions.** Expenditures of moneys available to this state or any agency thereof under the Comprehensive Employment and Training Act of 1973 (Public Law 93-203, 87 Stat. 839) and the Emergency Job and Unemployment Assistance Act of 1974 (Public Law 93-567) are not limited by fixed sum appropriations or expenditures limitations imposed for the biennium beginning July 1, 1973. However, positions added under the provisions of the federal enabling legislation are subject to approval by the Emergency Board during the interim between sessions of the Legislative Assembly and by the Joint Committee on Ways and Means during a session of the Legislative Assembly. [1975 c.4 §1]

## SUBSISTENCE AND MILEAGE ALLOWANCES FOR TRAVEL BY STATE OFFICERS AND EMPLOYEES

**292.210 Definitions for ORS 292.220 and 292.230.** As used in ORS 292.210 to 292.230, unless the context otherwise requires:

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

(2) "State officer" means any elected or appointed state officer, including members of boards and commissions. [Amended by 1953 c.623 §3; 1971 c.153 §1]

**292.220 Executive Department to regulate subsistence and mileage allowances for travel.** The amounts and nature of subsistence allowances for travel, and the rate of mileage allowance for travel by private automobile, payable by state agencies, shall be established and regulated by the Executive Department within any limits that may be prescribed by statute. The department shall prescribe by regulation the conditions under which allowances for travel by private automobile may be made.

**292.230 Travel outside state at public expense by state officers and employes of state agencies; letter of authorization required.** No state officer or employe of a state agency shall be reimbursed for travel expenses for out-of-state travel, nor shall any state agency incur any obligation for such travel, unless a letter of authorization for such travel has been issued by the Executive Department prior to the making of the travel or the incurring of the obligation. The issuance of such letters of authorization shall be based upon the department's determination of the propriety, legality and necessity of the proposed travel. The amounts allowable for out-of-state travel expenses shall be governed by regulations prescribed under ORS 292.220. For the purposes of this section, all travel from a point of origin in Oregon to a point of destination in another state, and return therefrom, constitutes out-of-state travel.

**292.240** [Repealed by 1953 c.623 §3]

**292.250 Reimbursement for use of privately owned motor vehicle on official business.** (1) No person shall be reimbursed by the state for the use on official or state related business of a privately owned motor vehicle at a rate to exceed the rate established and regulated by the Executive Department. Reimbursement shall be paid only for distances actually traveled

and trips made in the performance of official or state related duties.

(2) The rate prescribed in subsection (1) of this section shall be deemed to be in full compensation for all and every expense, charge or liability incurred through the use of the privately owned motor vehicle, including the cost of gasoline, oil, repair parts, depreciation, taxes, insurance and maintenance and upkeep of every kind and nature.

(3) No law enacted before August 2, 1951, allowing the recovery by any person of necessary and reasonable traveling expenses incurred in the performance of official duties shall be construed to authorize payment by the state for the use of a privately-owned motor vehicle on a basis in excess of the rate provided in subsection (1) of this section. [Amended by 1965 c.8 §1; 1971 c.153 §2; 1971 c.244 §1; 1973 c.224 §1; 1974 s.s. c 10 §1; 1975 c.525 §3; 1979 c.179 §1]

**292.260** [Amended by 1965 c.8 §2, repealed by 1971 c.244 §6]

**292.280 Advance for expenses of travel and subsistence.** Notwithstanding ORS chapters 291, 292 and 293, any officer or employe of any state agency may receive an advance for approved necessary expenses of travel and subsistence arising out of his official duties or employment, in the manner provided in ORS 292.286 and 292.288. [1955 c.765 §1; 1973 c.158 §1]

**292.283** [1955 c.765 §2; 1971 c.244 §2, repealed by 1973 c.158 §5]

**292.286 Approval of advance by agency head; payment; regulations.** (1) Any officer or employe of a state agency who desires a cash advance for the expenses of travel and subsistence arising out of his official duties or employment shall file a written request for the approval of such advance with the administrative head of the state agency by which he is employed.

(2) The administrative head of the state agency by which the officer or employe requesting the advance is employed shall forward a copy of his written approval to the official authorized to disburse funds of such agency. The advance shall be paid from funds available to the agency for the payment of claims.

