# TITLE 19

# MISCELLANEOUS MATTERS RELATED TO GOVERNMENT AND PUBLIC AFFAIRS


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## Chapter 186

### 1987 REPLACEMENT PART

## State Emblems; State Boundary


STATE EMBLEMS

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CROSS REFERENCES

Beaver declared to be official animal, SJR 1 (1969)

Chinook salmon declared to be official fish, SJR 26 (1961)

Douglas fir declared to be official tree, HCR 5 (1939)

Miss Oregon designated to be official hostess, HCR 6 (1969)

Oregon grape declared to be official flower, SCR 4 (1899)

Sunstone declared to be official gemstone, HJR 4 (1987)

Swallowtail butterfly declared to be official insect, SCR 6 (1979)

Thunderegg declared to be official rock, SJR 18 (1965)

Western meadowlark declared to be official bird by gubernatorial proclamation, 1927

**186.010**

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Oregon State Flag Donation Trust Fund, 1967 c 518 §5

State flags for Armed Forces to be purchased by Secretary of State, 279.795

**186.020**

Seal of the State of Oregon, Const. Art. VI, §3

**186.520**

State boundaries, Const. Art. XVI

## STATE EMBLEMS

**186.010 State flag; official colors.** (1) A state flag is adopted to be used on all occasions when the state is officially and publicly represented, with the privilege of use by all citizens upon such occasions as may be fitting and appropriate. It shall bear on one side on a navy blue field the state escutcheon in gold, supported by 33 gold stars and bearing above the escutcheon the words "State of Oregon" in gold and below the escutcheon the figures "1859" in gold, and on the other side on a navy blue field a representation of the beaver in gold.

(2) The official colors of the State of Oregon are navy blue and gold. [Amended by 1959 c.120 §1]

**186.020 Description of state seal.** The description of the seal of the State of Oregon shall be an escutcheon, supported by 33 stars, and divided by an ordinary, with the inscription, "The Union." In chief — mountains, an elk with branching antlers, a wagon, the Pacific Ocean, on which there are a British man-of-war departing and an American steamer arriving. The second — quartering with a sheaf, plow and a pickax. Crest — The American eagle. Legend — State of Oregon, 1859.

**186.023 Improper use of state seal.** (1) Except as authorized by the Secretary of State, no person shall knowingly use any device, or possess any device capable of such use, to emboss upon a document the seal of the State of Oregon described in ORS 186.020.

(2) No person shall use any reproduction of the seal of the State of Oregon:

(a) In any manner falsely implying official indorsement or sponsorship by the State of Oregon or any of its agencies of any product, business, service or other activity; or

(b) In any manner that subjects or exposes the seal of the State of Oregon to ridicule, debasement or infamy. [1983 c.325 §1]

**186.025 Injunction and penalties for improper use of seal; notice; hearing; judicial review.** (1) In addition to any other liability or penalty provided by law, the Secretary of State may do one or both of the following:

(a) Petition the circuit court to enjoin violation of ORS 186.023; or

(b) Pursuant to a hearing, issue an order imposing a civil penalty upon a person for any violation of ORS 186.023.

(2) Except as provided in subsection (4) of this section, a civil penalty may only be imposed under this section pursuant to a hearing by the Secretary of State. Not less than 10 days preceding the hearing, the Secretary of State shall notify in writing any person charged with the violation. The notice shall be sent to the person by registered or certified mail and shall include:

(a) A reference to this section and ORS 186.023, particularly citing the provision of ORS 186.023 alleged to have been violated;

(b) A short and plain statement of the facts asserted or charged;

(c) A statement of the amount of the penalty that could be imposed;

(d) Notice of the place, date and time at which a hearing is scheduled; and

(e) Notice that the person is entitled to attend the hearing and present evidence and that the person may wish to consult with an attorney and may be accompanied or represented by an attorney during the hearing.

(3) If at the hearing the Secretary of State finds that the person violated ORS 186.023, the Secretary of State may assess a civil penalty not exceeding $500. The Secretary of State may remit or reduce any penalty imposed under this subsection upon such terms and conditions as the Secretary of State considers proper and consistent with the protection of the integrity of the seal of the State of Oregon. In imposing any penalty under this subsection, the Secretary of State shall consider the following factors:

(a) Prior violations, if any, of the person under ORS 186.023;

(b) The economic and financial conditions of the person; and

(c) Whether and to what extent the seal or reproduction thereof was used or possessed for deceptive or fraudulent purposes.

