Chapter 185

1987 REPLACEMENT PART

Commissions for Handicapped, Hispanic Affairs, Black Affairs and Women

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CROSS REFERENCES

Administrative Procedure Act, ORS 183.310 to 183.550

Agencies, generally, Ch.182

Discrimination, Ch.659

Salaries and expenses, Ch.292

COMMISSION FOR THE HANDICAPPED

185.110 Definitions for ORS 185.110 to 185.200. As used in ORS 185.110 to 185.200, unless the context requires otherwise:

(1) "Advocate self-help group" means any organized group of handicapped individuals who have joined together for purposes of informing the public of their needs and obtaining resources, services and benefits for their membership.

(2) "Consumer" means a handicapped individual, or a parent or legal guardian, other than the State of Oregon, of a handicapped individual, who utilizes the services made available by public and private organizations which serve the handicapped.

(3) "Handicapped individual" means anyone who:

(a) Has a physical or mental impairment which substantially limits one or more of the individual's major life activities;

(b) Has a record of such impairment; or

(c) Is regarded as having such an impairment. [1983 c.726 §1]

185.120 Policy. The Legislative Assembly finds that there is a costly lack of coordination among the numerous public and private agencies and organizations serving handicapped individuals of Oregon. There is, therefore, a need for a Commission for the Handicapped to act as a link among and between these entities so that limited resources can be used most efficiently better to serve the needs of handicapped individuals. [1983 c.726 §2]

185.130 Commission for the Handicapped; qualifications; confirmation. (1) The Commission for the Handicapped is created consisting of 15 members appointed by the Governor for not more than two consecutive three-year terms.

(2) Prior to making appointments, the Governor shall request and consider recommendations from advocate self-help groups and other interested public and private agencies.

(3) The membership of the commission shall be composed of members broadly representative of major public and private agencies who are experienced in or have demonstrated particular interest in the special needs of handicapped individuals and consumers. Appointments shall be made with considerations given to geographic representation and a majority shall be handicapped individuals as defined in ORS 185.110 (3). Appointments to the commission shall be subject to Senate confirmation as provided in ORS 171.562 and 171.565. [1983 c 726 §3; 1987 c.80 §1]

185.140 Advisory function. (1) The Commission for the Handicapped shall advise the Department of Human Resources, the Governor and appropriate state agency administrators on needs of the handicapped and recommend action by the Governor, state agencies, other governmental entities and the private sector appropriate to meet such needs.

(2) The commission in no way shall impinge upon the authority or responsibilities of any other existing or duly appointed commissions, boards, councils or committees. The commission shall act as a coordinating link between and among public and private organizations serving the handicapped. [1983 c.726 §§4, 8(2)]

185.150 Duties. The duties of the Commission for the Handicapped shall combine the functions of the Governor's Steering Committee on the Handicapped and the Governor's Committee on Employment of the Handicapped, and shall include:

(1) Identifying and hearing the concerns of handicapped individuals;

(2) Publicizing the concerns and legal rights of handicapped individuals;

(3) Advising the Department of Human Resources, the Governor, the Legislative Assembly and appropriate state agency administrators on how state services for handicapped individuals might be improved or better coordinated to meet the needs of the handicapped individuals;

(4) Advising local government agencies on matters which affect handicapped individuals;

(5) Submitting a report of commission activities and recommendations to the Governor at least annually;

(6) Studying and reporting on state agency programs and budgets that affect handicapped individuals;

(7) Informing the handicapped where they may obtain assistance in rehabilitation and employment;

(8) Cooperating with and assisting other interest groups in rehabilitation and employment of the handicapped;

(9) Giving impetus and assistance to local community committees and fostering a more equitable climate for rehabilitation and employment of the handicapped;

(10) Promoting a continuous program of information and education to employers and the general public so they are aware of and sensitive to the needs and desires of the handicapped;

(11) Promoting a continuous information program for placement of handicapped individuals in suitable employment; and

(12) Coordinating and executing programs of the President's Committee on Employment of the Handicapped, if any, and participating with other groups in sponsoring suitable public recognition programs for the handicapped. [1983 c.726 §5]

185.160 Application for funds. The Commission for the Handicapped can apply for federal, state or private funds. [1983 c.726 §6]

185.170 Retaliation for legislative testimony prohibited. No employer shall retaliate against any employe member of the Commission for the Handicapped for any testimony given by the member of the commission before the Legislative Assembly or a legislative committee. [1983 c.726 §7]

185.180 Executive director; secretary. (1) The Commission for the Handicapped may employ an executive director, who shall be in the exempt service and who shall be responsible for the performance of duties as assigned by the commission.