(3) The Executive Department shall make regulations setting forth procedures for request and dispersal of travel advances provided in ORS 292.286 and 292.288. [1955 c.765 §3, 1971 c.244 §3; 1973 c.158 §2]

**292.288 State claim on advances.** The state shall have a prior claim against and a right to withhold any and all funds payable, or to become payable, by the state to any officer or employe up to the amount of such advance. [1971 c.244 §5]

**292.289** [1955 c.765 §4; repealed by 1971 c.244 §6]

**292.292** [1955 c.765 §5; repealed by 1971 c.244 §6]

**292.295** [1955 c.765 §6, repealed by 1971 c.244 §6]

**292.298** [1955 c.765 §8; repealed by 1973 c.158 §5]

### SALARIES AND EXPENSES OF ELECTED STATE OFFICERS

**292.310** [Repealed by 1953 c.307 §4]

**292.312** [Repealed by 1953 c.307 §4]

**292.313 Governor, Secretary of State, State Treasurer, Attorney General, Superintendent of Public Instruction, Commissioner of Bureau of Labor and Industries.** The incumbents of each of the following offices shall be paid an annual salary on a monthly basis, as follows:

(1) Governor, \$50,372 for the period beginning July 1, 1979, and ending June 30, 1980; \$53,394 for the period beginning July 1, 1980, and ending March 31, 1981; and \$55,423 thereafter. The Governor shall also be paid \$500 per month regularly for expenses necessarily incurred but not otherwise provided for.

(2) Secretary of State, \$41,461 for the period beginning July 1, 1979, and ending June 30, 1980; \$43,949 for the period beginning July 1, 1980, and ending March 31, 1981; and \$45,619 thereafter.

(3) State Treasurer, \$41,461 for the period beginning July 1, 1979, and ending June 30, 1980; \$43,949 for the period beginning July 1, 1980, and ending March 31, 1981; and \$45,619 thereafter.

(4) Attorney General, \$41,461 for the period beginning July 1, 1979, and ending June 30, 1980; \$43,949 for the period beginning July 1, 1980, and ending January 4, 1981; and \$51,356 for the period beginning January 5, 1981, and ending March 31, 1981; and \$53,308 thereafter.

(5) Superintendent of Public Instruction, \$41,461 for the period beginning July 1, 1979, and ending June 30, 1980; \$43,949 for the period beginning July 1, 1980, and ending March 31, 1981; and \$45,619 thereafter.

(6) Commissioner of the Bureau of Labor and Industries, \$41,461 for the period beginning

July 1, 1979, and ending June 30, 1980; \$43,949 for the period beginning July 1, 1980, and ending March 31, 1981; and \$45,619 thereafter. [1953 c.307 §1; 1955 c.706 §1; 1957 c.578 §1; 1959 c.693 §1; 1961 c.392 §1; 1963 c.572 §55; 1965 c.14 §1; 1967 c.7 §1; 1969 c.644 §1a; 1971 c.642 §4; 1973 c.628 §1; 1977 c.896 §2; 1979 c.635 §1; 1981 c.736 §5; 1981 c.739 §1]

**292.314** [Repealed by 1953 c.307 §4]

**292.315** [1953 c.517 §1; 1955 c.529 §1; 1957 c.685 §1; renumbered 292.410]

**292.316 Governor, Secretary of State, State Treasurer and Attorney General to pay fees and commissions into treasury; biennial report.** All fees and commissions of any kind, name or nature collected by the Governor, Secretary of State, State Treasurer or Attorney General for any service performed by him by virtue of his office or collected by him by virtue of his office, shall be paid into the State Treasury on or before the 10th day of the month following the collection thereof, accompanied by a statement designating the fund or account to which the payment is to be credited. Each of such officers shall, in his biennial report, set forth a statement of all moneys so collected and paid over to the State Treasury. [Amended by 1953 c.307 §4; 1969 c.141 §1]

**292.317** [1953 c.542 §1; 1955 c.705 §1; last sentence of 1957 Replacement Part enacted as 1955 c.705 §5; 1957 c.486 §1; sentence before last sentence of 1957 Replacement Part enacted as 1957 c.486 §2; 1959 c.588 §15; 1959 c.596 §68, renumbered 292.505 to 292.790]