(4) If the person notified does not appear for the hearing, the person is in default and the Secretary of State may enter an order assessing a civil penalty.

(5) If an order issued under this section is not appealed, the amount of the penalty is payable within 10 days after the order is entered. If the order is appealed and sustained, the amount of the penalty is payable within 10 days after the court decision. The order, if not appealed or if sustained on appeal, shall constitute a judgment and may be filed in accordance with the provisions of ORS 18.320 to 18.370. Execution may be issued upon the order in the same manner as execution upon a judgment of a court record.

(6) Judicial review of civil penalties imposed under this section shall be as provided under ORS

183.480, except that the court, in its discretion, may reduce the penalty.

(7) All penalties recovered under this section shall be paid into the State Treasury and credited to the General Fund and are available for general governmental expenses. [1983 c.325 §2]

**186.030 Record of description.** The description in writing of the seal of this state shall be deposited and recorded in the office of the Secretary of State, and shall remain a public record.

**186.040 State motto.** The motto of the State of Oregon is "Alis Volat Propriis," translated from Latin as "She Flies With Her Own Wings." [1957 c 355 §1, 1987 c 848 §1]

**186.110 State flag to be displayed on public buildings.** (1) The person or body having custody of each public building shall procure an Oregon State flag of suitable size and shall cause the Oregon State flag to be displayed with the United States flag upon or near such public building during the hours when the United States flag is customarily displayed, except in unsuitable weather, and at such other times as seems proper.

(2) As used in this section, "public building" means:

(a) State institutions.

(b) All other state buildings upon which the Department of General Services determines it is suitable to display the Oregon State flag.

(c) County courthouses. [1953 c 474 §§1, 2]

**186.120 Payment of expenses incurred in displaying flag.** The necessary funds to defray the expenses incurred for such flags and for poles and appliances necessary in connection therewith and for the care thereof shall be paid out of the funds available for the care and maintenance of the public building. [1953 c 474 §3]

**186.130 Champoeg Historical Pageant as official statehood pageant.** The Champoeg Historical Pageant is proclaimed to be the official pageant of Oregon statehood.

(2) The Parks and Recreation Division shall encourage the further development of the pageant and promote increased attendance at its performances. [1987 c.831 §2]

## STATE BOUNDARY

**186.510 Oregon-Washington Columbia River Boundary Compact adopted.** The Legislative Assembly of the State of Oregon hereby ratifies the Oregon-Washington Columbia River Boundary Compact set forth in ORS 186.520, and the provisions of such compact hereby are declared to be the law of this state upon such compact becoming operative as provided in Article III of the compact. [1957 c.94 §1]

**186.520 Compact provisions.** The provisions of the Oregon-Washington Columbia River Boundary Compact are as follows:

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### ARTICLE I.
### PURPOSE

The boundary between the States of Oregon and Washington along the course of the Columbia River has not been easy to ascertain because of changes in the main channel of the river with a result that a state of confusion and dispute exists and the enforcement and administration of the laws of the two states has been rendered difficult.

The purpose of this compact is to fix with precision by reference to stations of longitude and latitude the boundary between the States of Oregon and Washington from one marine league due west of the mouth of the Columbia River to the most easterly point at which the 46th parallel of north latitude crosses said river, at which point the river ceases to form the boundary between the two states.

