

Chapter 182

1991 EDITION

State Administrative Agencies

STATE ADMINISTRATIVE AGENCIES GENERALLY

- 182.010 Nonattendance of member of board or commission at meetings as forfeiting office; appointment of successor
- 182.020 Notice of meetings of boards and commissions; reporting of absences
- 182.030 Employment of persons advocating violent overthrow of the Government of the United States or Oregon prohibited
- 182.040 Boards and commissions to pay counties for services; exceptions
- 182.050 Time and manner of payment to counties
- 182.060 County clerk to file instruments affecting realty for state boards and commissions
- 182.070 Publications of state agencies to be furnished to State Librarian
- 182.080 Effect of repeal of statute authorizing state agency to collect, receive and expend money
- 182.090 State agency to pay attorney fees and expenses when court finds for petitioner and that agency acted unreasonably
- 182.100 Affirmative action policy implementation on appointments
- 182.105 Information concerning tax benefits of providing day care under employee benefit plan
- 182.109 Agency actions to carry out policies of ORS 410.710

EMPLOYEE SUGGESTION PROGRAM

(Generally)

- 182.310 Definitions for ORS 182.310 to 182.400
- 182.320 Employee Suggestion Awards and Productivity Improvement Commission; authority
- 182.330 Commission determination final
- 182.360 Costs and payment of cash awards and administrative expenses

(Productivity Improvement Programs)

- 182.365 Legislative findings
- 182.370 Agency employee incentive fund; establishment; uses
- 182.375 State Productivity Improvement Revolving Fund; creation; sources; uses
- 182.380 Credit of certain savings to General Fund
- 182.385 Adjustment of budget request as a result of improved efficiency
- 182.390 Plan for increased efficiency
- 182.395 Eligibility of new programs for cash awards or credit savings
- 182.400 Progress report on employee suggestion awards and productivity improvement program

RULES GOVERNING AGENCY-PROVIDED HOUSING

- 182.415 Definitions for ORS 182.415 to 182.435
- 182.425 State agency required to collect rental for housing provided employees; furnishing prohibited; determination of fair rental value
- 182.435 Uniform schedule of reduction from fair rental value; management policies

DETERMINATION OF PUBLIC NEED FOR CERTAIN STATE AGENCIES

- 182.605 "Agency" defined for ORS 182.605 to 182.635
- 182.608 Review of regulation of debt consolidating agencies
- 182.609 Review of regulation of hair design, facial technology and manicure
- 182.615 Legislative review of public need for certain state agencies
- 182.625 Evidence and factors to be used to determine public need; hearing
- 182.635 Duration of continuation of agency; subsequent review; requirement for separate legislative action to continue any agency

CROSS REFERENCES

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

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

- Accountancy, State Board of [Office of Secretary of State], 673.410
- Accounting and Data Systems Division [Executive Department], 184.305
- Adjutant General, Const. Art. X, §3; 396.150
- Adjutants General, Assistant, 396.165
- Adult and Family Services Division, 411.040
Assistant Director, 411.040
- Advocate for Minority, Women and Emerging Small Business [Office of the Governor], 200.025
- Aeronautics Administrator, 835.045
- Aeronautics Division [Department of Transportation], 835.010
- Affirmative Action, Director of, 243.315
- Affirmative action policy, 243.305
- Aged, Subcommittee on [Health Services Commission], 1991 c.753 §7
- Agricultural Development Advisory Committee, 576.018
- Agricultural Development Division [Department of Agriculture], 576.009
- Agricultural experiment stations, Oregon, director, Ch. 567
- Agricultural experiment stations, Ch. 567



