

Chapter 184

1989 EDITION

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ECONOMIC DEVELOPMENT DEPARTMENT

Note: Sections 10 and 11, chapter 908, Oregon Laws 1989, first become operative on July 1, 1993. See section 87, chapter 908, Oregon Laws 1989. Those sections provide:

Sec. 10. The Economic Development Commission is abolished. On the operative date of this section, the tenure of office of the members of the Economic Development Commission shall cease. [1989 c.908 §10]

Sec. 11. (1) There are imposed upon, transferred to and vested in the Finance Committee for Economic Development all the duties, functions and powers of the Economic Development Commission under ORS 280 310 to 280 393, 280 395 and 280 397, 280 520 to 280 585 and 777 850 to 777 910.

(2) Except as provided in subsection (1) of this section, there are imposed upon, transferred to and vested in the Economic Development Department all the duties, functions and powers of the Economic Development Commission. [1989 c.908 §11]

184.001 Definitions for ORS 184.001 to 184.198. As used in ORS 184.001 to 184.198, unless the context requires otherwise:

(1) "Commission" means the Economic Development Commission.

(2) "Department" means the Economic Development Department.

(3) "Director" means the Director of the Economic Development Department. [Formerly 184.105]

184.003 [Formerly 184.120; 1975 c 225 §1; 1979 c 182 §4; 1983 c.217 §1; 1985 c 812 §5, repealed by 1987 c 168 §1 (184.004 enacted in lieu of 184.003)]

184.004 Legislative findings; commission and department duties. (1) The Legislative Assembly finds that:

(a) Oregon's economy continues to experience change and adjustment that greatly affect the well-being of its citizens.

(b) The state has a need for continuing economic development and expansion to provide jobs for its citizens.

(c) Oregon should seek to increase its per capita income.

(d) Providing well-paid jobs is critical to assuring the economic security of Oregon families.

(e) Oregon communities continue to rely on a single firm or industry dependent on the wise use and development of the state's natural resources.

(f) Oregon's rural areas can benefit substantially from the further development and utilization of their natural resources and public assets.

(2) The Legislative Assembly further finds that:

(a) Oregon's human resources constitute a major asset in the state's effort to promote economic expansion and improvement.

(b) Oregon's natural resources provide ample opportunities for productive and beneficial economic enterprise.

(c) Oregon's location on the growing economy of the Pacific Rim provides substantial opportunities and challenges in international trade.

(d) Oregon's special heritage, its respect for and cultivation of its environment and its quality of life are a unique and sustaining virtue that will both guide and assist the state's economic expansion.

(3) It is the purpose of ORS 184.001 to 184.198 to promote the improvement of Oregon's economy to better provide for the well-being of its citizens, including the availability of health care services in underserved areas. To that end, the Economic Development Department and the Economic Development Commission shall give priority to economic development efforts that meet the following criteria:

(a) Develop the human resources of Oregon, by preparing citizens for careers and job opportunities which will provide for their long-term economic security, and aid the economically disadvantaged and distressed citizens of this state including women and minorities to achieve self-sufficiency.

(b) Promote development that will provide economic activity in small communities suffering from economic dislocation and in rural areas suffering from chronic underdevelopment.

(c) Promote the development of sectors of the economy that sell goods and services in markets for which national and international competition exists.

(d) Promote development which will provide family wage jobs for Oregonians.

(e) Promote development of sectors of the economy in which Oregon has an economic comparative advantage based on Oregon's labor force, natural resources or geographic location that will secure the long-term viability of the economic sector.

(4) The Legislative Assembly declares that it is the economic strategy of the state to focus its development and promotion efforts on Oregon's small businesses and on existing industries. To that end, all state economic development efforts shall, to the maximum extent feasible:

(a) Promote entrepreneurship and the growth and development of small businesses which have historically been the most important contributors to the state's economic expansion;

(b) Promote the development of new markets, nationally and in foreign nations, for goods and services produced in Oregon;

(c) Utilize the resources of the state's public and private educational system including higher education and community colleges; and

(d) Encourage additional new investment in Oregon by out-of-state firms that is consistent with the state's long-term economic betterment. [1987 c.168 §2; 1987 c.918 §6 (enacted in lieu of 184.003)]

Note: See note preceding 184.001

184.005 [1973 c.691 §§2, 3, 1975 c.225 §2, 1981 c.545 §2, repealed by 1983 c.197 §1 (184.006 enacted in lieu of 184.005)]

184.006 Economic Development Commission; appointment; terms; compensation and expenses; officers. (1) There is established an Economic Development Commission consisting of nine members appointed by the Governor subject to confirmation by the Senate under ORS 171.562 and 171.565. The members shall be appointed with due consideration given to geographical representation, and to representation of the economic interests of Oregon. In addition, the Governor or the designee of the Governor shall be a nonvoting ex officio member of the commission.

(2) The term of office of each member is four years, but a member serves at the pleasure of the Governor. Before the expiration of the term of a member, the Governor shall appoint a successor whose term begins July 1 next following. A member is eligible for reappointment. If there is a vacancy for any cause, the Governor shall make an appointment to become immediately effective for the unexpired term.

(3) A member of the commission shall be entitled to compensation and expenses as provided in ORS 292.495.

(4) The Governor shall select one of the commission members as chairman and another as vice-chairman, for such terms with duties and powers necessary for the performance of the functions of such offices as the Governor determines.

(5) Five members of the commission constitute a quorum for the transaction of business.

(6) At least once in each calendar quarter, the commission shall meet with the chairman of each committee appointed under ORS 184.030 and with the office of the Governor. [1983 c.197 §2 (enacted in lieu of 184.005); 1985 c.70 §1]

Note: See note preceding 184.001.

184.008 Duties of commission. The Economic Development Commission shall advise the Governor and the Director of the Economic Development Department on matters pertaining to the economic development of Oregon, including but not limited to:

(1) Identification of opportunities for economic development.

(2) Identification of barriers to economic development.

(3) Appropriate policies for promoting economic development.

(4) Specific proposals and recommendations with respect to action promoting economic development.

(5) Means of improving liaison with economic development efforts of communities within Oregon. [1983 c.197 §4]

Note: See note preceding 184.001.

184.010 State development policy and program; department duties. (1) The Economic Development Department, considering advice of the Economic Development Commission, shall establish a comprehensive policy for balanced economic and community development, including the enhancement of world trade opportunities, of the State of Oregon and shall:

(a) Identify major constraints upon and opportunities for economic development;

(b) For the major constraints and opportunities identified, create a program proposing the roles for public and private entities throughout this state to best take advantage of those major opportunities and overcome those major constraints and which will give particular recognition to the needs, problems and resources of the rural, economically lagging or underdeveloped areas of the state;

(c) Encourage public and private entities to voluntarily participate in that program; and

(d) Implement the state-level functions required by that program.

(2) In establishing this policy and creating this program and directing its implementation, the department shall:

(a) Consult and advise with, and bring together and review pertinent data, plans and programs and budgetary proposals of, state agencies, municipalities and other public bodies, as pertinent to this comprehensive policy and program and their implementation.

(b) Provide a center of coordination and a clearinghouse for research, planning, programming, basic data, public information, and reports regarding balanced economic and community development, and for stimulation and guidance in pursuit of the planning and programming processes and the implementation.

(c) Conduct conservation and development research, and coordinate research by state agencies, municipalities and other public bodies in the field of balanced economic

and community development, using when feasible the resources and potentials of the state institutions of higher learning and other state agencies and encouraging the cooperation of other research and developmental organizations.

(d) Consult and advise with and assist the localities and subdivisions of the state in their developmental planning, using when feasible the resources and potentials of the state institutions of higher learning.

(e) Provide contact and liaison with state agencies, municipalities and other public entities, other states and interstate bodies, industrial, commercial, educational, research and civic groups and others.

(f) Consult and advise with and assist each interested party within the state in utilizing existing foreign markets and identifying new avenues of international trade for Oregon products.

(g) Recommend biennially to the Legislative Assembly and annually to the appropriate committees of the Legislative Assembly, corrective legislation needed to overcome the major constraints upon economic development including, but not limited to, conflicting regulatory programs of state agencies. [Formerly 184.150; 1969 c.80 §13; 1973 c.691 §4, 1975 c.225 §3; 1979 c.182 §5, 1983 c.197 §6]

Note: See note preceding 184.001.

184.015 Directory of Oregon Manufacturers; other publications; Economic Development Publication Account. (1) The Economic Development Department may cause to be published a Directory of Oregon Manufacturers and such other publications relating to the economic development of the state. The cost of such publications shall be fully recovered through the sales thereof.

(2) All revenues derived from the sale of publications of the department shall be deposited in the Economic Development Publication Account, which is hereby established as an account in the General Fund.

(3) The moneys credited to the Economic Development Publication Account under subsection (2) of this section, shall be continuously appropriated exclusively to pay for publication costs of the Economic Development Department. [1973 c.691 §22, 1983 c.197 §7]

184.020 [1967 c.397 §14, 1973 c.691 §5; 1975 c.225 §4; repealed by 1975 c.605 §33]

184.025 Prerequisites for certain commission actions. Prior to the approval of bond financing of economic development projects under ORS 280.310 to 280.397, the making of a loan under ORS 777.850 to 777.910 or the making of any loan or the granting of any moneys from any source except for those allocated under chapter 777,

Oregon Laws 1985, the Economic Development Commission shall:

(1) Determine that the action is cost effective, considering both major public expenses and major public benefits;

(2) Find that the project will produce goods or services which are sold in markets for which national or international competition exists or, if the project is to be constructed and operated by a nonprofit organization, that the project will not compete with local for-profit businesses;

(3) Determine that the action is the best use of the moneys involved, considering other pending applications for those moneys;

(4) Find that the project involved is consistent with the department's comprehensive policy and programs;

(5) Find that the project involved is consistent with all applicable adopted local economic development plans; and

(6) Provide for public notice of, and public comment on, the action. [1979 c.182 §3; 1983 c.197 §8; 1985 c.806 §14]

Note: See note preceding 184.001.

184.030 Advisory and technical committees. (1) To aid and advise the Economic Development Commission in the performance of its duties, the commission may establish, with the approval of the Governor, such advisory and technical committees as it considers necessary. Such committees may be continuing or temporary. The chairman of the commission shall determine the representation, membership, terms and organization of the committees and, with the approval of the Governor, shall appoint their members. The Director of the Economic Development Department, or designee, shall be an ex officio member of each committee.

(2) Members of the committees appointed pursuant to this section shall receive no compensation, but may receive payment for their actual and necessary travel and other expenses while engaged in the performance of their official duties. [1967 c.397 §15; 1973 c.691 §6; 1983 c.197 §5; 1985 c.70 §2]

Note: See note preceding 184.001.

184.040 Acceptance and use of federal aid and other money and property. (1) The Economic Development Department may apply for, receive from the United States or any of its agencies, and disburse or supervise the disbursement of federal aid for economic development research planning and development in this state as authorized by ORS 184.001 to 184.198. The department may also disburse or supervise the disbursement of funds provided by the State of Oregon for expenditure as a condition of receiving the federal aid.

(2) The department may take by gift, devise or bequest or in any other lawful manner, money or property for planning and development as authorized by ORS 184.001 to 184.198.

(3) The department shall deposit money received pursuant to this section in a special account in the General Fund with the State Treasurer as provided in ORS 293.265 to 293.275. The money shall be expended by the department for the purposes for which it is received. [Formerly 184.195, 1973 c.691 §7, 1983 c.197 §9]

184.050 Federal Planning Revolving Account. (1) There is continued in the General Fund of the State Treasury a revolving account known as the Federal Planning Revolving Account. All moneys in the Federal Planning Revolving Account are appropriated continuously and, pending receipt by the State Treasurer of federal funds for the payment of federally financed planning projects administered by the Economic Development Department, shall be used by the department to pay the cost of completing such planning projects.

(2) Upon notice that such federal funds have been received by the State Treasurer, the director shall prepare a claim against such funds for the amount advanced from the Federal Planning Revolving Account for the purposes of this section, and the Executive Department shall issue a warrant in payment of such claim, for credit to and reimbursement of the Federal Planning Revolving Account. [Formerly 184.220; 1973 c.691 §8, 1983 c.197 §10]

184.105 [1963 c.580 §17, 1967 c.397 §2, 1969 c.80 §14; 1971 c.57 §2; 1973 c.691 §10; renumbered 184.001]

184.110 [1957 c.624 §2; repealed by 1963 c.580 §103]

184.120 [1957 c.624 §1; 1967 c.397 §3; 1969 c.80 §15; 1973 c.691 §1; renumbered 184.003]

184.125 Economic Development Department; authority. (1) The Economic Development Department is created. Pursuant to advice of the Economic Development Commission, the department shall formulate and recommend to the Governor, for approval and subsequent implementation by the department, a program of economic development for the state. Through research, promotion and coordination of activities in the state, the department shall foster the most desirable growth and geographical distribution of agriculture, industry and commerce in the state. The department shall serve as a central coordinating agency and clearinghouse for activities and information concerning the resources and economy of the state.