(2) Subject to any applicable provisions of State Personnel Relations Law, the executive director may appoint a secretary, whose duties shall be prescribed and compensation fixed by the executive director. [1983 c.726 §§8(1), 9]

185.190 Meetings; quorum; duties of chairperson. The Commission for the Handicapped shall meet at a place, date and hour determined by the commission. The commission shall meet at other times and places specified by the call of the chairperson or a majority of the members of the commission. Ten members of the commission constitute a quorum for the transaction of business. The chairperson shall exercise powers necessary for the performance of the functions of the office of the chairperson as determined by the Commission for the Handicapped. [1983 c.726 §10; 1985 c.184 §3; 1987 c.80 §2]

185.200 Compensation and expenses. Members of the Commission for the Handicapped shall receive compensation and expenses as provided in ORS 292.495. Travel and per diem for state employes shall be compensated by the commission. [1983 c.726 §11]

COMMISSION ON HISPANIC AFFAIRS

185.310 Policy. (1) It is declared to be the policy and intent of the Legislative Assembly that the Commission on Hispanic Affairs is created to work for the implementation and establishment of economic, social, legal and political equality for Hispanics in Oregon.

(2) The commission shall make recommendations to the Governor and shall report to each regular session of the Legislative Assembly. [1983 c.132 §1]

185.320 Commission on Hispanic Affairs; confirmation; term; officers; quorum; compensation and expenses. (1) The Commission on Hispanic Affairs shall be comprised of 11 members, to include two representatives from the Legislative Assembly, one appointed by the President of the Senate, one appointed by the Speaker of the House of Representatives. Nine members shall be appointed by the Governor and confirmed by the Senate pursuant to section 4, Article III, Oregon Constitution.

(2) Members appointed by the Governor shall serve three-year terms. Legislators shall serve two-year terms.

(3) The commission members shall elect a chairperson and vice-chairperson.

(4) A majority of the members of the commission constitute a quorum for the transaction of business.

(5) Appointments to the commission shall be made to insure representation of Hispanics in Oregon.

(6) Subject to the availability of funds therefor:

(a) Members appointed by the Governor may be paid compensation and expenses as provided in ORS 292.495 from such funds as may be available to the commission.

(b) Legislators may receive the amount fixed by ORS 171.072 from funds appropriated to the Legislative Assembly for interim committee duty. [1983 c.132 §2; 1987 c.879 §6]

185.330 Duties. In carrying out the duties of ORS 185.310 to 185.340, the Commission on Hispanic Affairs shall:

(1) Monitor existing programs and legislation designed to meet the needs of the Hispanic population.

(2) Identify and research problem areas and issues affecting the Hispanic community and recommend actions to the Governor and the Legislative Assembly, including recommendations on legislative programs.

(3) Maintain a liaison between the Hispanic community and government entities.

(4) Encourage Hispanic representation on state boards and commissions. [1983 c.132 §3]

185.340 Executive director; staff; special committees. The Commission on Hispanic Affairs may employ an executive director and other staff as may be necessary to carry out its functions. The commission may also establish special committees as it considers necessary. [1983 c.132 §4]

COMMISSION ON BLACK AFFAIRS

185.410 Policy. (1) It is declared to be the policy and intent of the Legislative Assembly that the Commission on Black Affairs is created to work for the implementation and establishment of economic, social, legal and political equality for Blacks in Oregon.

(2) The commission shall make recommendations to the Governor and shall report to each regular session of the Legislative Assembly. [1983 c 161 §1]

185.420 Commission on Black Affairs; confirmation; term; officers; quorum; compensation and expenses. (1) The Commission on Black Affairs shall be comprised of 11 members, to include two representatives from the Legislative Assembly, one appointed by the President of the Senate, one appointed by the Speaker of the House of Representatives. Nine members shall be appointed by the Governor and confirmed by the Senate pursuant to section 4, Article III, Oregon Constitution.

(2) Members appointed by the Governor shall serve three-year terms. Legislators shall serve two-year terms.

(3) The commission members shall elect a chairperson and vice-chairperson.

(4) A majority of the members of the commission constitute a quorum for the transaction of business.

(5) Appointments to the commission shall be made to insure representation of Blacks in Oregon.

(6) Subject to the availability of funds therefor:

(a) Members appointed by the Governor may be paid compensation and expenses as provided in ORS 292.495 from such funds as may be available to the commission.

(b) Legislators may receive the amount fixed by ORS 171.072 from funds appropriated to the Legislative Assembly for interim committee duty. [1983 c 161 §2; 1987 c 879 §7]

185.430 Duties. In carrying out the duties of ORS 185.410 to 185.440, the Commission on Black Affairs shall:

(1) Monitor existing programs and legislation designed to meet the needs of the Black population.

(2) Identify and research problem areas and issues affecting the Black community and recommend actions to the Governor and the Legislative Assembly, including recommendations on legislative programs.

(3) Maintain a liaison between the Black community and government entities.

(4) Encourage Black representation on state boards and commissions. [1983 c.161 §3]

185.440 Executive director; staff; special committees. The Commission on Black Affairs may employ an executive director and other staff as may be necessary to carry out its functions. The commission may also establish special committees as it considers necessary. [1983 c.161 §4]

COMMISSION FOR WOMEN

185.510 Policy; report. (1) It is declared to be the policy and intent of the Legislative Assembly that the Commission for Women is created to work for the implementation and establishment of economic, social, legal and political equality for women and to maintain a continuing assessment of the issues and needs confronting women in Oregon.