### ARTICLE II.
### DESCRIPTION

The boundary between the States of Oregon and Washington from one marine league due west of the mouth of the Columbia River to the point at which the last described point number of the boundary as herein determined meets the 46th parallel of north latitude at 118°59′10″.12 of the west longitude shall be as follows:

Beginning one marine league at sea off the mouth of the Columbia River at north latitude 46°15′00″.00; running thence due east to point number 1 of this description, which point is at north latitude 46°15′00″.00, west longitude 124°05′00″.00; thence from point number 1 continuing upstream in the channel of the Columbia River by a series of straight lines connecting the following numbered and described points in consecutive order.

| Point Number | North Latitude | West Longitude |
|---|---|---|
| 1 | 46°15′00″.00 | 124°05′00″.00 |
| 2 | 46°15′51″.00 | 124°02′02″.75 |
| 3 | 46°16′17″.00 | 124°01′45″.80 |
| 4 | 46°16′59″.50 | 124°02′14″.40 |
| 5 | 46°17′28″.00 | 124°02′07″.00 |
| 6 | 46°17′33″.25 | 124°01′12″.25 |

| | | |
|---|---|---|
| 7 | 46°16′41″.50 | 124°00′00″.00 |
| 8 | 46°16′03″.00 | 123°58′11″.80 |
| 9 | 46°14′19″.80 | 123°55′42″.00 |
| 10 | 46°14′06″.00 | 123°52′14″.50 |
| 11 | 46°16′09″.50 | 123°44′20″.50 |
| 12 | 46°15′01″.00 | 123°41′12″.70 |
| 13 | 46°15′33″.30 | 123°38′52″.80 |
| 14 | 46°15′23″.90 | 123°35′05″.00 |
| 15 | 46°15′38″.00 | 123°32′23″.00 |
| 16 | 46°16′14″.60 | 123°30′00″.00 |
| 17 | 46°15′46″.70 | 123°27′51″.40 |
| 18 | 46°14′23″.50 | 123°25′51″.60 |
| 19 | 46°13′10″.50 | 123°25′20″.50 |
| 20 | 46°11′29″.00 | 123°25′43″.60 |
| 21 | 46°10′47″.80 | 123°25′38″.00 |
| 22 | 46°09′01″.00 | 123°23′21″.50 |
| 23 | 46°08′33″.00 | 123°18′45″.60 |
| 24 | 46°09′04″.50 | 123°15′47″.20 |
| 25 | 46°10′00″.00 | 123°13′51″.20 |
| 26 | 46°11′20″.80 | 123°09′55″.50 |
| 27 | 46°11′11″.30 | 123°07′10″.90 |
| 28 | 46°09′40″.00 | 123°04′23″.50 |
| 29 | 46°09′24″.00 | 123°03′22″.40 |
| 30 | 46°08′38″.40 | 123°02′00″.00 |
| 31 | 46°08′06″.00 | 123°00′16″.00 |
| 32 | 46°06′20″.02 | 122°57′44″.28 |
| 33 | 46°06′17″.36 | 122°57′38″.295 |

**Description of Location of Point Number 33:** A point on the center line of the Longview Bridge at center of main span.

| | | |
|---|---|---|
| 34 | 46°06′14″.71 | 122°57′32″.31 |
| 35 | 46°05′02″.70 | 122°54′11″.00 |
| 36 | 46°03′37″.50 | 122°52′59″.50 |
| 37 | 46°01′53″.50 | 122°52′35″.50 |
| 38 | 46°00′52″.25 | 122°51′17″.20 |
| 39 | 45°58′52″.00 | 122°50′11″.80 |
| 40 | 45°57′40″.00 | 122°48′46″.80 |
| 41 | 45°55′57″.00 | 122°48′18″.00 |
| 42 | 45°54′47″.00 | 122°48′36″.75 |
| 43 | 45°53′05″.00 | 122°47′48″.30 |
| 44 | 45°52′06″.00 | 122°47′01″.50 |
| 45 | 45°50′40″.00 | 122°47′04″.50 |
| 46 | 45°49′31″.20 | 122°47′41″.00 |
| 47 | 45°48′37″.00 | 122°47′40″.00 |
| 48 | 45°46′51″.00 | 122°46′06″.30 |
| 49 | 45°45′34″.20 | 122°45′37″.00 |
| 50 | 45°44′04″.70 | 122°45′32″.00 |
| 51 | 45°42′05″.00 | 122°46′16″.00 |
| 52 | 45°40′50″.80 | 122°46′24″.00 |
| 53 | 45°39′26″.75 | 122°45′46″.00 |
| 54 | 45°38′40″.00 | 122°44′13″.00 |
| 55 | 45°38′17″.00 | 122°42′47″.50 |
| 56 | 45°37′35″.37 | 122°41′35″.14 |
| 57 | 45°37′29″.47 | 122°41′23″.855 |