(2) The department shall have no regulatory power over the activities of private persons. Its functions shall be solely advisory, coordinative and promotional.

(3) The department shall administer the state's participation in the federal Community Development Block Grant funding program authorized by 42 U.S.C. 85301 et seq.

(4) In order to accomplish the purposes of ORS 184.001 to 184.198, the department may expend moneys duly budgeted to pay the travel and various other expenses of industrial or commercial site location agents, film or video production location agents, business journal writers, elected state officials or other state personnel whom the director determines may promote the purposes of this subsection.

(5) In accordance with applicable provisions of ORS 183.310 to 183.550, the department may adopt rules necessary for the administration of laws that the department is charged with administering. [1963 c.580 §18; 1967 c.397 §4; 1969 c.80 §16; 1971 c.57 §3; 1973 c.691 §11; 1979 c.182 §6; 1983 c.197 §11; 1985 c.70 §5; 1987 c.168 §20; 1989 c.339 §1]

Note: See note preceding 184.001

184.130 [1957 c.624 §3; repealed by 1963 c.580 §103]

184.135 Director; confirmation; deputy director. (1) The Economic Development Department shall be under the supervision and control of a director appointed by the Governor, subject to confirmation by the Senate under ORS 171.562 and 171.565. The Economic Development Commission may submit a list of not fewer than three names to the Governor of individuals whom the commission considers suitable for appointment as director. The list shall be submitted not earlier than the 30th day prior to the expiration of the term of the director, nor later than the 30th day after a vacancy for any cause other than expiration of the director's term. In making the appointment, the Governor shall give consideration to the list submitted by the commission. The director shall hold office at the pleasure of the Governor and shall be responsible for the performance of the functions of the department.

(2) The director may appoint a deputy director who serves at the pleasure of the director. The deputy director shall be in the unclassified service and shall receive such salary as may be set by the director, unless otherwise provided by law. [1963 c.580 §19; 1969 c.80 §17, 1971 c.57 §4, 1973 c.691 §12; 1977 c.700 §5; 1983 c.197 §12; 1985 c.70 §4]

Note: See note preceding 184.001

184.137 Authority of director. The Director of the Economic Development Department may:

(1) For purposes of administration, and with the approval of the Governor, organize and reorganize the department in whatever manner the director deems necessary to conduct the work of the department properly.

(2) Appoint all subordinate officers and employees of the department, prescribe their duties and fix their compensation, subject to applicable provisions of the State Personnel Relations Law. Subject to any other applicable law regulating travel expenses, the officers and employees of the department shall be allowed such reasonable and necessary travel and other expenses as may be incurred in the performance of their duties. [1963 c.580 §20; 1969 c.80 §18; 1971 c.57 §5; 1973 c.691 §13, 1983 c.197 §13]

184.140 [1957 c.624 §4; 1969 c.80 §19, 1971 c.57 §6; repealed by 1973 c.691 §21]

184.150 [1957 c.624 §5, 1967 c.397 §11; renumbered 184.010]

184.160 Duties of department; field representatives. The Economic Development Department shall:

(1) Implement programs of the department as advised by the commission and as directed by the Governor.

(2) Provide field representatives in the various geographical regions of the state. The field representatives shall be in the unclassified service and shall receive such salary as may be set by the director, unless otherwise provided by law. The field representatives shall:

(a) Work with local units of government and the private sector to encourage and to assist them as they establish and carry out economic development plans and programs under ORS 280.500;

(b) Promote local awareness of department policy and department programs and services and of assistance and economic incentives available from government at all levels; and

(c) Deliver to local units of government and the private sector the assistance and services available from the department, including publications, research and technical and financial assistance programs.

(3) Process requests received by state agencies and interested parties for information pertaining to industrial and commercial locations and relocations throughout the state.

(4) Consult and advise with, coordinate activities of, and give technical assistance and encouragement to, state and local organizations, including local development corporations, county, city, and metropolitan-area committees, chambers of commerce, labor organizations and similar agencies interested in obtaining new industrial plants or commercial enterprises.

(5) Act as the state's official liaison agency between persons interested in locating industrial or business firms in the state,

and state and local groups seeking new industry or business, maintaining the confidential nature of the negotiations it conducts as requested by persons contemplating location in the state.

(6) Coordinate state and federal economic development programs.

(7) Consult and advise with, coordinate activities of, and give technical assistance and encouragement to all parties including, but not limited to, port districts within the state working in the field of international trade or interested in promoting their own trading activity.

(8) Provide advice and technical assistance to Oregon business and labor.

(9) Collect and disseminate information regarding the advantages of developing new business and expanding existing business in the state.

(10) Aid local communities in planning for and obtaining new business to locate therein and provide assistance in local applications for federal development grants.

(11) Work actively to recruit domestic and international business firms to the state whose location will assist in carrying out the provisions of ORS 184.003.

(12) In carrying out its duties under ORS 184.001 to 184.198, the department shall give priority to assisting small businesses in this state by encouraging the creation of new businesses, the expansion of existing businesses and the retention of economically distressed businesses which are economically viable.

(13) Make recommendations on rates to the Oregon Board of Maritime Pilots. [1957 c.624 §6, 1969 c.80 §20, 1973 c.691 §14; 1979 c.182 §7; 1981 c.316 §1; 1983 c.197 §14, 1985 c.70 §3; 1987 c.562 §8; 1987 c.775 §6]

Note: See note preceding 184.001

184.165 Designation of department as agency to obtain financial assistance involving federal port programs. For purposes of the Merchant Marine Act (46 U.S.C. 861 et seq.), the Economic Development Department shall be the state agency to apply to the Secretary of Commerce for financial assistance to assist ports in achieving compliance with federal law or regulations relating to environmental protection, public health and safety, or port or cargo security. [1975 c.288 §2]

184.170 [1957 c.624 §7; 1969 c.80 §21; 1971 c.57 §7; 1973 c.691 §15; repealed by 1979 c.182 §12]

184.180 [1957 c.624 §8; 1969 c.80 §22; 1973 c.691 §16; repealed by 1979 c.182 §12]

184.190 [1957 c.624 §9; 1967 c.397 §5; 1969 c.80 §23; 1971 c.57 §8; 1973 c.691 §17; repealed by 1979 c.182 §12]

184.195 [1961 c.315 §§1, 2, 3; 1967 c.397 §12; renumbered 184.040]

184.196 [1967 c.397 §8, 1969 c.80 §24; repealed by 1973 c.691 §21]

184.198 Federal Economic Development Research Account. (1) There is created in the General Fund of the State Treasury a revolving account known as the Federal Economic Development Research Account. All moneys in such account are appropriated continuously and, pending receipt by the State Treasurer of federal funds for the payment of federally financed economic development research projects administered by the Economic Development Department, shall be used by the department to pay the costs of completing such research projects.

(2) Upon notice that such federal funds have been received by the State Treasurer, the director shall prepare a claim against such funds for the amount advanced from the Federal Economic Development Research Account for the purposes of this section, and the Executive Department shall issue a warrant in payment of such claim, for credit to and reimbursement of such account. [1967 c.397 §9; 1973 c.691 §9; 1975 c.371 §6; 1983 c.197 §15]

184.200 [1957 c.624 §10; 1967 c.397 §6; 1969 c.80 §25; repealed by 1971 c.57 §11]

184.202 Department to prepare financial statements; contents. (1) In each calendar year, the Economic Development Department shall prepare, in accordance with generally accepted governmental accounting principles, a financial statement relating to each of the following funds:

(a) The Special Public Works Fund created by ORS 284.440;

(b) The Community Development Bank Fund established by ORS 280.513; and

(c) Any other fund or account that is used by the department to make loans or loan guarantees or to provide other financial assistance to private business firms organized for profit.

(2) In each calendar year, the Economic Development Commission shall prepare, in accordance with generally accepted governmental accounting principles, a financial statement relating to each of the following funds:

(a) The Oregon Business Development Fund created by ORS 280.575;

(b) The Oregon Economic Development Fund created by ORS 280.395;

(c) The Oregon Port Revolving Fund created by ORS 777.884; and

(d) Any other fund or account that is used by the commission to make loans or loan guarantees or to provide other financial assistance to private business firms organized for profit.

(3) The financial statements required by this section shall record and summarize all the financial transactions during the reporting period that involved moneys credited to a fund or account and shall describe the financial condition of the fund or an account at the end of the reporting period. The reporting period for financial statements required by this section shall be the fiscal year commencing on July 1 and ending on June 30.

(4) The financial statements required by this section shall be in a form prescribed by the Secretary of State.

(5) Each financial statement required by this section shall describe the financial transactions and condition of a single fund and shall be submitted to the Governor, the President of the Senate and the Speaker of the House of Representatives not later than December 31 in each year. [1989 c.533 §1]

184.210 [1959 c.660 §17; 1969 c.80 §26; 1973 c.691 §18; repealed 1981 c.68 §1]

184.215 Financial Programs Account. There is created a cash account within the General Fund known as the Financial Programs Account. Revenues shall be derived from fees for service related to administration of the financial programs. Moneys in this account are continuously appropriated to provide for the administrative expenses of the Financial Programs Division of the Economic Development Department. [1981 c.653 §7]

184.220 [1965 c.597 §3; 1967 c.397 §13; renumbered 184.050]

184.225 Economic Stabilization and Conversion Fund; uses. (1) The Legislative Assembly finds that Oregon traded sector industries are experiencing a period of major change and disruption, and that this change is creating severe and unpredictable economic consequences for many communities and workers. It is the purpose of the Economic Stabilization and Conversion Fund to assist communities and workers affected by economic dislocation or the possibility of economic dislocations to evaluate and implement alternative business or community opportunities.

(2) The Economic Stabilization and Conversion Fund is created separate and distinct from the General Fund. The fund shall be administered by the Economic Development Department. The fund may be credited with contributions of moneys from public and private sources and with repayments as provided in this section. Interest earned by the fund shall be credited to the fund.

(3)(a) The Economic Development Department shall allocate moneys in the fund for the following purposes:

(A) Industrial retention service;

- (B) Employee ownership;
- (C) Community response to plant closures or community distress, or both; and
- (D) Feasibility studies.

(b) Not more than 30 percent of the moneys expended in any biennium from the fund shall be used for the purposes of subparagraph (C) of paragraph (a) of this subsection, nor shall any moneys be expended under subparagraph (C) of paragraph (a) of this subsection unless those funds are matched dollar for dollar from other nonlottery funds.

(4) The Economic Development Department may expend or loan moneys in the fund for financial assistance, feasibility studies, technical assistance and management consulting services for troubled firms that may close without assistance, for troubled firms that are experiencing major layoffs or firms that have actually closed or announced closure, and for communities that are experiencing distress due to the business closures and for the purpose of encouraging employee ownership, under such terms and conditions as the department may determine.

(5) The Economic Development Department shall provide that firms receiving assistance repay to the Economic Stabilization and Conversion Fund any assistance provided under subsection (4) of this section. Such provisions for repayment shall consider the financial ability of the firm to repay assistance.

(6) In providing assistance from the Economic Stabilization and Conversion Fund, the department shall give preference to Oregon's distressed areas and its traditional agriculture, forestry and fishing industries, and firms competing in markets for which national or international competition exists.

(7) In providing assistance from the Economic Stabilization and Conversion Fund, the department shall give preference to employee-owned enterprises. The employee ownership funds shall be contracted out to fulfill the state's obligation under ORS 284.075 to 284.100. In contracting, the Economic Development Department shall give preference to contractors with prior experience in operating programs for technical assistance and public education in the area of employee ownerships.

(8) The Economic Development Department shall establish specific criteria for expenditure of funds from the Economic Stabilization and Conversion Fund by adopting rules. [1985 c.778 §1; 1987 c.836 §1; 1989 c.851 §1; 1989 c.1015 §23a]

Note: See note preceding 184.001.

184.230 [1985 c.778 §2; repealed by 1987 c.836 §3]

184.235 Rules. In accordance with any applicable provisions of ORS 183.310 to 183.550, the Economic Development Commission may adopt such rules as it considers necessary to carry out the duties, functions and powers under this section and ORS 184.225. [1985 c.778 §4]

Note: See note preceding 184.001.

184.240 Economic Development Department Special Events Revolving Fund. There is established in the General Fund of the State Treasury the Economic Development Department Special Events Revolving Fund. Moneys in the revolving fund are continuously appropriated for the purpose of accumulating moneys to pay for special events and cooperative efforts with private corporations and individuals. [1987 c.562 §10]

184.250 Duties of department for Armed Forces of United States. (1) The Economic Development Department shall:

(a) Consult and advise with, coordinate the activities of and give technical assistance to the Armed Forces of the United States and units of local government in this state in carrying out ORS 174.103, 184.103, 184.250, 341.529, 351.642 and 497.006.

(b) Provide, upon request of any one of the Armed Forces of the United States, lists of persons who are qualified to provide technical and commercial services to the Armed Forces of the United States and to enter contracts for the construction, repair and maintenance of military facilities.