**292.318** [1953 c.542 §2; subsection (2) of 1957 Replacement Part enacted as 1955 c.705 §6; 1957 c.486 §3; renumbered 292.855]

**292.319** [1953 c.542 §3; renumbered 292.860]

**292.320** [Amended by 1953 c.542 §5; renumbered 292.905]

**292.322** [Amended by 1953 c.542 §5; renumbered 292.910]

**292.324** [Amended by 1953 c.542 §5; renumbered 292.915]

**292.325** [1959 c.50 §1; repealed by 1975 c.614 §20]

**292.326** [Repealed by 1953 c.307 §4]

**292.328** [Repealed by 1953 c.307 §4]

**292.330** [Repealed by 1953 c.517 §4]

**292.332** [Repealed by 1953 c.382 §4]

**292.334** [Amended by 1953 c.542 §5; renumbered 292.940]

**292.336** [Repealed by 1953 c.542 §5]

**292.338** [Repealed by 1953 c.68 §19]

**292.340** [Repealed by 1953 c.542 §5]

**292.342** [Repealed by 1955 c.705 §7]

**292.344** [Renumbered 292.975]

**292.346** [Repealed by 1953 c.25 §2]

**292.348** [Amended by 1955 c.705 §2; repealed by 1957 c.486 §5]

**292.350** [Amended by 1955 c.705 §3; renumbered 292.945]

**292.352** [Repealed by 1953 c.542 §5]

**292.354** [1953 c.723 §11, 1955 c.705 §4; 1957 c.486 §4; repealed by 1959 c.55 §1]

**292.405 Court of Appeals Judge. (1)**

The annual salary of the Chief Judge of the Court of Appeals, payable monthly, shall be \$48,449 for the period beginning July 1, 1979, and ending June 30, 1980; \$51,356 for the period beginning July 1, 1980, and ending March 31, 1981; and \$53,308 thereafter.

(2) The annual salary of each other judge of the Court of Appeals, payable monthly, shall be \$47,296 for the period beginning July 1, 1979, and ending June 30, 1980; \$50,134 for the period beginning July 1, 1980, and ending March 31, 1981; and \$52,039 thereafter. [1969 c.198 §9; 1971 c.642 §5; 1973 c.786 §1; 1977 c.896 §3; 1979 c.635 §2; 1981 c.739 §2]

**292.410 Supreme Court Justice. (1)**

The annual salary of the Chief Justice of the Supreme Court, payable monthly, shall be \$49,658 for the period beginning July 1, 1979, and ending June 30, 1980; \$52,637 for the period beginning July 1, 1980, and ending March 31, 1981; and \$54,637 thereafter.

(2) The annual salary of each other judge of the Supreme Court, payable monthly, shall be \$48,449 for the period beginning July 1, 1979, and ending June 30, 1980; \$51,356 for the period beginning July 1, 1980, and ending March 31, 1981; and \$53,308 thereafter. [Formerly 292.315, 1961 c.702 §3; 1965 c.171 §3; 1967 c.38 §3; 1969 c.365 §3; 1971 c.642 §6; 1973 c.786 §2; 1977 c.896 §4; 1979 c.635 §3; 1981 c.739 §3]

**292.415 Circuit court judge.** The annual salary of each judge of a circuit court, payable monthly, shall be \$43,949 for the period beginning July 1, 1979, and ending June 30, 1980; \$46,586 for the period beginning July 1, 1980, and ending March 31, 1981; and \$48,356 thereafter. [1971 c.642 §43; 1973 c.786 §3; 1977 c.896 §5; 1979 c.635 §4; 1981 c.739 §4]

**292.420** [1971 c.642 §44; 1973 c.786 §4; 1977 c.896 §6; 1979 c.635 §5; 1981 c.739 §5; repealed by 1981 c.816 §3]

**292.422 District court judge.** The annual salary of each judge of a district court, payable monthly, shall be equal to the annual salary of a judge of a circuit court as provided in

ORS 292.415. [1981 c.816 §2]