**Description of Location of Point Number 57:** A point on the center line of Northern Pacific Railroad Bridge across Columbia River, which point is at center of 3rd pier south of the draw span.

| | | |
|---|---|---|
| 58 | 45°37′26″.52 | 122°41′18″.215 |
| 59 | 45°37′07″.85 | 122°40′33″.42 |
| 60 | 45°37′05″.938 | 122°40′26″.939 |

**Description of Location of Point Number 60:** A point on the center line of the west highway bridge crossing the Columbia River between Portland, Oregon, and Vancouver, Washington, said point being 12.0 ft. south from the center of pier No. 6 of said bridge.

| | | |
|---|---|---|
| 61 | 45°37′05″.62 | 122°40′25″.86 |

**Description of Location of Point Number 61:** A point on the center line of the east highway bridge crossing the Columbia River between Portland, Oregon, and Vancouver, Washington, said point being 12.0 ft. south from the center of pier No. 6 of said bridge.

| | | |
|---|---|---|
| 62 | 45°37′03″.71 | 122°40′19″.38 |
| 63 | 45°36′34″.00 | 122°38′27″.00 |
| 64 | 45°36′29″.80 | 122°36′21″.30 |
| 65 | 45°36′20″.00 | 122°35′20″.00 |
| 66 | 45°35′47″.90 | 122°32′48″.00 |
| 67 | 45°35′23″.50 | 122°31′24″.20 |
| 68 | 45°35′01″.00 | 122°29′30″.00 |
| 69 | 45°34′42″.80 | 122°28′20″.50 |
| 70 | 45°34′03″.00 | 122°27′09″.30 |
| 71 | 45°33′49″.00 | 122°26′15″.80 |
| 72 | 45°34′03″.30 | 122°24′36″.50 |
| 73 | 45°34′29″.50 | 122°23′25″.80 |
| 74 | 45°34′33″.40 | 122°22′44″.00 |
| 75 | 45°34′10″.00 | 122°21′04″.00 |
| 76 | 45°32′55″.20 | 122°19′49″.00 |
| 77 | 45°32′38″.00 | 122°17′43″.70 |
| 78 | 45°32′38″.80 | 122°15′56″.70 |
| 79 | 45°33′03″.25 | 122°14′24″.50 |
| 80 | 45°33′55″.00 | 122°11′58″.50 |
| 81 | 45°34′37″.00 | 122°10′54″.00 |
| 82 | 45°35′03″.00 | 122°08′25″.50 |
| 83 | 45°34′53″.40 | 122°06′40″.00 |
| 84 | 45°35′00″.00 | 122°06′02″.00 |
| 85 | 45°36′35″.00 | 122°02′35″.00 |
| 86 | 45°36′53″.80 | 122°01′11″.50 |
| 87 | 45°36′58″.00 | 122°00′08″.50 |
| 88 | 45°37′23″.00 | 121°58′54″.50 |
| 89 | 45°37′59″.00 | 121°57′42″.80 |
| 90 | 45°38′37″.50 | 121°57′16″.50 |
| 91 | 45°38′42″.00 | 121°57′01″.80 |
| 92 | 45°38′40″.35 | 121°56′37″.34 |
| 93 | 45°38′40″.13 | 121°56′22″.57 |

**Description of Location of Point Number 93:** A point at the intersection of the axis of Bonneville Dam and the center line of center pier of the spillway of said dam.

| | | |
|---|---|---|
| 94 | 45°38′39″.82 | 121°56′01″.46 |
| 95 | 45°39′17″.00 | 121°54′25″.00 |
| 96 | 45°39′43″.85 | 121°53′58″.48 |

**Description of Location of Point Number 96:** A point on center line of bridge at Cascade Locks, known as "The Bridge of the Gods" and in the center of the main span of said bridge.