(2) Other state agencies shall cooperate with the Economic Development Department and the Armed Forces of the United States in carrying out ORS 174.103, 184.103, 184.250, 341.529, 351.642 and 497.006. [1987 c.162 §3]

OREGON PROGRESS BOARD

Note: Sections 1, 2 and 4 to 9, chapter 908, Oregon Laws 1989, provide:

Sec. 1. (1) The Legislative Assembly finds:

(a) That the Oregon economy of the future can provide unparalleled opportunity while maintaining Oregon's traditional values, if the state pursues the future with clarity of purpose and perseverance.

(b) The Oregon economy is in the midst of a massive transition created by technological changes, global competition, and new production practices.

(c) In order to maintain employment opportunities, increase income levels, reduce poverty and generate the public revenues needed to provide public services, Oregon must increasingly rely on an economy which adds value to its natural resources and provides a diverse mix of products.

(2) The Legislative Assembly declares that it is the purpose of the Oregon Progress Board:

(a) To encourage the discussion and understanding of critical global and national economic trends that will affect the Oregon economy in the coming decades;

(b) To formulate and submit to Oregonians a strategy that describes and explains a vision for

Oregon's economic progress over the next 20 to 30 years, and

(c) To submit to the Legislative Assembly, for its adoption, goals for Oregon's progress including measurable indicators of the achievement of those goals. [1989 c.908 §1]

Sec. 2. (1) There is established an Oregon Progress Board consisting of nine members.

(2) The Oregon Progress Board shall consist of the following members:

(a) The Governor, and

(b) Eight members appointed by the Governor subject to confirmation by the Senate in the manner prescribed in ORS 171 562 and 171 565

(3) The term of office of each member is four years. Before the expiration of the term of a member, the Governor shall appoint a successor whose term begins on January 31 next following. A member is eligible for reappointment. If there is a vacancy for any cause, the Governor shall make an appointment for the unexpired term.

(4) A member of the Oregon Progress Board shall be entitled to compensation and expenses as provided in ORS 292 495

(5) Of the members of the board, five shall be selected who are residents of different congressional districts in this state.

(6) Members of the Oregon Progress Board shall be appointed so as to be representative of the ethnic, cultural, social and economic diversity of the people of this state. [1989 c.908 §2]

Sec. 4. (1) In accordance with applicable provisions of ORS 183.310 to 183 550, the Oregon Progress Board may adopt rules necessary for the administration of sections 1 to 8 of this Act.

(2) The Governor shall serve as chair of the board and may appoint an executive officer for the board for a term and with such duties and powers as the board determines to be necessary or appropriate.

(3) A majority of the members of the board constitutes a quorum for the transaction of business.

(4) The board shall meet as the board determines necessary at times and places specified by call of the chair or a majority of the members of the board.

(5) The clerical, technical and management personnel serving as the policy unit of the Economic Development Department on the effective date of this Act shall be transferred to the Oregon Progress Board and shall serve as the board's staff. [1989 c.908 §4]

Sec. 5. (1) The Oregon Progress Board shall develop a strategy for Oregon that addresses the economic, social, cultural, environmental and other needs and aspirations of the people of Oregon.

(2) The strategy developed by the Oregon Progress Board shall address issues that the board determines are necessary and appropriate to Oregon's future. Such issues shall include

(a) Education and work force.

(b) Public and private cooperation.

(c) Environmental quality.

(d) Infrastructure.

(e) Such other issues as the board, by majority vote, shall add to the strategy.

(3) In developing the strategy, the Oregon Progress Board shall hold public hearings, public meetings and workshops as needed to insure the participation of a broad cross section of Oregon's population. The board shall publicize the public hearings, public meetings and workshops in each city in which they are held and shall

allow interested residents and other individuals to appear and be heard by the board.

(4) After considering any written comments and public testimony relating to the proposed strategy, the board shall revise the strategy as it considers necessary or appropriate. The board, by a vote of a majority of its members, shall approve and adopt a final strategy. The board shall submit, in addition to its adopted strategy, a summary and digest of comments and public testimony and its response, if any, to those comments. The adopted strategy shall be submitted to the Sixty-sixth Legislative Assembly not later than January 15, 1991. [1989 c.908 §5]

Sec. 6. As a part of the strategy adopted under section 5 of this Act, the Oregon Progress Board shall also adopt a recommended implementation plan. This plan shall include recommendations for statutory or other changes the board deems appropriate, modifications in public fiscal and spending policies, including the allocation of lottery revenues, and also recommendations for implementing actions to be carried out by local governments, businesses, private citizens and other organizations. [1989 c.908 §6]

Sec. 7. (1) The Oregon Progress Board shall, in its adopted strategy, include a series of goals for Oregon's progress over the next two to three decades.

(2) Goals shall include such measurable indicators of attainment as the board shall determine which show the extent to which each goal is being achieved.

(3) Goals shall be reviewed by the Legislative Assembly which may, by joint resolution, adopt, modify, delete or add to these goals. Any goals adopted by the Legislative Assembly shall become the goals used by the board in its subsequent activities.

(4) Subsequent to the legislative review and adoption of goals, the board may recommend such modifications to the goals as it deems appropriate. [1989 c.908 §7]

Sec. 8. The Oregon Progress Board shall prepare, at least once each biennium, a report which describes Oregon's progress towards achievement of the board's strategy, based on the specific measures the board has adopted for measuring the attainment of strategic goals. The report shall include an analysis of issues and trends of strategic significance and shall propose an agenda which identifies key steps Oregon should take over the following two years to build for Oregon's future. In developing the report required by this section, the Oregon Progress Board shall consider the criteria contained in ORS 184.004 (3)(a) to (e). [1989 c.908 §8]

Sec. 9. Sections 1 to 8 of this Act are repealed July 1, 1991. [1989 c.908 §9]

184.260 [1961 c.137 §§1, 2, 3, 4, 5, 1961 c.716 §1; 1963 c.589 §1; renumbered 273 380]

JOB TRAINING

184.280 Legislative findings on job training. The Legislative Assembly finds that job training is an essential component in promoting the economic development of Oregon and the economic well-being of the citizens of this state. Therefore, the Legislative Assembly declares that it is the policy of this state to promote the coordinated provision of education, employment and job training to achieve the following goals:

(1) Develop the human resources of Oregon, by preparing citizens for careers and job opportunities which will provide for their long-term economic security;

(2) Aid the economically disadvantaged citizens of this state to attain long-term self-sufficiency, especially those living in distressed rural and inner city areas;

(3) Coordinate the delivery of all employment, job training, retraining, apprenticeship training and related educational programs to assure the efficient and effective provision of needed services;

(4) Promote local initiative and innovation to flexibly and responsibly meet the special needs of businesses and individuals in different regions of the state;

(5) Promote employee and employer participation in efforts to improve productivity, through improvements in worker skills and management practices thereby enhancing the competitiveness of Oregon's workforce;

(6) Provide retraining assistance to workers displaced by the changing economy, particularly older workers; and

(7) Promote expansion of the state's economy consistent with the following criteria:

(a) Increase the number of family wage jobs in this state.

(b) Promote economic recovery in small cities heavily dependent on a single industry.

(c) Emphasize development in underdeveloped rural areas of this state.

(d) Utilize the educational resources available at community colleges and other higher education institutions.

(e) Support the development of the state's small businesses, especially businesses owned by women and members of minority groups.

(f) Encourage the use of Oregon's human and natural resources in endeavors which harness Oregon's economic comparative advantages.

(g) Assist businesses selling goods and services in markets for which national or international competition exists. [1987 c 77 §1]

184.285 Oregon State Job Training Coordinating Council; members; council status. (1) The Oregon State Job Training Coordinating Council is established to assist the Governor in implementing and overseeing job training programs pursuant to the Job Training Partnership Act (P.L. 97-300 as amended, 29 U.S.C. 1501 et seq.).

(2) The Oregon State Job Training Coordinating Council shall consist of members appointed by the Governor, consistent with the requirements of the Job Training Partnership Act.

(3) The Oregon State Job Training Coordinating Council shall be this state's job

training coordinating council required under 29 U.S.C. 1532.

(4) The Economic Development Department shall be the administrative agency for the State of Oregon for all other purposes of the Job Training Partnership Act (P.L. 97-300, as amended, 29 U.S.C. 1501 et seq.). [1987 c.77 §4]

EXECUTIVE DEPARTMENT

184.305 Executive Department; transfer of authority from other agencies; divisions. (1) By transformation of the Department of Finance that has operated under ORS chapter 291, chapter 80, Oregon Laws 1969, establishes in the executive-administrative branch of the government of the state a coordinative, directive department to be known as the Executive Department.

(2) Chapter 80, Oregon Laws 1969, transfers to the department:

(a) The functions of the Department of Emergency Services that has operated under ORS 401.015 to 401.580 and 401.990;

(b) The functions of the Intergovernmental Coordinator who has operated under ORS 190.310 to 190.340; and

(c) The functions of personnel program development and other nonappellate personnel functions of the Civil Service Commission that has operated under ORS chapter 240.

(3) Initially, the department shall include the following divisions and offices:

(a) Budget Division.

(b) Management Systems Division.

(c) Accounting and Data Systems Division.

(d) Personnel Division.

(e) Emergency Management Division.

(f) Planning Division.

(g) Intergovernmental Coordination Division.

(h) Office of Legislative Liaison.

(i) Office of Economic Analysis.

(j) Office of Committee Coordination. [1969 c.80 §1 (1), (2), (3); 1971 c 57 §9]

184.310 [1965 c.299 §1; renumbered 390 010]

184.315 Director of Executive Department; confirmation; compensation; bond. (1) The department shall be under the supervision and control of a director, who shall be responsible for the functions of the department. The Governor may, however, assume the office of director of the department whenever and for whatever time the Governor deems advisable, but shall receive no increased compensation for doing so.

(2) Subject to confirmation by the Senate in the manner provided in ORS 171.562 and 171.565, the Governor shall appoint the director, who shall hold office at the pleasure of the Governor. The person appointed as director shall be well qualified by training and experience to perform the functions of the office.

(3) An appointed director of the department shall receive such salary as is provided by law or, if not so provided, as is fixed by the Governor.

(4) Before entering upon the functions of office, the director shall give to the state a fidelity bond with one or more corporate sureties authorized to do business in this state in the penal sum fixed by the Governor. [Formerly 291.007; 1973 c.792 §4]

184.325 Duties of director; administrative divisions; appointive power; exception. (1) The Director of the Executive Department, with the approval of the Governor, shall organize and reorganize the department in the manner the director considers necessary to conduct the work of the department properly.

(2) The functions of the department may be divided into administrative divisions or staff offices. Each division or office shall be under the supervision of a person appointed by the director, with the approval of the Governor. The appointee shall serve at the pleasure of the director, not be subject to the State Personnel Relations Law, and be well qualified by technical training and experience in the functions the appointee is to perform. [Formerly 291.005; 1979 c.468 §27]

184.335 Deputy director; subordinate officers. (1) With the approval of the Governor, the director may appoint a deputy director who shall serve at the pleasure of the director, not be subject to the State Personnel Relations Law, and have full authority to act for the director, subject to the control of the director. The appointment of the deputy director shall be by written order, filed with the Secretary of State.

(2) Except as provided in ORS 184.325 and subsection (1) of this section, the director, subject to applicable provisions of the State Personnel Relations Law, shall appoint all subordinate officers and employees of the department, prescribe their functions and fix their compensation. [Formerly 291.009]

184.340 Rules. The department, with the approval of the Governor, may make reasonable rules and regulations that are necessary or proper for the administration of the laws that the department is charged with administering. [Formerly 291.013]

184.345 Executive Department to provide services to certain agencies on reimbursable basis. The Executive Department shall provide such administrative and other services to the Department of Corrections, the Mental Health and Developmental Disability Services Division and the State Board of Education as such divisions, Department of Corrections and the Executive Department may agree on a reimbursable basis. [1969 c.597 §268, 1987 c.320 §143]

184.355 [1969 c.597 §5, repealed by 1983 c.740 §45]

OREGON CRIME PREVENTION RESOURCE CENTER

184.405 Definitions for ORS 184.407 to 184.411. As used in ORS 184.407 to 184.411, unless the context requires otherwise:

(1) "Center" means the Oregon Crime Prevention Resource Center.