**292.425 Tax court judge.** The annual salary of the judge of the Oregon Tax Court, payable monthly, shall be \$44,504 for the period beginning July 1, 1979, and ending June 30, 1980; \$47,174 for the period beginning July 1, 1980, and ending March 31, 1981; and \$49,967 thereafter. [1977 c.896 §8; 1979 c.635 §6; 1981 c.739 §6]

**292.430 Retirement and insurance benefits extension to state elected officers.** (1) In addition to the annual salaries set forth in ORS 171.072 and 292.313, the Executive Department may "pick-up," assume and pay to the Public Employes' Retirement Fund the employe contributions, otherwise required by ORS 237.071, for the Governor, Secretary of State, State Treasurer, Attorney General, Superintendent of Public Instruction, Commissioner of the Bureau of Labor and Industries and members of the Legislative Assembly.

(2) The Executive Department may provide health, dental, life and long-term disability insurance without cost to the officers referred to in subsection (1) of this section and to judges of the Supreme Court, Court of Appeals, Oregon Tax Court, circuit courts and district courts in such amounts as are provided from time to time to employes in the unclassified service of the state. [1979 c.635 §9]

### SALARIES AND EXPENSES OF NONELECTIVE STATE OFFICIALS

**292.495 Compensation and expenses of members of state boards and commissions.** (1) Subject to the availability of funds therefor in the budget of the state board or commission, and except as otherwise provided by law, any member of a state board or commission, other than a member who is employed in full-time public service, who is authorized by law to receive compensation for time spent in performance of official duties, shall receive a payment of \$30 for each day or portion thereof during which the member is actually engaged in the performance of official duties.

(2) Except as otherwise provided by law, all members of state boards and commissions, including those employed in full-time public service, may receive actual and necessary travel or other expenses actually incurred in the performance of their official duties within the limits provided by law or by the Executive Department under ORS 292.210 to 292.250.

(3) As used in subsection (2) of this section, "other expenses" includes expenses incurred by a member of a state board or commission in employing a substitute to perform duties, including personal, normally performed by the member which the member is unable to perform because of the performance of official duties and which by the nature of such duties cannot be delayed without risk to health or safety. No member shall be reimbursed for expenses incurred in employing a substitute in excess of \$25 per day. [1969 c.314 §1; 1973 c.224 §2; 1975 c.441 §1; 1979 c.616 §1]

**292.505** [Formerly part of 292.317; 1961 c.530 §1; 1963 c.572 §1; 1965 c.14 §4; 1967 c.7 §3; 1969 c.644 §2, 1971 c.642 §7; repealed by 1977 c.589 §1]

**292.510** [Formerly part of 292.317; 1961 c.530 §2; repealed by 1963 c.38 §2]

**292.515** [Formerly part of 292.317; 1961 c.530 §3; 1963 c.572 §2; 1965 c.14 §5; 1967 c.7 §4; 1969 c.644 §3; 1971 c.642 §8; 1973 c.787 §1; repealed by 1977 c.589 §1]

**292.520** [Formerly part of 292.317; 1961 c.530 §4; 1963 c.572 §3; repealed by 1965 c.14 §45]

**292.525** [Formerly part of 292.317; 1961 c.530 §5, 1963 c.572 §4; 1965 c.14 §6; 1967 c.7 §5; 1969 c.644 §4; 1971 c.642 §9; 1973 c.787 §2; repealed by 1977 c.589 §1]

**292.530** [Formerly part of 292.317; 1961 c.530 §6; 1963 c.572 §5; repealed by 1965 c.14 §45]

**292.535** [Formerly part of 292.317; 1961 c.530 §7; repealed by 1963 c.572 §50]

**292.540** [Formerly part of 292.317; 1961 c.530 §8; 1963 c.572 §6; repealed by 1965 c.14 §45]

**292.545** [Formerly part of 292.317; 1961 c.530 §9; 1963 c.572 §7; 1965 c.14 §7; 1967 c.7 §6; 1969 c.644 §5; repealed by 1971 c.301 §26 and 1971 c.642 §10]