| | | |
|---|---|---|
| 97 | 45°39′44″.81 | 121°53′58″.16 |
| 98 | 45°39′45″.77 | 121°53′57″.84 |
| 99 | 45°40′15″.00 | 121°54′02″.00 |
| 100 | 45°41′36″.80 | 121°51′57″.00 |
| 101 | 45°42′24″.75 | 121°48′36″.00 |
| 102 | 45°41′39″.00 | 121°44′02″.00 |
| 103 | 45°41′42″.00 | 121°42′22″.00 |
| 104 | 45°42′19″.00 | 121°40′02″.00 |
| 105 | 45°42′17″.50 | 121°37′48″.50 |
| 106 | 45°43′36″.00 | 121°31′54″.30 |
| 107 | 45°43′15″.275 | 121°29′52″.445 |
| 108 | 45°43′07″.02 | 121°29′36″.615 |

**Description of Location of Point Number 108:** A point on the center line of the Hood River Bridge at the center of the draw span of said bridge.

| | | |
|---|---|---|
| 109 | 45°43′04″.075 | 121°29′30″.96 |
| 110 | 45°42′05″.20 | 121°27′41″.80 |
| 111 | 45°41′39″.25 | 121°25′22″.00 |
| 112 | 45°41′35″.00 | 121°24′02″.00 |
| 113 | 45°42′11″.50 | 121°22′17″.00 |
| 114 | 45°42′18″.00 | 121°20′11″.50 |
| 115 | 45°42′00″.00 | 121°18′40″.00 |
| 116 | 45°41′13″.30 | 121°17′10″.00 |
| 117 | 45°40′40″.50 | 121°14′52″.00 |
| 118 | 45°40′17″.00 | 121°12′52″.50 |
| 119 | 45°39′00″.00 | 121°11′57″.00 |
| 120 | 45°37′47″.00 | 121°11′38″.40 |
| 121 | 45°37′00″.25 | 121°11′43″.00 |
| 122 | 45°36′23″.80 | 121°10′57″.00 |
| 123 | 45°36′22″.50 | 121°10′00″.00 |
| 124 | 45°36′29″.175 | 121°08′39″.84 |
| 125 | 45°36′40″.89 | 121°08′22″.135 |

**Description of Location of Point Number 125:** A point on the center line of The Dalles Bridge across the Columbia River at the center of the main span of said bridge.

| | | |
|---|---|---|
| 126 | 45°36′43″.94 | 121°08′17″.53 |
| 127 | 45°36′35″.69 | 121°07′50″.34 |
| 128 | 45°36′58″.44 | 121°07′16″.41 |
| 129 | 45°37′06″.095 | 121°06′57″.58 |
| 130 | 45°37′14″.85 | 121°07′02″.75 |

**Description of Location of Point Number 130:** A point on the axis of The Dalles Dam at Station 48 + 79 of the center line survey of said dam.

| | | |
|---|---|---|
| 131 | 45°37′23″.97 | 121°07′08″.14 |
| 132 | 45°38′53″.13 | 121°05′01″.25 |
| 133 | 45°39′09″.54 | 121°03′47″.51 |
| 134 | 45°39′04″.04 | 121°01′57″.51 |
| 135 | 45°39′12″.08 | 121°00′22″.28 |
| 136 | 45°38′54″.66 | 120°58′56″.33 |
| 137 | 45°38′55″.91 | 120°58′49″.52 |

**Description of Location of Point Number 137:** A point on the center line of the Oregon Trunk Railroad Bridge and in the center of the 4th pier from the north end of said bridge.