(2) "Coordinator" means the Coordinator of the Oregon Crime Prevention Resource Center. [1989 c.1067 §1]

184.407 Duties of center. The Oregon Crime Prevention Resource Center is created within the Executive Department. The center shall:

(1) Develop, plan and carry out a comprehensive, long-range, integrated program, implemented by local crime prevention councils, that will mobilize all Oregon residents, including the youth of this state, in a year-round preventive effort to reduce both crime and delinquency;

(2) Provide a mechanism to support, unify, promote, implement and evaluate crime prevention efforts;

(3) Act as a clearinghouse for crime prevention efforts;

(4) Provide a means by which local enforcement and prevention related agencies, civilian personnel and the education community may acquire the resource materials, technical assistance, knowledge and skills necessary to develop, implement and evaluate crime prevention and intervention programs;

(5) Provide ongoing, programmatic support to crime prevention efforts of local law enforcement and crime prevention councils, enabling them to develop programs within their jurisdiction or community;

(6) Assist local law enforcement agencies and crime prevention councils to increase the awareness of communities, businesses and governments regarding the need for crime prevention while offering information on current and future programming in their communities and in this state;

(7) Increase the availability of resource materials that may be utilized by local crime

prevention programs, analyze data, evaluate needs and develop specific crime prevention strategies;

(8) Coordinate the efforts of law enforcement agencies and local crime prevention councils and programs to prevent the victimization of children by criminal acts and to prevent the occurrence of criminal behavior by children and young persons through educational programs; and

(9) Operate as a resource for local governments and upon the request of any local agency shall:

(a) Provide technical assistance and crime prevention programs in the form of onsite visits, resource development and distribution, consultation, community resource identification, utilization, training and promotion of crime prevention programs or activities;

(b) Review master copies of materials and resources, with the concurrence of any Oregon crime prevention association, for the purpose of increasing program efficiency, effectiveness and consistency;

(c) Provide assistance in increasing the knowledge of community, business and governmental leaders concerning the theory and operation of crime prevention and how their involvement will assist in efforts to prevent crime;

(d) Provide resource materials to and assistance in developing the skills of local law enforcement personnel, which materials and skills are necessary to create successful crime prevention strategies that meet the needs of specific regions and communities throughout the state;

(e) Act as a liaison between local, state and national agencies concerning crime prevention issues; and

(f) Coordinate efforts with any state-wide crime prevention association and receive from the association advice and direction for the operation of the center and related activities. [1989 c.1067 §2]

184.409 Coordinator; appointment; salary; authority. (1) The center is under the supervision and control of the coordinator who is responsible for the performance of the duties, functions and powers of the center.

(2) The Governor shall appoint the coordinator who shall have experience and knowledge in the area of crime prevention and who holds office at the pleasure of the Governor.

(3) The coordinator shall receive a salary as provided by law or, if not so provided, as prescribed by the Governor.

(4) The coordinator is authorized to solicit, receive and expend grants, including matching grants, from private sources to aid in carrying out the provisions of ORS 184.405 to 184.411. [1989 c.1067 §3]

184.410 [Formerly 182.410; amended by 1965 c.416 §1; 1969 c.593 §33; repealed by 1969 c.653 §1]

184.411 Advisory committee; meetings; compensation. (1) To aid and advise the coordinator in the performance of the functions of the center, an advisory committee shall be established. The committee shall consist of 15 members. The Governor shall appoint 13 members representing law enforcement agencies, state and local crime prevention organizations, parents' groups, educational organizations, business, the criminal defense bar and the general public. The President of the Senate shall appoint one Senator to serve as a member. The Speaker of the House of Representatives shall appoint one Representative to serve as a member.

(2) The committee shall meet at such times and places as shall be determined by the coordinator.

(3) Legislative members shall receive no compensation or per diem for services as members but may receive actual and necessary travel and other expenses under ORS 171.072 from funds appropriated to the Legislative Assembly. Other members of the committee shall be entitled to expenses as provided in ORS 292.495. [1989 c.1067 §4]

COMMUNITY POLICING DEMONSTRATION PROJECTS

184.413 Grant program; eligibility; project elements. (1) The Executive Department may administer a grant program for state-wide community policing demonstration projects. The Executive Department shall award grants on the basis of appropriateness and effectiveness and shall consider geographic and demographic factors in making the awards.

(2) To be eligible for a grant, a community must:

(a) Demonstrate interaction between its citizens and the police; and

(b) Have initiated planning for innovative police strategies that are problem oriented, proactive and community based.

(3) A community must submit to the Executive Department a proposal that provides the details of the community policing project the community intends to implement. The project shall contain the following elements:

(a) Community involvement, including involving neighborhood associations, business groups, churches and other civic organ-

izations in establishing priorities for anticrime efforts involving the police and other community agencies and providing recognition of and police support to citizen-based anticrime efforts including, but not limited to, block watches, task forces and alternative programs;

(b) Problem-solving orientation;

(c) Community-based deployment strategies that fit the community's problems, financial limitations and priorities, as jointly determined by the citizens of the community, the elected officials and the police; and

(d) Increased accountability of the police to the citizens. [1989 c.981 §1]

184.415 Evaluation of projects. The Executive Department shall evaluate the demonstration projects to determine their effectiveness. [1989 c.981 §2]

184.417 Training program for local law enforcement units. The Executive Department may administer a training program for local law enforcement units on community, problem-oriented policing. The training shall include, but not be limited to, familiarizing police officers with the problem-oriented policing model of scanning for problems in the community, analyzing and responding to the problems and assessing the results. [1989 c.981 §3]

184.420 [Formerly 182.420, repealed by 1969 c.653 §1]

184.430 [Formerly 182.430; 1965 c.416 §2; repealed by 1969 c.653 §1]

184.440 [Formerly 182.440; repealed by 1969 c.653 §1]

184.450 [Formerly 182.450, repealed by 1969 c.653 §1]

184.460 [1957 c.664 §1; 1959 c.465 §1, renumbered 542.710]

184.470 [1957 c.664 §2, 1959 c.465 §2; renumbered 542.720]

184.510 [1963 c.580 §1, repealed by 1987 c.414 §172]

184.520 [1963 c.580 §2; 1971 c.57 §10, 1971 c.505 §8; 1971 c.753 §3; 1975 c.429 §1, 1981 c.320 §1, 1985 c.762 §1; repealed by 1987 c.414 §172]

184.530 [1963 c.580 §3; 1969 c.695 §3, 1985 c.565 §21, repealed by 1987 c.414 §172]

184.540 [1963 c.580 §5, 1965 c.597 §5; repealed by 1987 c.414 §172]

184.545 [1971 c.753 §7, repealed by 1987 c.414 §172]

184.550 [1963 c.580 §6, repealed by 1987 c.414 §172]

184.560 [1963 c.580 §4; repealed by 1987 c.414 §172]

184.565 [1985 c.383 §7; repealed by 1987 c.414 §173]

184.570 [1963 c.580 §7; 1965 c.597 §6; repealed by 1987 c.414 §173]

184.575 [1971 c.753 §1; renumbered 670.275]

184.577 [1985 c.383 §9; repealed by 1987 c.414 §172]

184.580 [1971 c.753 §6, 1973 c.387 §26; repealed by 1975 c.429 §2]

184.590 [1971 c.753 §4; repealed 1981 c.320 §5]

184.595 [1971 c.753 §5; 1973 c.832 §1; repealed 1981 c.320 §5]

DEPARTMENT OF TRANSPORTATION

(Generally)

184.610 Definitions for ORS 184.610 to 184.647. As used in ORS 184.610 to 184.647, unless the context requires otherwise:

(1) "Commission" means the Oregon Transportation Commission.

(2) "Department" means the Department of Transportation.

(3) "Director" means the Director of Transportation. [1969 c.599 §1, 1973 c.249 §1]

184.612 Oregon Transportation Commission; confirmation; qualifications; term; compensation and expenses. (1) There is established the Oregon Transportation Commission consisting of five members appointed by the Governor, subject to confirmation by the Senate pursuant to section 4, Article III, Oregon Constitution. The Governor shall appoint members of the commission in compliance with all of the following:

(a) Members shall be appointed with consideration of the different geographic regions of the state with one member being a resident of the area east of the Cascade Range.

(b) Not more than three members shall belong to one political party. Party affiliation shall be determined by the appropriate entry on official election registration cards.

(2) The term of office of each member is four years. Before the expiration of the term of a member, the Governor shall appoint a successor whose term begins on July 1, next following. A member is eligible for reappointment. In case of a vacancy for any cause, the Governor shall appoint a person to fill the office for the unexpired term.

(3) A member of the commission is entitled to compensation and expenses as provided by ORS 292.495. [1973 c.249 §3, 1981 c.545 §3, 1983 c.428 §1]

184.613 Officers; quorum; meetings; effect of vacancy; seal. (1) The Governor shall appoint one of the commissioners as chairman, and another as vice-chairman. The chairman and vice chairman shall have such terms, duties and powers as the commission determines are necessary for the performance of such offices.

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

(3) The commission shall meet at least once a month, at a time and place determined by the commission. The commission shall also meet at such other times and places as are specified by the call of the chairman or of a majority of the commission.

(4) No vacancy shall impair the right of the remaining commissioners to exercise all the powers of the commission, except that three members of the commission must agree in the selection, vacation or abandonment of state highways, and in case the commissioners are unable to agree the Governor shall have the right to vote as a member of the commission.

(5) The commission may provide an official seal. [1973 c.249 §§4, 9, 1979 c.293 §1]

184.615 Department of Transportation; divisions. (1) The Department of Transportation is established.

(2) The Department of Transportation shall consist of the director, deputy directors and assistant directors of the department and all personnel employed in the department. The department shall consist of:

- (a) Aeronautics Division.
- (b) Highway Division.
- (c) Motor Vehicles Division.
- (d) Public Transit Division.
- (e) Oregon Board of Maritime Pilots.

(3) Each division shall be under the supervision and control of a chief administrative officer appointed by the director with the approval of the commission. A division administrator shall be in the unclassified service for purposes of the State Personnel Relations Law. A division administrator, with the approval of the director, may organize and reorganize the division to improve the administration of the work of the division. [1969 c.599 §2; 1973 c.249 §15; 1975 c.371 §5; 1979 c.186 §4; subsection (4) enacted as 1981 c.700 §2; 1983 c.324 §13; 1987 c.414 §88; 1989 c.904 §28]

184.616 Department powers given commission; service of summons. (1) Notwithstanding any other provisions of law, the Oregon Transportation Commission has the power to adopt any rules, establish any policy or exercise any other duty, function or power where a statute gives such power to the Department of Transportation.

(2) Where service of summons or other process is required by statute to be served on the Director of the Department of Transportation, the Department of Transportation or the Oregon Transportation Commission, such service shall be made upon the office of the director. [1979 c.186 §§2, 3]

184.617 Functions of commission and department. (1) It is the function of the commission to establish the policies for the operation of the department in a manner consistent with the policies and purposes of ORS 184.610 to 184.647. In addition, the commission shall perform any other duty vested in it by law.

(2) The commission shall keep complete and accurate records of all the meetings, transactions and business of the commission at the office of the department.

(3) The commission shall have general power to coordinate and administer programs relating to aeronautics, highways, motor vehicles, public transit and such other programs related to transportation as may be assigned by law to the department.

(4) The department shall be the recipient of all federal funds paid to or to be paid to the state to enable the state to provide the programs and services assigned to the department. [1973 c.249 §10, 1979 c.186 §5, 1989 c.904 §50]

184.618 Duties of commission and divisions in preparing and implementing state transportation policy. (1) As its primary duty, the Oregon Transportation Commission shall develop and maintain a state transportation policy and a comprehensive, long-range plan for a multimodal transportation system for the state which encompasses economic efficiency, orderly economic development, safety and environmental quality. The plan shall include, but not be limited to, aviation, highways, mass transit, pipelines, ports, rails and waterways. The plan shall be used by all agencies and officers to guide and coordinate transportation activities and to insure transportation planning utilizes the potential of all existing and developing modes of transportation.

(2) Each division shall prepare plans to carry out its responsibility and collect, summarize and analyze information concerning the condition and usage of the service provided. Each division shall compile such information in a form suitable for use by the director in the planning activities of the department.

(3) As the plan is developed by the commission, the director shall prepare and submit to the commission for approval, implementation programs. Work approved by the commission to carry out the plan shall be assigned to the appropriate division for design, construction, maintenance and operation of the facility.

(4) The director and members of the commission shall give economic development and the provisions of industrial site services priority in fund allocation decisions. [1973 c.249 §12; 1983 c.362 §1; 1983 c.553 §1]

184.619 Rulemaking authority; orders. In accordance with the applicable provisions of ORS 183.310 to 183.550, the commission shall adopt such rules and orders as it considers necessary and proper in performing the functions vested by law in the commission. [1973 c.249 §11; 1981 c.418 §1]

184.620 Director of Transportation; confirmation; subordinates. (1) The department shall be under the supervision of a Director of Transportation who shall be appointed by and shall hold office at the pleasure of the commission.

(2) The appointment of the director shall be subject to confirmation by the Senate in the manner provided by ORS 171.562 and 171.565.

(3) The director may appoint:

(a) Deputy directors with full authority to act for the director, but subject to the director's control. The appointment of a deputy director shall be by written order filed with the Secretary of State. A deputy director shall be in the unclassified services for purposes of the State Personnel Relations Law.

(b) Assistant directors as the director determines necessary to carry out the responsibilities of the department. The director may delegate to and assign to an assistant director any powers and responsibilities the director determines to be necessary. Assistant directors are in the unclassified services for purposes of the State Personnel Relations Law.