**292.550** [Formerly part of 292.317, 1961 c.530 §10; 1963 c.572 §8; repealed by 1965 c.14 §45]

**292.551** [1965 c.14 §9; 1967 c.7 §7; 1969 c.644 §6; 1971 c.642 §11; 1973 c.787 §3; repealed by 1977 c.589 §1]

**292.553** [1967 c.7 §9; 1969 c.644 §7; 1971 c.642 §12; 1973 c.787 §4; repealed by 1977 c.589 §1]

**292.555** [Formerly part of 292.317; 1961 c.530 §11; 1963 c.572 §9; 1965 c.14 §10; 1967 c.7 §10; repealed by 1969 c.199 §59]

**292.560** [Formerly part of 292.317; 1961 c.530 §12; 1963 c.572 §10; repealed by 1965 c.14 §45]

**292.565** [Formerly part of 292.317; 1961 c.530 §13; 1963 c.572 §11; 1965 c.14 §11; repealed by 1967 c.7 §40]

**292.566** [1967 c.7 §12; 1969 c.644 §9; repealed by 1971 c.642 §13]

**292.570** [Formerly part of 292.317; 1961 c.530 §14; repealed by 1963 c.572 §50]

**292.575** [Formerly part of 292.317; 1961 c.530 §15, 1963 c.572 §12; 1965 c.14 §12; 1967 c.7 §13; 1969 c.644 §10; repealed by 1971 c.301 §26 and 1971 c.642 §14]

**292.580** [Formerly part of 292.317; 1961 c.530 §16; repealed by 1963 c.572 §50]

**292.582** [1967 c.7 §38; 1969 c.644 §11; 1971 c.642 §15; 1973 c.787 §5, repealed by 1975 c.554 §3]

**292.585** [Formerly part of 292.317; 1961 c.530 §17; 1963 c.572 §13; 1965 c.14 §13; 1967 c.7 §14; 1969 c.644 §12; 1971 c.642 §16; 1973 c.787 §6; repealed by 1975 c.581 §29]

**292.590** [Formerly part of 292.317; 1961 c.530 §18; repealed by 1963 c.572 §50]

**292.595** [Formerly part of 292.317; 1961 c.530 §19; 1963 c.572 §14; repealed by 1965 c.14 §45]

**292.597** [1971 c.642 §48; 1973 c.787 §7; repealed by 1977 c.589 §1]

**292.600** [Formerly part of 292.317; 1961 c.530 §20; 1963 c.572 §15; repealed by 1965 c.14 §45]

**292.602** [1969 c.644 §38a; 1971 c.642 §17; 1973 c.787 §8; repealed by 1977 c.589 §1]

**292.605** [Formerly part of 292.317; 1961 c.530 §21; 1963 c.572 §16; 1965 c.14 §14; 1967 c.7 §15; 1967 c.419 §15; repealed by 1969 c.644 §39]

**292.606** [1969 c.644 §37; repealed by 1971 c.642 §18]

**292.607** [1963 c.572 §53; repealed by 1965 c.14 §45]

**292.608** [1971 c.642 §47; 1973 c.787 §9; repealed by 1977 c.55 §29 and 1977 c.589 §1]

**292.610** [Formerly part of 292.317; 1961 c.530 §22; 1963 c.572 §17; 1965 c.14 §15; 1967 c.7 §16; 1969 c.644 §14; 1971 c.642 §19; 1973 c.787 §10; repealed by 1977 c.589 §1]

**292.615** [Formerly part of 292.317; repealed by 1961 c.530 §60]

**292.620** [Formerly part of 292.317; 1961 c.530 §23; 1963 c.572 §18; 1965 c.14 §16; 1967 c.7 §17; 1969 c.644 §15; 1971 c.642 §20; 1973 c.787 §11; repealed by 1977 c.589 §1]

**292.625** [Formerly part of 292.317; 1961 c.530 §24; 1963 c.572 §19; 1965 c.14 §17; 1967 c.7 §18; 1969 c.644 §16; 1971 c.642 §21; 1973 c.787 §12; repealed by 1977 c.589 §1]

**292.627** [1967 c.419 §30; 1969 c.644 §34; 1971 c.642 §22; 1973 c.787 §13; repealed by 1977 c.589 §1]

**292.630** [Formerly part of 292.317; 1961 c.530 §25; 1963 c.572 §20; 1965 c.14 §18; 1967 c.7 §19; 1969 c.644 §17; 1971 c.642 §23; 1973 c.787 §14; repealed by 1977 c.589 §1]