| | | |
|---|---|---|
| 138 | 45°38′58″.405 | 120°58′35″.90 |
| 139 | 45°39′24″.84 | 120°57′06″.97 |
| 140 | 45°39′23″.58 | 120°56′34″.22 |
| 141 | 45°38′24″.54 | 120°54′44″.75 |
| 142 | 45°38′35″.09 | 120°53′40″.72 |
| 143 | 45°40′18″.79 | 120°51′15″.26 |
| 144 | 45°41′11″.69 | 120°47′14″.64 |
| 145 | 45°42′19″.71 | 120°43′38″.83 |
| 146 | 45°42′42″.58 | 120°42′10″.70 |
| 147 | 45°42′57″.18 | 120°41′18″.11 |
| 148 | 45°43′48″.14 | 120°40′05″.19 |
| 149 | 45°44′45″.12 | 120°38′01″.97 |
| 150 | 45°44′47″.00 | 120°37′17″.91 |
| 151 | 45°44′47″.99 | 120°35′23″.91 |
| 152 | 45°44′18″.49 | 120°33′29″.23 |
| 153 | 45°42′37″.59 | 120°31′17″.65 |
| 154 | 45°42′00″.37 | 120°30′16″.48 |
| 155 | 45°41′40″.42 | 120°28′53″.22 |
| 156 | 45°41′58″.55 | 120°24′08″.96 |
| 157 | 45°42′41″.66 | 120°19′30″.62 |
| 158 | 45°43′16″.74 | 120°16′56″.18 |
| 159 | 45°43′33″.84 | 120°12′34″.62 |
| 160 | 45°45′43″.67 | 120°10′10″.01 |
| 161 | 45°46′24″.09 | 120°08′25″.17 |
| 162 | 45°47′07″.10 | 120°04′08″.70 |
| 163 | 45°48′26″.17 | 120°00′49″.27 |
| 164 | 45°49′28″.29 | 119°57′52″.64 |
| 165 | 45°49′41″.97 | 119°54′21″.95 |
| 166 | 45°50′25″.18 | 119°50′53″.51 |
| 167 | 45°50′52″.00 | 119°48′05″.62 |
| 168 | 45°50′45″.15 | 119°46′18″.16 |
| 169 | 45°51′25″.40 | 119°40′07″.80 |
| 170 | 45°54′20″.70 | 119°37′20″.96 |
| 171 | 45°55′10″.82 | 119°35′58″.28 |
| 172 | 45°55′32″.25 | 119°34′13″.67 |
| 173 | 45°54′31″.37 | 119°31′24″.18 |
| 174 | 45°54′23″.43 | 119°29′13″.01 |
| 175 | 45°55′03″.10 | 119°26′57″.35 |
| 176 | 45°55′18″.10 | 119°21′48″.12 |
| 177 | 45°55′51″.37 | 119°19′52″.71 |
| 178 | 45°55′54″.48 | 119°19′39″.28 |

**Description of Location of Point Number 178:** A point on the center line of the Umatilla Bridge at center of the north main span of said bridge.

| | | |
|---|---|---|
| 179 | 45°55′59″.59 | 119°19′17″.20 |
| 180 | 45°56′10″.26 | 119°17′47″.60 |

**Description of Location of Point Number 180:** A point on the axis of McNary Dam at the north face of the south nonoverflow section.

| | | |
|---|---|---|
| 181 | 45°56′15″.24 | 119°17′05″.76 |
| 182 | 45°56′24″.05 | 119°15′21″.40 |
| 183 | 45°55′58″.60 | 119°13′28″.22 |
| 184 | 45°55′40″.97 | 119°11′39″.82 |
| 185 | 45°55′40″.26 | 119°10′05″.04 |
| 186 | 45°55′58″.55 | 119°07′30″.72 |
| 187 | 45°56′34″.25 | 119°05′32″.00 |
| 188 | 45°57′31″.28 | 119°03′37″.36 |
| 189 | 45°58′09″.33 | 119°01′33″.95 |
| 190 | 45°58′45″.73 | 119°00′27″.12 |
| 191 | 45°00′00″.00 | 118°59′10″.12 |

ARTICLE III.

RATIFICATION AND EFFECTIVE DATE

This compact shall become operative when it has been ratified by the legislatures of the States of Oregon and Washington and approved by the Congress of the United States and the Constitutions of the States of Oregon and Washington have been amended to authorize the establishment of the boundary as herein provided.

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[1957 c.94 §2]

**Note:** The descriptions of the locations of points in Article II of the compact are as of 1957.

For ratification of compact by Washington legislature see chapter 90, Laws of 1957, (RCW 43.58.050—RCW 43.58 090), effective March 13, 1957.

For amendment to Washington Constitution authorizing establishment of boundary as provided in compact see Amendment 33 to Article XXIV, §1, Washington Constitution, approved November 4, 1958, and proclaimed December 4, 1958, by Governor to be approved.

For approval of compact by Congress see Public Law 85-575, dated July 31, 1958, 72 Stat. 455 (1958).

Effective date of Oregon constitutional amendment (Const. Art XVI) authorizing establishment of boundary as provided in compact is December 3, 1958.