(c) All subordinate officers and employees of the department and may prescribe their duties, assignments and reassignments and fix their compensation, subject to any applicable provisions of the State Personnel Relations Law. [1969 c.599 §3; 1969 c.599 §3a; 1973 c.249 §16; 1979 c.186 §6]

184.625 Compensation and expenses of director and subordinates. The director and any deputy directors shall receive such salary as may be provided by law or as fixed by the commission. In addition to salaries, the director, deputy directors or assistant directors, subject to the limitations otherwise provided by law, shall be reimbursed for all reasonable expenses necessarily incurred in the performance of official duties. [1969 c.599 §4; 1973 c.249 §17; 1979 c.168 §7]

184.630 Departmental assistance to divisions. (1) Except as otherwise provided by law, the department shall provide a research program for divisions within the department, using the staffs of such divisions for development of solutions to such needs as might arise.

(2) The director may provide administrative facilities and services for the divisions within the department. [1969 c.599 §5; 1973 c.249 §19]

184.633 Duties of director; delegation; bonds for employees. (1) Subject to policy direction by the commission, the director shall:

(a) Be the administrative head of the department;

(b) Have power, within applicable budgetary limitations, and in accordance with ORS chapter 240, to hire, assign, reassign and coordinate personnel of the department and prescribe their duties and fix their compensation, subject to the State Personnel Relations Law;

(c) Administer the laws of the state concerning transportation; and

(d) Intervene, as authorized by the commission, pursuant to the rules of practice and procedure, in the proceedings of state and federal agencies which may substantially affect the interest of the consumers and providers of transportation within Oregon.

(2) In addition to duties otherwise required by law, the director shall prescribe regulations for the government of the department, the conduct of its employees, the assignment and performance of its business and the custody, use and preservation of its records, papers and property in a manner consistent with applicable law.

(3) The director may delegate to any of the employees of the department the exercise or discharge in the director's name of any power, duty or function of whatever character, vested in or imposed by law upon the director. The official act of any such person so acting in the director's name and by the authority of the director shall be considered to be an official act of the director.

(4) The director shall have authority to require a fidelity bond of any officer or employee of the department who has charge of, handles or has access to any state money or property, and who is not otherwise required by law to give a bond. The amounts of the bond shall be fixed by the director, except as otherwise provided by law, and the sureties shall be approved by the director. The department shall pay the premiums on the bonds. [1973 c.249 §18]

184.634 Disposition of real property by department. Notwithstanding the provisions of ORS 273.201 to 273.216, the commission may establish by rule procedures and criteria for:

(1) The advertisement for sale of real property by the department;

(2) The disposition of real property by the department after an auction at which no satisfactory bids were received; and

(3) The disposition by the department of real property that:

(a) Has minimal value and is useful only to adjacent property owners; or

(b) May not, because of local land use ordinances, be disposed of to anyone other than adjacent property owners. [1989 c.499 §2]

184.635 Reports to Governor; delegation of powers. (1) The commission shall develop and report to the Governor on legislative, budgetary and administrative programs to accomplish comprehensive, long-range, coordinated planning and policy formulation in the matters of public interest related to transportation. To accomplish this end, the commission may hold public hearings, consult with and use the services and cooperation of other state and federal agencies, employ consultants and appoint advisory and technical committees to assist in the work.

(2) Whenever a power is granted to the commission the power may be exercised by such officer or employee within the department as is designated in writing by the commission. Any such designation shall be filed in the office of the Secretary of State. [1969 c.599 §6; 1973 c.249 §14]

184.636 Revolving funds; disbursements; payment of claims and expenses of other state agencies. (1) Upon approval of the State Treasurer and the Executive Department, the department may establish revolving funds in the State Treasury. These funds may be used as depository accounts.

(2) Disbursements may be made by check signed by such person as delegated by the director. Disbursements shall be made only in payment of claims authorized by law for the ordinary expenditures of the department or any of its divisions. The department shall keep accurate account of which funds any expenditures are debited or credited to and of any interest income which may be due.

(3) Upon approval of the Executive Department and the State Treasurer, the department may write checks upon the State Treasury to pay for claims and expenditures of other state agencies not a part of the department. The Executive Department shall draw up warrants for the amounts paid separately or in aggregate.

(4) Moneys in the account established under subsection (1) of this section may be held as petty cash or carried by the State Treasurer to be disbursed in accordance with subsection (3) of this section. [1989 c.345 §5]

184.637 Departmental fiscal officer. The director shall designate a fiscal officer for the department who shall:

(1) Provide for sound financial management systems, including all accounting, budgetary and financial control functions for the department.

(2) Prepare financial reports as required by statute or as required by the director.

(3) Act in an advisory capacity to the director in all financial matters and perform such other duties and responsibilities with respect to accounting procedures and other like duties and responsibilities as the director considers advisable.

(4) By the end of the calendar year, prepare and submit to all divisions for which accounting services were performed a report of all funds received during the last completed fiscal year by each division, the sources from which funds were received, the expenditures and disbursement of the funds and the purpose for which they were expended. [1973 c.249 §20; 1979 c.293 §2, 1989 c.345 §1]

184.638 Functions provided by fiscal officer. The fiscal officer for the department may provide or contract for the provision of the following functions for each division of the department:

(1) Operation of an adequate accounting system in order that all revenues and expenditures may be properly recorded and maintained.

(2) Partial payment on contracts based upon estimates of completion.

(3) Preparation of vouchers covering claims for all salaries and expenses and other expenditures which are authorized by the director. Claims approved by the director shall be indorsed by the director or the director's designee and presented for payment.

(4) Preparation of a monthly payroll in which the department shall record the name of each employee, the rate of salary or wages, the capacity in which each person is employed and the amount due each employee. The payroll shall be verified by the fiscal officer. After payment, payroll checks shall be retained by the department, and shall constitute a full receipt of the payment for services rendered. The department may draw payroll checks against appropriate departmental accounts.

(5) Such other functions as the director may deem necessary for the sound fiscal administration of the department. [1989 c.345 §3]

184.639 Internal auditor. The director shall designate an internal auditor for the department who shall perform internal audits of all divisions of the department and report findings to the director. [1989 c.345 §4]

184.640 Transportation Administration Account; budget and payment for administrative expenses of department. (1) There is established, separate and distinct from the General Fund, the Transportation Administration Account.

(2) Notwithstanding any other law, such amounts as may be necessary to pay the administrative expenses of the department shall be continuously credited to the Transportation Administration Account from the biennial appropriations or transferred to such administration account from the accounts or funds, of the divisions and other agencies within the department. Such amounts as may be requested quarterly by the director, with the approval of the Executive Department, shall be so credited or transferred to the Transportation Administration Account. The department is subject to the allotment system provided for in ORS 291.234 to 291.260.

(3) The amounts credited and transferred to the Transportation Administration Account shall not be greater than the total of any budget approved for the department by the Legislative Assembly and shall be determined by prorating the costs of the office of the director among the respective divisions and agencies within the department. All moneys appropriated, credited or transferred to the Transportation Administration Account are appropriated continuously to pay the administrative expenses of the department. Interest earned by the account shall be credited to the account. [1969 c.599 §7; 1973 c.249 §21, 1989 c.966 §5]

184.645 Department of Transportation Working Capital Account; data processing and photocopy equipment and services. (1) There is hereby established an account, separate and distinct from the General Fund, to be known as the Department of Transportation Working Capital Account, which account is appropriated continuously for, and shall be used for, the purpose of acquiring data processing, word processing and photocopy equipment and services. Interest earned by the account shall be credited to the account.

(2) The cost to the department of providing data processing, word processing and photocopy services, including labor, facilities, materials, overhead, administrative cost, the lease or purchase cost of the equipment and depreciation, to any state agency, including itself, which is to be charged, in part or whole to the agency or unit served may be advanced out of the Department of Transportation Working Capital Account. The costs advanced from the account shall be reimbursed to the account from the charges paid to the department by the agency or unit served. [1979 c.380 §§2, 3; 1981 c.306 §1; 1989 c.966 §6]

184.647 Transfer of funds to working capital account; retransfer; use of remainder. In order to facilitate financing the costs advanced under ORS 184.645 (2), the

department may at any time during the biennium transfer to the Department of Transportation Working Capital Account such amounts as it considers necessary from funds available to the department for a biennial period. Funds transferred shall be retransferred from the Department of Transportation Working Capital Account by the department to the fund from which the original transfer was made prior to the last day of each biennial period. All or part of the funds remaining in the working capital account at the end of any biennium may remain in the account beyond the end of the biennium for the acquisition of data processing, word processing and photocopy equipment and services. [1979 c.380 §4, 1981 c.306 §2]

184.648 Revolving Fund. The Central Services Division of the Department of Transportation may establish a revolving fund, separate and distinct from the General Fund, not to exceed the aggregate amount of \$5,000. Interest earned by the fund shall be credited to the fund. [1983 c.136 §4; 1989 c.966 §7]

Note: 184.648 was enacted into law by the Legislative Assembly but was not added to or made a part of ORS chapter 184 or any series therein by legislative action. See Preface to Oregon Revised Statutes for further explanation

184.650 [1981 c.700 §1; repealed by 1983 c.324 §59]

184.655 [1981 c.700 §3; repealed by 1983 c.324 §59]

(Public Transit Division)

184.670 Purpose of ORS 184.670, 184.675 and 184.685 to 184.733. It is the purpose of ORS 184.675, 184.685 to 184.733 and this section:

(1) To provide a means of state financial assistance and coordination to meet the state's most pressing mobility needs and to make transportation an effective and responsive force in achieving goals for social, economic and environmental development, and conservation of critical resources.

(2) To foster the development of an integrated transportation system in which each component or mode, such as air, bus, rail or para-transit is encouraged to perform in a coordinated and complementary manner with other components or modes, and in balance with the public need and economic and social constraints.

(3) To encourage more effective participation by the private sector in providing coordinated public transportation.

(4) To provide for optimum and broader uses of federal funds as they become available.

(5) To promote the continuation and development of privately owned intercity common carriers of passengers. [1977 c.230 §1]

184.675 Definitions for ORS 184.670 to 184.733. As used in ORS 184.670 to 184.733, unless the context requires otherwise:

(1) "Director" means Director of Transportation.

(2) "Public Transit Division" or "division" means the Public Transit Division of the Department of Transportation.

(3) "Department" means the Department of Transportation.

(4) "Operating agreement" means an agreement for the operation or maintenance on behalf of the department of all or part of a public transportation system, but does not include agreements by which the department provides only financial or technical assistance or transportation facilities or equipment and which do not control routes, rates or levels of service, or agreements under which such control is exercised by the Federal Government through the department.

(5) "Public transportation system" means any form of passenger transportation system, whether or not for hire, including but not limited to air, rail, other fixed guideway, bus, jitney, taxi and dial-a-ride passenger transportation systems within, between and outside of urban and urbanized areas, and including related passenger terminal facilities and motor vehicle parking facilities.

(6) "Person" means the United States or any state or any department or agency of any of the above, or any nonprofit corporation or entity or any other individual, corporation or entity, either public or private.

(7) "Bus" means a motor vehicle designed for carrying 15 or more passengers, exclusive of the driver, and used for the transportation of persons.