**292.635** [Formerly part of 292.317; 1961 c.530 §26; 1963 c.572 §21; 1965 c.14 §19; 1967 c.7 §20; 1969 c.644 §18; repealed by 1971 c.642 §24]

**292.640** [Formerly part of 292.317; 1961 c.530 §27; 1963 c.572 §22; 1965 c.14 §20; 1967 c.7 §21; repealed by 1969 c.599 §68]

**292.642** [1971 c.642 §46; 1973 c.787 §15; repealed by 1977 c.589 §1]

**292.645** [Formerly part of 292.317; 1961 c.530 §28; 1963 c.572 §23; 1965 c.14 §21; repealed by 1967 c.7 §40]

**292.650** [Formerly part of 292.317; 1961 c.530 §29; 1963 c.572 §24; repealed by 1965 c.14 §45]

**292.655** [Formerly part of 292.317; 1961 c.530 §30; 1963 c.572 §25; repealed by 1965 c.14 §45]

**292.660** [Formerly part of 292.317; 1961 c.530 §31; 1963 c.572 §26; repealed by 1965 c.14 §45]

**292.662** [1971 c.642 §45; 1973 c.787 §16; repealed by 1977 c.589 §1]

**292.665** [Formerly part of 292.317; 1961 c.530 §32; 1963 c.572 §27; repealed by 1965 c.14 §45]

**292.670** [Formerly part of 292.317; 1961 c.530 §33; 1963 c.572 §28; repealed by 1965 c.14 §45]

**292.675** [Formerly part of 292.317; 1961 c.530 §34; 1963 c.572 §29; 1965 c.14 §22; 1967 c.7 §22; 1967 c.182 §1; 1969 c.644 §20; 1971 c.642 §25; 1973 c.787 §17; repealed by 1977 c.589 §1]

**292.677** [1969 c.644 §38; 1971 c.642 §26; 1973 c.787 §18; repealed by 1977 c.589 §1]

**292.680** [Formerly part of 292.317; 1961 c.530 §35; 1963 c.572 §30; repealed by 1965 c.14 §45]

**292.685** [Formerly part of 292.317; repealed by 1961 c.690 §22]

**292.690** [Formerly part of 292.317; 1961 c.530 §36; 1963 c.572 §31; repealed by 1965 c.14 §45]

**292.695** [Formerly part of 292.317; 1961 c.530 §37; 1963 c.572 §32; 1965 c.14 §23; 1967 c.7 §23; 1969 c.644 §21; 1971 c.642 §27; 1973 c.787 §19; repealed by 1977 c.589 §1]

**292.700** [Formerly part of 292.317; 1961 c.530 §38; 1963 c.572 §33; 1965 c.14 §24; 1967 c.7 §24; 1969 c.644 §22; 1971 c.642 §28; 1973 c.787 §20; repealed by 1977 c.589 §1]

**Note:** 292.700 was also repealed by section 2, chapter 842, Oregon Laws 1977, operative July 1, 1980.

**292.705** [Formerly part of 292.317; 1961 c.530 §39; 1963 c.572 §34; 1965 c.14 §25; repealed by 1967 c.7 §40]

**292.707** [1961 c.530 §58; 1963 c.572 §35; repealed by 1965 c.14 §45]

**292.710** [Formerly part of 292.317; 1961 c.530 §40; repealed by 1963 c.572 §50]

**292.711** [1965 c.14 §27; 1967 c.7 §25; 1969 c.644 §23; repealed by 1971 c.642 §29]

**292.715** [Formerly part of 292.317; 1961 c.530 §41; 1963 c.572 §36; 1965 c.14 §28; 1967 c.7 §26; repealed by 1969 c.599 §68]

**292.720** [Formerly part of 292.317; 1961 c.530 §42; repealed by 1963 c.572 §50]

**292.725** [Formerly part of 292.317; 1961 c.530 §43; 1963 c.572 §37; 1965 c.14 §29; 1967 c.7 §27; 1969 c.644 §25; repealed by 1971 c.642 §30]