(2) The commission shall submit to the Governor at the commencement of each biennium a report containing the concerns and issues confronting the women of Oregon which have been identified pursuant to the terms of ORS 185.510 to 185.550 and further identifying the programs, projects and activities which the commission will undertake regarding those issues. [1983 c.105 §1]

185.520 Commission for Women; confirmation; term; chairperson; meetings; funds. (1) The membership of the Commission for Women shall be comprised of 11 members, to include two representatives from the Legislative Assembly, one appointed by the President of the Senate, one appointed by the Speaker of the House of Representatives. Nine members shall be appointed by the Governor and confirmed by the Senate pursuant to section 4, Article III, Oregon Constitution.

(2) Members appointed by the Governor shall serve for three-year terms. Legislators shall serve two-year terms.

(3) The Governor shall designate the chairperson of the commission to serve for a term of one year.

(4) Members shall meet at the call of the chairperson not less than three times annually.

(5) Consistent with Oregon law, the commission may receive and accept funds for purposes consistent with the creation of the commission. [1983 c 105 §2]

185.530 Special study committees. The commission may establish ad hoc committees to study specific areas and make periodic reports to the commission.

(1) The chairpersons of such ad hoc committees shall be appointed by the chairperson of the commission, subject to approval by the commission.

(2) Membership on ad hoc committees shall not be limited to members of the commission.

(3) The period during which an ad hoc committee may function shall be determined at the time of its creation by the commission according to the nature of the study and project undertaken.

(4) Members of the ad hoc committees shall be designated as consultants to the full commission. [1983 c 105 §3]

185.540 Duties. The commission shall:

(1)(a) Analyze the legal status of women and men under the laws of Oregon relating to civil rights, contracts, income, property and the family in order to assure full equality and treatment under the law;

(b) Monitor the implementation of laws affecting the legal rights and duties of women; and

(c) Educate women about their legal rights and responsibilities under the law.

(2)(a) Work for equal opportunity and treatment for women in employment through an analysis of the employment policies and practices of employers, both public and private;

(b) Evaluate the development of methods to assure fuller employment options for women including nontraditional job opportunities, day care, job sharing and flexi-time and part-time employment; and

(c) Examine methods to develop greater employment opportunities and potentials for women with particular consideration for the needs of minority women, older women, rural women and displaced homemakers.

(3)(a) Evaluate the progress of providing equality of educational opportunities for women in Oregon as mandated by state and federal law;

(b) Assist efforts to inform women about nontraditional educational and employment opportunities; and

(c) Promote the elimination of sexist and racist barriers in the educational process, such as staffing patterns, teacher training, curriculum and textbook selection.

(4)(a) Encourage women to pursue a variety of roles in life, both in the community and in the family;

(b) Promote the full recognition of the contributions of women whether in the home, as a volunteer in the community or in the labor market;

(c) Promote the valuation of work within the home at a level comparable with work outside the home; and

(d) Investigate family relationships which are detrimental to women and to the development of productive family life.

(5) Encourage and recommend women to serve on appointive boards and commissions and encourage them to seek elective office.

(6) Identify and address issues which may be unique to special categories of women including minority women, juvenile women, older women, rural women and displaced homemakers. [1983 c 105 §5]

185.550 Compensation and expenses. (1) Members of the commission who are not members of the Legislative Assembly shall receive no compensation for their services, but subject to the availability of funds therefor are entitled to reimbursement for actual and necessary travel expenses incurred in the performance of their duties. Such expenses shall be paid from the budget of the commission or from member agency accounts subject to applicable state law. Members of ad hoc committees shall not receive such compensation.

(2) Members of the commission who are members of the Legislative Assembly shall be paid compensation and expense reimbursement as provided in ORS 171.072, payable from funds appropriated to the Legislative Assembly. [1983 c.105 §4; 1987 c 879 §8]

185.560 Service contracts for day care information and referral. (1) The Commission for Women may enter into service contracts on a competitive bid basis to public and private agencies, organizations and individuals for the purpose of establishing and operating community day care program information and referral services.

(2) The commission shall receive, evaluate and approve contract proposals pursuant to subsection (1) of this section.

(3) Contract proposals shall be in such form and contain such information as the commission shall specify.

(4) As used in this section, "day care program" means a publicly funded or privately operated program providing care of a child for a portion of the day, but less than 24 hours, outside of the child's own home, but does not include any program whose primary component is psychiatric treatment. [1985 c.462 §1]

185.570 Commission for Women Account. (1) There is created a Commission for Women Account in the General Fund of the State Treasury. All moneys in the account are continuously appropriated for and shall be used by the Commission for Women, created by Executive Order 75-9, to carry out its purposes.

(2) All gifts and grants received by the commission or by the state for purposes of the commission shall be deposited in the account. [Formerly 184 940]