(8) "Public transportation entity" includes a city, county, transportation district, mass transit district, metropolitan service district or private nonprofit corporation operating a public transportation system. [1969 c 599 §50, 1973 c.249 §23, 1977 c 230 §2; 1981 c 224 §1; 1989 c.171 §24]

184.680 Public Transit Division. Subject to ORS 184.615 (2), the Public Transit Division is continued within the Department of Transportation. The division shall be under the supervision and control of an administrator appointed by the director with the approval of the Oregon Transportation Commission. [1969 c.599 §51, 53; subsection (3) enacted by 1969 c 599 §53a; 1973 c.249 §24]

184.685 Purpose of department. The department may conduct state-wide coordinating, financing, planning, research and development of public transportation systems in this state to insure the most orderly, effi-

cient and economical development of such systems. [1969 c.599 §57; 1973 c.249 §25; 1977 c.230 §7]

184.689 Powers and duties of department. In order to carry out the purposes set forth in ORS 184.685, the department may:

(1) Sue and be sued;

(2) Acquire by purchase, lease, devise, gift or voluntary grant real and personal property or any interest therein, including access rights, and take, hold, possess and dispose of any such property or interest;

(3) Conduct or carry out, subject to any other provision of law, field research, planning, financing, design, construction, acquisition, lease, preservation, or improvement of any public transportation system or any portion thereof, or provide for such activity by entering into agreements with any person or persons principally responsible for the operations of such public transportation system and possessing authority to enter into such agreement;

(4) Enter into any other necessary agreements; employ agents, engineers, consultants and other persons as necessary and fix their compensation;

(5) Construct, acquire, plan, design, maintain and operate passenger terminal facilities and motor vehicle parking facilities in connection with any public transportation system;

(6) Advise and assist in the formulation of overall public transportation policies and plans;

(7) Make necessary studies and render technical assistance to local governments;

(8) Participate in regulatory proceedings affecting public transportation;

(9) Assist local government, private and nonprofit operators of passenger transportation systems in the planning, experimentation, financing, design, construction, acquisition, lease, preservation, improvement, operation and maintenance of public transportation systems. The assistance may include loans, grants, or the provision of equipment or facilities or any rights therein by sale, lease or grant, or special grants to the users of said systems;

(10) Subject to the provisions of ORS 184.705, enter into operating agreements with any person;

(11) Receive and disburse funds from or to any person under contractual terms or according to other authorized state or federal procedures. When more than one carrier provides similar services in the same or related areas or corridors pursuant to a certificate of public convenience and necessity, the department may select a provider of ser-

vice on the basis of written proposals evaluated under criteria established by the Oregon Transportation Commission;

(12) Perform any necessary planning, administration, review or other functions required to be performed by the state or any agency thereof in connection with the allocation and distribution to any person of federal funds pursuant to the Urban Mass Transportation Act of 1964, as amended, or any other federal funding program for public transportation systems; and

(13) Negotiate with existing passenger carriers to preserve or coordinate transportation schedules to upgrade the existing system of intercity transportation. [1977 c.230 §9 (enacted in lieu of 184 700)]

184.690 [1969 c 599 §§54, 55; repealed by 1973 c.249 §91]

184.691 Public Transit Division Account; use of moneys. The Public Transit Division Account is established in the General Fund of the State Treasury. Except as otherwise provided by law, all moneys received by the division, from whatever source, shall be paid into the State Treasury and credited to the account. All moneys in the account are appropriated continuously to the division and shall be used by the division for the purposes authorized by law. [1975 c 522 §6; 1977 c.230 §5]

184.695 [1969 c 599 §56; repealed by 1973 c.249 §91]

184.700 [1971 c.559 §2; 1973 c 249 §26; repealed by 1977 c 230 §8 (184 689 enacted in lieu of 184.700)]

184.705 Operating agreements. (1) The department, in a manner determined by the Oregon Transportation Commission, may enter into operating agreements with any person. The agreements may include, but are not limited to, provisions with respect to:

- (a) Services to be rendered;
 - (b) Routes to be served;
 - (c) Schedules to be provided;
 - (d) Compensation to be paid;
 - (e) Equipment to be used;
 - (f) Points to be served;
 - (g) Terminals to be used;
 - (h) Qualifications of operating employees;
 - (i) Accounting and reporting procedures;
- and
- (j) Termination dates.

(2) To the extent practicable the department shall enter into operating agreements with carriers authorized by the Public Utility Commission to perform passenger transportation services pursuant to ORS chapter 760, 767 or 773.

(3) Operating agreements, as defined in ORS 184.675 (4), as well as agreements pro-

viding for financial assistance or provision of transportation facilities or equipment or proposals by which the Federal Government would itself or through the department exercise control of intrastate routes, rates or levels of service, entered into by the department with persons providing public transportation services under an authorized certificate of public convenience and necessity issued by the Public Utility Commission, shall be submitted to the Public Utility Commission for approval. The Public Utility Commission shall have 120 days from the date of receipt of the agreement to approve or disapprove the agreement. Notice shall be made and a hearing shall be held pursuant to the provisions of ORS chapter 767 to determine whether the execution of the agreement will result in a diminution in the total quantity and quality of passenger transportation service available to the public or impairment of the ability of existing certificated carriers to adequately serve the public. These shall be the sole criteria for approval or disapproval of the agreement.

(4) In connection with the institution of an operating agreement or other agreement to provide a transportation service for which no carrier presently holds a certificate of public convenience and necessity, the department shall select a provider of service on the basis of written proposals, giving preference to existing private carriers who presently provide transportation service in the general area for which the agreement will apply, as provided in paragraph (a) of subsection (1) of this section. The department shall then notify the Public Utility Commission of such agreement prior to the institution of such service. The notice shall contain the terms of the agreement and the Public Utility Commission shall thereupon issue a permit for the operations described in the agreement. Such a permit shall be restricted to the terms of the agreement and shall automatically be revoked upon termination of the operating agreement. Operating agreements with persons not certificated by the Public Utility Commission which result in a new service shall be submitted to the Public Utility Commission for approval in the same manner and subject to same conditions as set forth in subsection (3) of this section. Operations conducted pursuant to a temporary operating arrangement may be considered by the Public Utility Commission in determining public convenience and necessity on subsequent application for permanent authority under ORS chapter 767 or 773, but shall not be given greater weight than the service criteria provided in subsection (3) of this section as this relates to existing certificated carriers.

(5) Persons or vehicles operating under a permit issued pursuant to subsection (4) of this section are exempt from ORS chapters 760, 761, 763, 764, 767 and 773 except for ORS 767.005 to 767.640 as such sections relate specifically to public or employee safety, insurance and bonding and except for ORS 767.700 to 767.905 as such sections may be applicable to persons or vehicles.

(6) Operating agreements with persons otherwise subject to the Public Utility Commission's jurisdiction shall include a provision that the revenues and expenses of the person operating under a permit issued pursuant to subsection (4) of this section shall be separated from the revenues and expenses properly attributable to other intrastate operations of such person.

(7) Except as provided in ORS 184.675 to 184.691, persons providing public transportation services otherwise subject to the Public Utility Commission's jurisdiction shall remain subject to the jurisdiction of the Public Utility Commission, notwithstanding assistance or approval of the department. ORS 184.610 to 184.691 is not intended to extend the jurisdiction of the Public Utility Commission beyond that otherwise granted. [1977 c.230 §13; 1989 c.171 §25]

184.710 When operating agreements prohibited. The department shall not enter into operating agreements with any person for service in competition with service being provided by a mass transit district or transportation district formed under ORS chapter 267 without the consent of such district. [1977 c.230 §15]

184.715 Delegation to divisions in department. At the discretion of the director, any of the activities carried out by the department pursuant to ORS 184.670, 184.675 and 184.685 to 184.733 shall be performed all or in part by any division of the department. [1977 c.230 §14]

184.720 Criteria and standards for evaluation of projects. For the purpose of aiding the development of public transportation systems, the department shall establish criteria and standards for the evaluation of transportation projects considered for assistance under ORS 184.670, 184.675 and 184.685 to 184.733. [1977 c.230 §11]

184.725 Rulemaking. The department shall adopt such rules as are necessary to carry out the provisions of ORS 184.670, 184.675 and 184.685 to 184.733. [1977 c.230 §12]

(Bus Acquisition and Construction)

184.727 [1981 c.224 §3; repealed by 1989 c.867 §1]

184.730 Authority of division on bus acquisition and construction. (1) The division is authorized to institute an acquisition

and construction program which may be financed by state, federal, local or other funds and may be operated in conjunction and cooperation with the Federal Government and public transportation entities.

(2) The division may apply to the Urban Mass Transportation Administration or Federal Highway Administration of the United States Department of Transportation or other federal or state government agency for participation in any acquisition or construction project.

(3) The division may, with the assistance of the Department of General Services or in cooperation with public transportation entities, or both, write specifications for and order public transportation equipment on behalf of any number of public transportation entities, to purchase real estate or to purchase, engineer, design, construct or lease public transportation structures and facilities under this program.

(4) If federal funds are being used to finance any project under this program, the division shall secure assurance from the Federal Government of the availability and amount of federal financial assistance. The division may also secure obligations by the participating public transportation entities that they will manage and operate such public transportation equipment or facilities at the appropriate time and will supply local funding if such is being utilized.

(5) Funding for projects under this section and ORS 184.733 may be with whatever percentage of federal, state or local funds that the Oregon Transportation Commission deems proper. In the event that the federal percentage is changed by legislation, the state and local percentage may be changed by action of the Oregon Transportation Commission. [1981 c.224 §4; 1989 c.867 §2]

184.733 Department of Transportation Transit Equipment Acquisition and Construction Fund; use of fund; sources. (1) There is hereby established an account in the State Treasury, separate and distinct from the General Fund, to be known as the Department of Transportation Transit Acquisition and Construction Fund, which account is appropriated continuously for, and shall be used for, the purposes of acquiring transportation equipment and constructing facilities or participating with public transportation entities in the acquisition or construction of equipment or facilities. All interest, if any, shall inure to the benefit of the fund. In order to facilitate financing of the costs of acquisition or construction, the division may at any time, with Oregon Transportation Commission approval, draw on funds in this account for authorized purposes. The director

may enter into written agreements with public transportation entities that commit the department to pay anticipated funds from the Department of Transportation Transit Acquisition and Construction Fund to public transportation entities for the purpose of financing the costs of acquisition and construction of transportation equipment and facilities, including servicing any obligations entered into by a public transportation entity to finance transportation equipment and facilities, which written agreements may provide for the remittance of such funds on such periodic basis, in such amounts, over such period of years and with such priority over other commitments of such funds as the director shall specify in the agreements. Any such written agreement or commitment when executed by the director and accepted by a public transportation entity shall be solely conditioned upon actual funds available in the Department of Transportation Transit Acquisition and Construction Fund and shall be valid, binding and irrevocable in accordance with its terms.

(2) The division may utilize moneys in the fund to purchase or lease new or rebuilt busses and other public transportation equipment, to purchase real estate or to purchase, lease or construct facilities for future sale to public transportation entities either for cash or by instalment contract, but no instalment contract shall be for more than five years and the balance shall bear interest at a rate indicated by the monthly earnings of the Oregon Short Term Investment Fund.

(3) The division may take title to and delivery of busses, other public transportation equipment or facilities acquired or built pursuant to this program for eventual transfer to public transportation entities.

(4) The division may from the amount appropriated to the Department of Transportation Transit Acquisition and Construction Fund deduct its costs of developing projects and administering the program authorized by this section and ORS 184.730.

(5) All moneys received by the division from the sale of busses, other public transportation equipment, real estate or facilities shall be placed in the Department of Transportation Transit Acquisition and Construction Fund and subject to budgetary limitations, may be used for the acquisition of additional transportation equipment or facilities. [1981 c 224 §§5, 6, 7; 1989 c 867 §3]

DEPARTMENT OF HUMAN RESOURCES

(Generally)

184.750 Department of Human Resources; functions; recipient of federal

funds. (1) The Department of Human Resources is created.

(2) The Department of Human Resources shall provide programs for the delivery to the public of services relating to public assistance, children and families, health and health-related affairs, mental health and developmental disabilities, employment, vocational rehabilitation, elderly persons, alcohol and drug abuse and such other services as may be assigned to the Department of Human Resources.

(3) The Department of Human Resources shall provide the programs and services enumerated in subsection (2) of this section through the divisions and other organizational units, including but not limited to the following:

- (a) The Adult and Family Services Division;
- (b) The Children's Services Division;
- (c) The Mental Health and Developmental Disability Services Division;
- (d) The Employment Division;
- (e) The Vocational Rehabilitation Division;
- (f) The Health Division;
- (g) The Senior and Disabled Services Division; and
- (h) Alcohol and Drug Abuse Programs.

(4) The Department of Human Resources shall be the recipient of all federal funds paid or to be paid to the state to enable the state to provide the programs and services assigned to the Department of Human Resources. [1971 c.319 §1; 1977 c.267 §1; 1977 c.661 §3, 1981 c.784 §19, 1985 c.740 §11; 1987 c.320 §144, 1989 c.116 §1]

184.755 Director; appointment; term; confirmation; salary and expenses. (1) The Department of Human Resources shall be under the supervision and control of a director who is responsible for providing for programs for the delivery to the public of the services assigned to the department by ORS 184.750 or otherwise, and for undertaking long-range planning necessary for the effective and efficient delivery of these services.

(2) The Governor shall appoint the director for a term of four years, but the director may be removed at any time during such term at the pleasure of the Governor. The appointment of the director is subject to confirmation by the Senate in the manner provided in ORS 171.562 and 171.565.

(3) The director shall receive such salary as may be provided by law or, if not so provided, as may be fixed by the Governor, and shall be reimbursed for all expenses actually and necessarily incurred by the director in

the performance of official duties. [1971 c.319 §2; 1977 c.267 §2]

184.757 Assistant Director for Alcohol and Drug Abuse; duties. (1) The Director of Human Resources shall appoint an Assistant Director for Alcohol and Drug Abuse Programs. The Assistant Director for Alcohol and Drug Abuse Programs shall have full responsibility to administer all alcohol and drug abuse programs, including the funds appropriated therefor, that would otherwise be the responsibility of the Mental Health and Developmental Disability Services Division, including but not limited to programs or components of programs described in ORS 426.450 to 426.470, ORS chapter 430, 475.225, 743.557, 743.558 and ORS chapters 801 to 822.

(2) Subject to ORS 417.300 and 417.305, the Assistant Director for Alcohol and Drug Abuse Programs shall:

(a) Report to the Legislative Assembly on accomplishments and issues occurring during each biennium, and report on a new biennial plan describing resources, needs and priorities for all alcohol and drug abuse programs.