**292.730** [Formerly part of 292.317; 1961 c.530 §44; 1963 c.572 §38; 1965 c.14 §30; repealed by 1967 c.7 §40]

**292.735** [Formerly part of 292.317; 1961 c.530 §45; 1963 c.572 §39; 1965 c.14 §31; 1967 c.7 §28; 1969 c.644 §26; 1971 c.642 §31; 1973 c.787 §21; repealed by 1977 c.589 §1]

**292.737** [1963 c.572 §52; 1965 c.14 §32; repealed by 1965 c.405 §4 and 1967 c.7 §40]

**292.740** [Formerly part of 292.317; 1963 c.572 §40; 1965 c.14 §33; 1967 c.7 §29; repealed by 1969 c.644 §39]

**292.745** [Formerly part of 292.317; 1961 c.530 §46; 1963 c.572 §41; repealed by 1965 c.14 §45]

**292.750** [Formerly part of 292.317; 1961 c.530 §47; 1963 c.572 §42; 1965 c.14 §34; 1967 c.7 §30; 1969 c.644 §27; 1971 c.642 §32; 1973 c.787 §22; repealed by 1977 c.589 §1]

**292.752** [1961 c.530 §56; repealed by 1963 c.572 §50]

**292.755** [Formerly part of 292.317, 1961 c.530 §48, 1963 c.572 §43; repealed by 1965 c.14 §45]

**292.760** [Formerly part of 292.317; 1961 c.530 §49; 1963 c.572 §44; 1965 c.14 §35; 1967 c.7 §31; repealed by 1969 c.520 §49]

**292.762** [1969 c.644 §28b; 1971 c.642 §33; 1973 c.787 §23; repealed by 1977 c.589 §1]

**292.765** [Formerly part of 292.317; repealed by 1961 c.125 §1]

**292.767** [1969 c.597 §80n, repealed by 1971 c.642 §34]

**292.770** [Formerly part of 292.317, 1961 c.530 §50, 1963 c.572 §45, 1965 c.14 §36; 1967 c.7 §32; 1969 c.644 §29; repealed by 1971 c.642 §35]

**292.772** [1969 c.599 §66d; 1971 c.642 §36; 1973 c.787 §24; repealed by 1977 c.589 §1]

**292.775** [Formerly part of 292.317; 1961 c.530 §51, 1963 c.572 §46; 1965 c.14 §37; 1967 c.7 §33; 1969 c.644 §30; 1971 c.642 §37, 1973 c.787 §25; repealed by 1977 c.589 §1]

**292.777** [1969 c.644 §36; repealed by 1971 c.642 §38]

**292.780** [Formerly part of 292.317, 1961 c.530 §52; 1963 c.572 §47; 1965 c.14 §38; 1967 c.7 §34; 1969 c.644 §31; 1971 c.642 §39, 1973 c.787 §26; repealed by 1977 c.589 §1]

**292.785** [Formerly part of 292.317, 1961 c.530 §53; 1963 c.572 §48; 1965 c.14 §39; 1967 c.7 §35, 1969 c.644 §32; repealed by 1971 c.642 §40]

**292.790** [Formerly part of 292.317, 1961 c.530 §54; 1963 c.572 §49; 1965 c.14 §40; 1967 c.7 §36; 1969 c.644 §33, repealed by 1971 c.642 §41]

**292.855** [Formerly 292.318; 1961 c.530 §59; 1969 c.597 §54; repealed by 1977 c.589 §1]

**292.860 Nonelective officials to be charged for any maintenance furnished.** Officials enumerated in ORS 292.545, 292.566, 292.575, 292.606, 292.635, 292.711, 292.725, 292.767, 292.770, 292.777, 292.785 and 292.790 (1969 Replacement Part), 292.582 and 292.585 (1973 Replacement Part), 292.505 to 292.525, 292.551, 292.553, 292.597, 292.602, 292.608 to 292.630, 292.642 to 292.700, 292.735 to 292.762, 292.772, 292.775 and 292.780 (1975 Replacement Part) who are provided maintenance by the state shall be charged for such maintenance a sum to be fixed by the Department of General Services. [Formerly 292.319; 1969 c.597 §55]

**292.905** [Formerly 292.320; repealed by 1961 c.530 §60]

### PUBLIC OFFICIALS COMPENSATION COMMISSION

**292.907 Public Officials Compensation Commission; eligibility; term.** (1) There is established a Public Officials Compensation Commission consisting of seven members

of whom two are appointed by the Governor, two by the Speaker of the House of Representatives, two by the President of the Senate and one by the Chief Justice of the Supreme Court of the State of Oregon.