(b) Develop within the Department of Human Resources priorities for alcohol and drug abuse programs and activities.

(c) Monitor the priorities of approved alcohol and drug abuse related programs in all other state agencies.

(d) Conduct state-wide and special planning processes which provide for participation from state and local agencies, groups and individuals.

(e) Identify the needs of special populations including minorities, elderly, youth, women and individuals with disabilities.

(f) As appropriate, apply for, receive and administer funds for study or prevention and treatment of alcohol and drug abuse and dependence.

(g) Subject to ORS 183.310 to 183.550, adopt such rules as are necessary for the performance of the duties and functions specified by this section, ORS 184.750 and 430.255 to 430.630, or otherwise lawfully delegated. [1985 c.740 §2, 1987 c.60 §1; 1989 c.224 §12; 1989 c.834 §10]

184.759 Other duties of assistant director. In addition to the responsibilities in ORS 184.757, the Assistant Director for Alcohol and Drug Abuse Programs shall place special emphasis on all of the following:

(1) Establishing standards for both public and private alcohol and drug abuse prevention, intervention and treatment programs. It is the policy of the Legislative Assembly that all programs providing alcohol and drug abuse related prevention, intervention and treatment services in this state,

with public funds, meet the standards established under this subsection.

(2) Providing training for state employees dealing directly with appropriate client groups to insure better recognition and understanding of alcohol and drug abuse problems. Training is also to be directed at increasing knowledge of appropriate and available resources for assisting clients with alcohol and drug abuse problems.

(3) Conducting continuing long-term evaluation of clients and other recipients of services from all Department of Human Resources funded programs, for periods of up to 24 months following completion of service, to assess service effectiveness and enable appropriate corrective actions.

(4) Assuring financial audits and program reviews of alcohol and drug abuse related programs and services which receive funds, including beer and wine tax revenues distributed under ORS 430.380 and 471.810, from any state agency. [1985 c.740 §3; 1987 c.60 §2]

184.760 Deputy director; assistant directors; other employees. (1) The director may appoint a deputy director, whose appointment is subject to approval by the Governor and who shall serve at the pleasure of the director. The deputy director shall have full authority to act for the director, subject to directions of the director. The appointment of the deputy director shall be by written order, filed with the Secretary of State.

(2) Each division within the Department of Human Resources shall be under the supervision of an assistant director appointed by the director, whose appointment is subject to approval by the Governor and who shall serve at the pleasure of the director.

(3) Except as provided in subsection (1) of this section and subject to any applicable provisions of the State Personnel Relations Law, the director may appoint employees within the office of the director of the department, prescribe their functions and fix their compensation.

(4) In addition to the assistant directors specified in subsection (2) of this section, the director may appoint one assistant director to carry out such other responsibilities as the director may assign. [1971 c.319 §3; 1977 c.267 §8]

184.765 Assistant directors in unclassified service; other employees; salary; expenses. Assistant directors appointed under ORS 184.760 shall be in the unclassified service of the state and shall receive such salaries as may be provided by law. With the approval of the director, each assistant director supervising a division may appoint one deputy and one secretary who shall be in the unclassified service and receive such salaries

as may be provided by law. In addition to their salaries, they shall, subject to the limitations otherwise provided by law, be reimbursed for all expenses actually and necessarily incurred in the performance of official duties. [Formerly 176.630; 1977 c.267 §10]

184.767 Assistant director as appointing authority; assignment of employees by director. (1) For purposes of the State Personnel Relations Law, each assistant director appointed under ORS 184.760, and any other officer specifically designated by law, is considered to be the appointing authority with respect to officers and employees under the supervision of the assistant director or other officer, and ORS 240.400 applies to each such appointing authority.

(2) Notwithstanding subsection (1) of this section, the director at any time may assign an employee from one position to another position in the same class or rank within the department or between its divisions. Upon making such an assignment or transfer, the director forthwith shall give written notice of the action to the Administrator of the Personnel Division. ORS 240.400 applies to the power vested in the director under this subsection. [1977 c 267 §9, 1979 c 468 §28]

184.770 Authority of director; legislative approval required for certain actions by director. (1) The Director of Human Resources, consistent with any federal requirements and with the prior consent of the Governor:

(a) May cause the programs, divisions, other organizational units and offices within the department to make joint use of the personnel, resources, information and facilities available within the department.

(b) May combine or transfer components of existing programs, divisions, other organizational units and offices within the department.

(2) Where the action taken under subsection (1) of this section requires any transfer between appropriations or expenditure limitations or between the budgets of programs, divisions, other organizational units and offices within the department, established by legislative action, the transfer first must be approved by the Legislative Assembly or, if it is not in session, the Emergency Board.

(3) Any organizational changes within the department that are not described in subsection (1) of this section shall be made only after approval thereof by joint resolution of the Legislative Assembly. [1971 c.319 §5; 1977 c 267 §12]

184.773 Delegation of authority of director. (1) The Director of Human Resources

may delegate to any of the officers and employees of the department the exercise or discharge in the director's name of any power, duty or function of whatever character vested in or imposed upon the director by law. However, all such delegations of a continuing nature involving provision for services performed by the department may be exercised by an officer or employee of the department only when specifically designated in writing by the director to do so.

(2) The official act of any person acting in the director's name and by the director's authority pursuant to subsection (1) of this section shall be considered an official act of the director. [1977 c 267 §7]

184.775 Information from personnel within department. (1) The Director of Human Resources shall require from the personnel within the department such information, reports and documentation, as the director, in the discretion of the director, determines will be necessary to enable the director to:

(a) Execute responsibilities pursuant to law.

(b) Develop and report to the Governor from time to time on legislative, budgetary and administrative programs to accomplish comprehensive, long-range, coordinated planning and policy formulation in the matters of public interest related to the department.

(c) File with the Executive Department, for purposes of ORS 291.208, a budget report for each program, division, other organizational unit or office within the department.

(2) Where such information, reports or documentation is confidential in the hands of departmental personnel, it shall be confidential in the hands of the director. [1971 c.319 §6, 1977 c 267 §13]

184.780 Federal law supersedes state law. (1) To the extent that there is any conflict between chapter 319, Oregon Laws 1971, and any federal law referred to or to be administered under chapter 319, Oregon Laws 1971, the federal law in effect on June 8, 1971, is controlling.

(2) In all cases where federally granted funds are involved, the federal laws, rules and regulations applicable thereto shall govern notwithstanding any provision to the contrary in ORS 184.750, 184.755, 184.760 to 184.775, 184.795, 184.800, 411.060 and this subsection. [1971 c.319 §9; subsection (2) enacted as 1977 c.267 §22; 1987 c.660 §16a]

Note: The Legislative Counsel has not, pursuant to 173.160, undertaken to substitute specific ORS references for the words "chapter 319, Oregon Laws 1971" in 184.780. Chapter 319, Oregon Laws 1971, enacted into law and amended ORS sections which may be found by referring to the 1971 Comparative Section Table located in volume 15 of Oregon Revised Statutes.

184.785 Authority of department for performance of support services. (1) The Department of Human Resources may enter into agreements with district attorneys or the Support Enforcement Division for performance of support enforcement services pursuant to federal laws or regulations.

(2) The Department of Human Resources may, if required by federal law or regulation relating to child support programs:

(a) Enter into agreements with the Support Enforcement Division or a district attorney for providing child support services;

(b) Promulgate rules for operation of child support programs under ORS 25.080; or

(c) Provide other services not specified by ORS 23.185, 25.010 to 25.030, 25.050, 25.070, 25.080, 25.350, 108.110, 109.100, 109.125, 418.042 and this section. [1975 c.458 §§7, 16; 1989 c 633 §5]

184.787 Rulemaking. (1) Pursuant to ORS 183.310 to 183.550, the director may adopt such administrative rules as the director considers necessary to carry out the functions of the department.

(2) Notwithstanding any other provision of law, the director by order may delegate authority under subsection (1) of this section to such extent as the director considers proper to assistant directors of the department. [1977 c.267 §4]

184.790 [1975 c.768 §§1, 2; 1977 c.661 §4; renumbered 184.865]

184.795 Department of Human Resources Account. (1) There is established in the General Fund of the State Treasury an account to be known as the Department of Human Resources Account. All moneys in this account are appropriated for and shall be used by the department for the respective purposes authorized by law. The moneys in the account and all appropriations for the account are subject to allotment control by the Executive Department.

(2) The Department of Human Resources shall keep a record of all moneys credited to and deposited in the account. The records shall indicate by separate cumulative accounts the source from which the moneys were derived and the individual activity or program against which each withdrawal is charged.

(3) The unobligated balance in the account on June 30 of each odd-numbered year shall be determined by the department as of September 30 next following, and certified to the Executive Department. Unless otherwise provided by law or action of the Emergency Board, the amount certified pursuant to this subsection shall revert to the General Fund

and become available for general governmental purposes. [1977 c 267 §14]

184.800 Department of Human Resources Special Checking Account. (1) There is established a Department of Human Resources Special Checking Account in the State Treasury. Upon the written request of the Director of Human Resources, the Executive Department shall draw warrants in favor of the Department of Human Resources to be charged against appropriations and other moneys available to the Department of Human Resources in the same manner as other claims against the state, as provided in ORS chapter 293. All such warrants shall be deposited in the special checking account and may be disbursed by check.

(2) The special checking account may be used for the purpose of paying the administrative expenses of programs and services as assigned to the Department of Human Resources by law, including the payment of expenses to be reimbursed by the Federal Government. [1977 c.267 §15]

184.801 State goal to eliminate or alleviate poverty. The State of Oregon desires to assist and enable the poor to achieve maximum feasible economic self-sufficiency. It shall be a state goal to eliminate or alleviate the causes and conditions of poverty in Oregon. The state shall assist community action agencies to stimulate a better focusing of all available local, state, federal and private resources upon the goal. [1989 c.370 §1]

184.802 Community action agency network as delivery system for federal anti-poverty programs; other systems; Oregon Human Development Corporation to receive certain federal funds; State Community Services. (1) The community action agency network, established initially under the federal Economic Opportunity Act of 1964, shall be the delivery system for federal anti-poverty programs in Oregon, including the Community Services Block Grant, Low-income Energy Assistance Program, Department of Energy Weatherization Program and such others as may become available.

(2) Funds for such programs shall be distributed to the community action agencies by the Department of Human Resources, State Community Services with the advice of the Community Action Directors of Oregon.

(3) In areas not served by a community action agency, funds other than federal community services funds may be distributed to and administered by organizations that are found by the Department of Human Resources, State Community Services to serve the anti-poverty purpose of the community action agency network.

(4) In addition to complying with all applicable requirements of federal law, a community action agency shall:

(a) Be an office, division or agency of the designating political subdivision or a not for profit organization in compliance with ORS chapter 65.

(b) Have a community action board of at least nine but no more than 33 members, constituted so that:

(A) One-third of the members of the board are elected public officials currently serving or their designees. If the number of elected officials reasonably available and willing to serve is less than one-third of the membership, membership of appointed public officials may be counted as meeting the one-third requirement;

(B) At least one-third of the members are persons chosen through democratic selection procedures adequate to assure that they are representatives of the poor in the area served; and

(C) The remainder of the members are officials or members of business, industry, labor, religious, welfare, education or other major groups and interests in the community.

(c) If the agency is a private not for profit organization, be governed by the Community Action Board. The board shall have all duties, responsibilities and powers normally associated with such boards, including, but not limited to:

(A) Selection, appointment and dismissal of the executive director of the agency;

(B) Approval of all contracts, grant applications and budgets and operational policies of the agency;

(C) Evaluation of programs; and

(D) Securing an annual audit of the agency.

(d) If the organization is an office, division or agency of a political subdivision, be administered by the board which shall provide for the operation of the agency and be directly responsible to the governing board of the political subdivision. The administering board at a minimum, shall:

(A) Review and approve program policy;

(B) Be involved in and consulted on the hiring and firing of the agency director;

(C) Monitor and evaluate program effectiveness;

(D) Insure the effectiveness of community involvement in the planning process; and

(E) Assume all duties delegated to it by the governing board.

(e) Have a clearly defined, specified service area. Community action service areas shall not overlap.

(f) Have an accounting system which meets generally accepted accounting principles and be so certified by an independent certified accountant.

(g) Provide assurances against the use of government funds for political activity by the community action agency.

(h) Provide assurances that no person shall, on the grounds of race, color, national origin or sex, be excluded from participation in, be denied the benefits of or be subjected to discrimination under any program or activity funded in whole or in part with funds made available through the community action program.

(i) Provide assurances the community action agency shall comply with any prohibition against discrimination on the basis of age under the Age Discrimination Act of 1975 or with respect to an otherwise qualified individual with disabilities as provided in section 504 of the Rehabilitation Act of 1973.

(5) For the purposes of this section, the Oregon Human Development Corporation is eligible to receive federal community service funds and low-income energy assistance funds.