(2) The term of office of each member is four years. A member is eligible for reappointment. If there is a vacancy for any cause, the appointing authority having made the appointment of the member representing the vacancy, shall make an appointment to become immediately effective for the unexpired term.

(3) No person who holds an office or position the salary of which is subject to ORS 292.907 to 292.930 shall be eligible to serve on the commission. [1983 c.790 §1]

**292.910** [Formerly 292.322; repealed by 1961 c.530 §60]

**292.912 Duties.** (1) The Public Officials Compensation Commission shall review and make recommendations to the Legislative Assembly regarding the salary of each officer subject to ORS 292.907 to 292.930 and all compensation of members of the Legislative Assembly for the succeeding biennium.

(2) Such recommendations shall be based upon the following criteria:

(a) Comparable positions in neighboring states.

(b) The qualifications and skills necessary for each office.

(c) The level of responsibility implicit in each office.

(d) The cost of living.

(e) The total compensation of the positions, including benefits other than salary.

(f) Budget limitations.

(g) Any other factors the commission may consider to be reasonable, appropriate and in the public interest.

(3) The commission shall cause to have prepared legislative measures that would implement the commission's recommendations on salaries of officers subject to ORS 292.907 to 292.930 and all compensation of members of the Legislative Assembly for the succeeding biennium. [1983 c.790 §3]

**292.915** [Formerly 292.324; repealed by 1961 c.530 §60]

**292.917 Officers; quorum; meetings; compensation and expenses; staff.** (1) The Public Officials Compensation Commission shall select one of its members as chairperson and

another as vice-chairperson, for such terms and with duties and powers necessary for the performance of the functions of such offices as the commission determines.

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

(3) The commission shall meet as frequently as the proper and efficient discharge of its duties may require.

(4) A member of the commission shall be eligible for compensation and expenses under ORS 292.495.

(5) The Personnel Division shall assist the Public Officials Compensation Commission in carrying out its functions. [1983 c.790 §2]

**292.920 Legislative Assembly to act on recommendations; authority to lower salaries.** The Legislative Assembly shall set the salary for each elected state officer, and all compensation for members of the Legislative Assembly, each biennium for the succeeding biennium, based on the recommendations of the Public Officials Compensation Commission. Notwithstanding other provisions of ORS 292.907 to 292.930, the Legislative Assembly by law may lower the salaries of members of the Legislative Assembly and elected officials, other than judges, to take effect at any time. [1983 c 790 §4]

**292.930 Annual salary of certain public officials.** Each of the following elective officers shall be paid an annual salary on a monthly basis as determined by the Legislative Assembly each biennium beginning July 1, 1985:

- (1) Governor.
- (2) Secretary of State.

- (3) State Treasurer.
- (4) Attorney General.
- (5) Superintendent of Public Instruction.
- (6) Commissioner of Labor.
- (7) Court of Appeals Judge.
- (8) Supreme Court Justice.
- (9) Circuit Court Judge.
- (10) Tax Court Judge.
- (11) District Court Judge. [1983 c.790 §5]

**292.935** [1959 c.693 §2; repealed by 1961 c.530 §60]

**292.940** [Formerly 292.334; repealed by 1961 c.530 §60]

**292.945** [Formerly 292.350; repealed by 1961 c.530 §60]

**292.950** [1959 c.686 §33, repealed by 1961 c.530 §60]

**292.975** [Formerly 292.344; repealed by 1961 c.454 §213]

## PENALTIES

**292.990 Penalties.** (1) The provisions of ORS 291.990 shall apply to ORS 292.220 and 292.230 the same as such provisions apply to the sections enumerated in ORS 291.990 (5).

(2) If any of the officers mentioned in ORS 292.316 fails to pay over to the State Treasurer any and all moneys collected by virtue of his office, he shall be deemed guilty of theft, and shall be punished accordingly. [Amended by 1971 c.743 §352]