(6) The State Community Services shall:

(a) Administer federal and state anti-poverty programs.

(b) Apply for all available anti-poverty funds on behalf of eligible entities as defined in this section.

(c) In conjunction with the Community Action Directors of Oregon, develop a collaborative role in advocating for, and addressing the needs of, all low income Oregonians.

(d) Biennially produce and make available to the public a status report on efforts by it and state agencies to reduce the incidence of poverty in Oregon. This report shall contain figures regarding the numbers and types of persons living in poverty in Oregon.

(e) On a regular basis provide information to the Community Action Directors of Oregon on the activities and expenditures of State Community Services.

(f) As resources are available, provide resources for technical assistance, training and program assistance to eligible entities.

(g) As resources are available, provide resources for the training and technical assistance needs of the Community Action Directors of Oregon.

(h) Conduct a planning process to meet the needs of low income people in Oregon. That process shall fully integrate the Oregon Human Development Corporation into the anti-poverty delivery system. The planning process shall include development of a plan for minimum level of services and funding for low income migrant and seasonal farm workers from the anti-poverty programs administered by the agency.

(i) Limit its administrative budget in an effort to maximize the availability of anti-poverty federal and state funds for expenditures by local eligible entities. [1985 c.211 §1; 1989 c.224 §13; 1989 c.370 §2]

184.803 Energy Crisis Trust Fund. (1) There is established an Energy Crisis Trust Fund, separate and distinct from the General Fund, in the State Treasury. As permitted by federal court decisions, federal statutory requirements and administrative decisions, funds from the Petroleum Violation Escrow Fund made available to the Department of Human Resources for the Energy Crisis Trust Fund and any gift, grant, appropriation or donation for the purpose of the Energy Crisis Trust Fund shall be deposited by the State Treasurer and credited to the Energy Crisis Trust Fund. The State Treasurer shall credit monthly to the fund any interest or other income derived from the fund or the investing of the fund. All moneys in the fund are continuously appropriated to the department for the purpose of providing low income home energy assistance.

(2) If moneys are donated to the fund for low income energy assistance by a home heating fuel or energy service provider that allows its customers to contribute to the program, that money so donated shall be redistributed through the Energy Crisis Trust Fund only within the service area of that home heating fuel or energy service provider.

(3) The department shall contract with a private nonprofit or public organization or agency for the distribution of moneys in the Energy Crisis Trust Fund. The department or the contractor shall administer and distribute the funds in accordance with:

(a) The Low Income Home Energy Assistance Act of 1981 (42 U.S.C. 8621 et seq.);

(b) The Petroleum Violation Escrow Fund regulations; and

(c) The recommendations of the advisory committee established in ORS 184.804. [1987 c.522 §2; 1989 c.966 §4]

184.804 Advisory committee. (1) The Director of Human Resources shall appoint an advisory committee whose members shall be appointed based on a demonstrated interest in and knowledge of low income energy assistance programs and broadly represen-

tative of organizations, fuel providers and consumer groups that represent low income persons, particularly elderly and disabled persons and have special qualifications with respect to solving the energy consumption problems of low income persons.

(2) The committee shall meet not less than twice a year to advise and assist the Department of Human Resources in regard to rules, regulations, policies and programs regarding low income energy assistance. [1987 c.522 §3; 1989 c.224 §14]

(Children's Services Division)

184.805 Children's Services Division; functions. The Children's Services Division is created in the Department of Human Resources. Subject to ORS 417.300 and 417.305, the division shall administer laws and programs relating to protective services to children, foster care, adoptions, Interstate Compact on Juveniles, restorative services to families with children, licensing of child care facilities and day care centers, the mental health program for children, youth employment programs and services to families and children in compliance with the federal social security laws. [1971 c.401 §1; 1973 c.641 §1; 1989 c.834 §11]

184.807 Services relating to prevention, control and treatment of incest and sexual abuse; fees. (1) The Children's Services Division may provide services related to the prevention, control and treatment of incest and sexual abuse. Those services include, but are not limited to, consultation, counseling, therapy and treatment programs for children who are the victims of incest and sex offenses, their families and the perpetrators of the incest or sex offense.

(2) When the services described in subsection (1) of this section are provided, the Children's Services Division may charge the perpetrator a fee not to exceed the cost of the services. The fee shall vary according to the service provided, and shall be determined and applied through rules adopted by the division.

(3) The amount of fees collected under subsection (2) of this section are continuously appropriated to the division and shall be used to provide the services described in subsection (1) of this section. [1983 c.588 §1]

184.810 Revolving fund. (1) On written request of the Children's Services Division, the Executive Department shall draw warrants on amounts appropriated to the Children's Services Division for operating expenses for use by the division as a revolving fund. The revolving fund shall not exceed the aggregate sum of \$100,000 including unreimbursed advances. The revolving fund

shall be deposited with the State Treasurer to be held in a special account against which the division may draw checks.

(2) The revolving fund may be used by the division to pay for travel expenses for employees of the division and for any consultants or advisers for whom payment of travel expenses is authorized by law, or advances therefor, or for purchases required from time to time or for receipt or disbursement of federal funds available under federal law.

(3) All claims for reimbursement of amounts paid from the revolving fund shall be approved by the division and by the Executive Department. When such claims have been approved, a warrant covering them shall be drawn in favor of the division and charged against the appropriate fund or account, and shall be used to reimburse the revolving fund. [1971 c.774 §15; 1989 c.51 §1]

184.815 Children's Services Account.

(1) There hereby is established in the General Fund of the State Treasury an account to be known as the Children's Services Account. All moneys in the Children's Services Account are appropriated for and shall be used by the Children's Services Division for the respective purposes authorized by law. The moneys in the Children's Services Account shall be subject to allotment made under ORS 291.232 to 291.260 by the Executive Department.

(2) The Children's Services Division shall keep a record of all moneys credited to and deposited in the Children's Services Account. The record shall indicate by separate cumulative accounts the source from which the moneys are derived and the individual activity or program against which each withdrawal is charged.

(3) In addition to sources provided under other laws, the sources of revenues in the Children's Services Account may include recoveries of the cost of care provided to clients, amounts paid to the Children's Services Division by other organizations and state agencies in support of the division's programs and activities and other moneys received by the division which are incidental to its operations. [1971 c.774 §14, 1989 c.50 §1]

184.820 Payment of division expenses.

Warrants shall be drawn by the Executive Department in favor of the Children's Services Division for the aggregate amounts of the division's expenses. The division shall deposit all such warrants in the State Treasury in a checking account in reimbursement of those expenses. The division may draw its checks on the State Treasury in favor of the persons, firms, corporations, associations or counties entitled thereto under such rules as

it shall adopt so as to include in single combined payments for specified periods all moneys allotted to particular payees from various sources for the period. [1989 c.50 §2]

(Health Division)

184.830 Health Division; functions. (1)

The Health Division is created in the Department of Human Resources. The Health Division shall be responsible for the administration of health and health-related affairs in this state as provided by law, including but not limited to public health services, migrant health services, licensing of health facilities, and coordinating the activities of professional and occupational licensing boards.

(2) The Health Division shall provide necessary staff assistance and services to, and shall have full authority and responsibility for, all administrative matters in connection with the functioning of the division.

(3) It is the intention of the Legislative Assembly to provide for the more effective coordination of the administrative functions of boards charged with responsibility for protecting the public through the licensing and regulating of health-related professions practiced in this state. Further, it is the intention of the Legislative Assembly to retain responsibility and authority in the professional licensing boards, members of which are qualified by education, training and experience to make the necessary judgments, for decisions on qualifications, standards of practice, licensing, enforcement, discipline and other discretionary functions relating to professional activities. The professional licensing boards shall have authority to employ such personnel as they consider necessary to carry out their respective functions and shall maintain full budgetary control over the boards' expenditures and their recommendations for legislation including but not limited to appropriations. Expenditures are subject to the allotment system under ORS 291.232 to 291.260 and rules adopted thereunder. Budgets shall be prepared pursuant to ORS 291.202 to 291.226 and rules adopted thereunder. [1971 c.650 §1; 1975 c.730 §1; 1977 c.267 §16]

184.835 Assistant director as ex officio member of certain boards. The Assistant Director for Health, or the designee of the assistant director, shall serve as an ex officio member of all health-related licensing boards in the division, but without the right to vote. However, nothing in this section is intended to authorize the assistant director to intervene in the internal functions and administration of the boards. [1971 c.650 §3, 1975 c.730 §2; 1985 c.565 §22]

184.840 Functions of assistant director. The Assistant Director for Health shall:

(1) Require each licensing board in the Health Division to maintain a register of the names and current addresses of all persons holding valid licenses, certificates of registration or other evidence of authority required to practice the occupation or profession, or operate the facility within the jurisdiction of such board and periodically, as the assistant director may require, to file a copy of the register at the office of the division. Any board that is authorized or required to distribute a register described in this section may collect a fee to cover the costs of publication, such fee to be handled as other receipts of the board are handled.

(2) In consultation with the licensing boards, designate a qualified person in the Health Division as coordinator for the accounting and other processes of the licensing boards who shall be responsible for providing such services as the licensing boards may request. [1971 c 650 §4, 1975 c 730 §3]

TASK FORCE ON ADOLESCENT PREGNANCY

Note: Chapter 671, Oregon Laws 1989, provides:

Sec. 1. The Director of Human Resources shall appoint to a Task Force on Adolescent Pregnancy representatives of the Adult and Family Services Division, the Children's Services Division, the Health Division and the Student Retention Initiative. The Superintendent of Public Instruction shall appoint to the Task Force on Adolescent Pregnancy representatives of the Department of Education and the Division of Vocational Education. The Director of the Economic Development Department shall appoint a representative of the Job Training Partnership Act. The Speaker of the House of Representatives and the President of the Senate shall appoint a representative from each chamber to serve on the task force, as well as representatives from an advocacy organization concerned with the issue of teen pregnancy, the Conference of Local Health Officials, the Commission for Child Care, the Juvenile Services Commission and two persons representing health providers, one specializing in prevention of teen pregnancy and one specializing in services to adolescent parents and their children. [1989 c 671 §1]

Sec. 2. (1) The Task Force on Adolescent Pregnancy shall study the problem of adolescent pregnancy in the State of Oregon. The task force shall compile and analyze information on the various existing adolescent pregnancy programs in the state and shall make recommendations for the implementation of public policies and of a state-wide comprehensive program to combat the problem of adolescent pregnancy. The task force shall consider how coordination and improvement of the service of state and local governmental units, private and voluntary agencies, community organizations and schools which seek to serve adolescents at high risk of pregnancy, pregnant adolescents, adolescent parents and their families can be achieved.

(2) The task force may consider any other questions it considers relevant to the problem of adolescent pregnancies.

(3) The Department of Human Resources shall provide staff and support services within its existing resources. [1989 c.671 §2]

Sec. 3. The Task Force on Adolescent Pregnancy shall report to the directors of appointing agencies with its preliminary program recommendations by May 1, 1990. The task force shall file its final report and recommendations, including but not limited to statutory or administrative changes, if any, to the Sixty-sixth Legislative Assembly by January 1, 1991, by filing copies thereof with the offices of the Speaker of the House of Representatives and the President of the Senate. [1989 c.671 §3]

184.860 [1977 c 661 §1; repealed 1981 c 784 §38]

184.865 [Formerly 184 790, amended by 1981 c 163 §1; 1981 c 784 §20; renumbered 410 090]

184.870 [1977 c 779 §3, renumbered 443 205]

184.875 [1977 c 779 §1, renumbered 443 215]

184.880 [1977 c 779 §2, 1979 c.235 §1; renumbered 443 225]

JOB REFERRALS

184.883 Certain job referrals prohibited; eligibility not conditioned on employment at workplace involved in labor dispute. (1) The Department of Human Resources or any division or office in the department shall not refer any individual on a job referral that would aid in the filling of a job opening that exists because of a labor dispute, as defined in ORS 662.010.

(2)(a) Notwithstanding any other provision of law, no division of the Department of Human Resources, or any other state agency shall require as a condition of eligibility to receive benefits or services provided by that division or agency that an individual apply for or accept employment at any workplace where there is a labor dispute in progress.

(b) As used in this subsection, "labor dispute" has the meaning for that term provided in ORS 662.010. [1987 c.780 §§1, 2]

184.885 [1977 c 846 §1; 1981 c.357 §2; renumbered 108 610]

184.890 [1977 c.846 §2, 1981 c.357 §3; renumbered 108 620]

184.900 [1975 c.768 §3; 1977 c.661 §2; 1981 c.784 §17; renumbered 410.320]

184.905 [1975 c 768 §4; 1977 c.891 §7; renumbered 410 330]

184.910 [1975 c. 768 §5; renumbered 410 340]

184.915 [1975 c 768 §§6, 7, repealed by 1977 c.661 §5]

184.940 [1977 c.81 §5; renumbered 185.570]

STATE EXECUTIVE DEPARTMENT AND ORGANIZATION