STATE EXECUTIVE DEPARTMENT AND ORGANIZATION

- Agriculture, Director of, 561.010
Agriculture, State Board, 561.130
Agriculture, State Department of, 561.010
Air Pollution Task Force, Indoor, 1989 c.1070 §6
Alcohol and Drug Abuse Programs
 Assistant Director, 409.410
 Governor's Council, 430.255
Alcohol Server Education Advisory Committee, 471.547
Ambulances and emergency medical technicians, advisory council, 823.170
Anatomy, Demonstrator [State Board of Higher Education], 97.170
Apiary Advisory Committee, 602.300
Apiary Inspector, Chief, 602.020
Appraiser Certification and Licensure Board [office of Secretary of State], 674.305
Apprenticeship and Training Council, State, 660.110
Architect Examiners, State Board of, 671.120
Architectural barriers elimination, advisory committee, 447.230
Archivist, State, 357.815
Arts Commission, Oregon, 359.020
Asbestos Advisory Board, 1987 c.741 §15
Asset Forfeiture Oversight Advisory Committee, 1989 c.791 §14
Attorney General, 180.010
Auditor of Public Accounts [Secretary of State], 293.505
Audits, Division of [Secretary of State], 297.010
Audits, office of [Department of Human Resources], 409.180
Banking Board, State [Department of Insurance and Finance], 706.900
 Supervisor, 705.130
Bar, Oregon State, 9.010
 Board of Governors, 9.025
Barbers and Hairdressers, State Board, 690.155
Bargaining Unit Benefits Board;
 [Personnel Division], 243.235
Beef Council, Oregon, 577.210
Bicycle lane and path advisory committee [Highway Division], 366.112
Black Affairs, Commission on, 185.420
Blind, Commission for the, 346.120
 Advisory committee, 346.135
Blind, Industries for the, 346.190
Blind, Oregon State School for the, 346.010
Blind and Disabled, Subcommittee on [Health Services Commission], 1991 c.753 §7
Boiler Rules, Board of, 480.535
Boxing and Wrestling Commission, Oregon State, 463.113
Budget Division [Executive Department], 184.305
Building Code Administrator, State, 455.100
Building Codes Agency, 1987 c.414 §2
Building, Housing and Real Estate Council, 456.732
Capitol building police officers, 276.023
Capitol Planning Commission, 276.030
Career and Vocational Education, State Advisory Council, 344.225
Center for Housing Innovation, University of Oregon, 352.048
Charitable Checkoff Commission, Oregon, 305.695
Charter commission, city-county consolidation, 199.725
Chief Apiary Inspector, 602.020
Chief Justice of the Supreme Court, 2.045
Chief State Steward, 462.250
Child Abuse Assessment, Advisory Council on, 418.784
Child Care, Commission for, 1985 c.753 §1
Child welfare services advisory committee, 418.005
Children and Families, Oregon Coordinating Council for, 417.310
Children and Youth Services Commission, Oregon Community, 417.475
Children, State Advisory Council for Special Education, 343.287
Children's Services Division [Department of Human Resources], 409.210
Chiropractic Examiners, State Board of, 684.130
Christmas Tree Advisory Committee, State, 571.515
Citizen Involvement Advisory Committee, State [land use], 197.160
Citizens' Utility Board, 774.030
Climate Service, Oregon, Oregon State University, 352.245
Clinical Social Workers, State Board of, 675.510
Collections Unit [Department of Revenue], 293.250
Columbia River Bicentennial Commission, HJR 15 (1987)
Columbia River Highway Advisory Committee, Historic, 366.553
Columbia River Resource Task Force, 171.867
Commercial Fishery Permit Board, 508.920
Commodity Commissions, agricultural, see cross references under heading "Commodity Commissions Generally" in Ch. 576
Community Corrections Advisory Board, 423.510
Conciliation Service, State [Employment Relations Board], 662.415
Conservation Trust Fund Board, Habitat, 468.666
Construction Contractors Board, 701.205
 Claims Appeal Committee, 701.260
 Commercial and Public Works Contractors Committee, 701.270
 Residential Contractors Committee, 701.260
Construction Contractors Training Board, 701.280
Consumer Advisory Council [Department of Justice], 180.520
Continuing Care Retirement Community Advisory Council, 101.040
Corrections, Department of, 423.020
 Deputy Director, 423.075
 Director, 423.075
Corrections Education Advisory Committee, 421.081
Corrections industries, board of directors, 421.310
Corrections Ombudsman, 423.400
Counselors and Therapists, Oregon Board of Licensed Professional, 675.775
County service districts, advisory committees, 451.555
Court Administrator, State, 8.110
Court of Appeals, 2.510
 Chief Judge, 2.550
Court Procedures, Council on, 1.730
Courts Advisory Committee, Special, 1.850

STATE ADMINISTRATIVE AGENCIES

- Covered Bridge Advisory Committee, 1991 c.722 §1
Crime detection laboratories [state police], 181.080
Criminal identification, bureau of [state police], 181.066
Criminal Justice Council, Oregon, 137.653
Crops Advisory Committee, Minor, 634.600
Crops Development Board, New, 561.700
Dairy Products Commission, Oregon, 576.135
Data Processing, Joint Legislative Committee on, 171.852
Deaf, Oregon State School for the, 346.010
Defense Force, Oregon State, Ch. 399
Deferred Compensation Advisory Committee, 243.505
Dentistry, Oregon Board of, 679.230
Denture Technology, State Board of, 680.556
Deschutes River Scenic Waterway Recreation Area Management Committee, 1987 c.624 §6
Detective bureau, state [state police], 181.070
Diversion Program Supervisory Council, 677.615
Dietitians, Board of Examiners of Licensed, 691.485
Disabled, Blind and, Subcommittee on [Health Services Commission], 1991 c.753 §7
Disabilities Commission, Oregon, 185.130
Dispute Resolution Commission, 36.115
 Director, duties, 36.130
Dungeness Crab Commission, Oregon, 576.155
Early Childhood Improvement Program, 336.435
 Advisory committee, 1991 c.693 §19b
Early Intervention Coordinating Council, State, 343.498
Eastern Oregon Psychiatric Center, 426.010
 Superintendent, 426.020
Eastern Oregon State College, 352.002
Economic advisory team, state, 285.473
Economic Analysis, Office of [Executive Department], 184.305
Economic Development Commission, 285.010
 Advisory and technical committee, 285.030
Economic Development Department, 285.035
 Director, 285.040
Ed-Net, Oregon, 354.510
Ed-Net Board, Oregon, 354.510
 Director, 354.535
Education, Department of, 326.111
Education, Department of Higher, 351.010
Education, State Board of, 326.021
Education, State Board of Higher, 351.010
Educational Policy and Planning, Oregon Office of, 348.715
 Director, 348.715
Electric and Magnetic Field Committee, 469.480
Electric Power and Conservation Planning Council, Pacific NW, 469.815
Electrical Board, 479.800
Electrologists, Advisory Council to Health Division, 690.425
Elevator Safety Board, 460.115
Emergency Board, 291.324
Emergency communications districts, advisory committee, 451.610
Emergency Corrections Siting Authority, 1987 c.321 §7
Emergency Fire Cost Committee, 477.440
 Administrator, 477.460
Emergency Management Division [Executive Department], 401.260
 Administrator of, 401.260
Emergency Medical Service Committee, State, 823.170
Emergency Medical Services and Trauma Systems Program [Health Division], 431.623
Employees' Benefit Board, State [Personnel Division], 243.115
Employee Suggestion Awards and Productivity Improvement Commission, 182.320
Employment Agencies Advisory Board, 658.230
Employment Appeals Board [Employment Division], 657.685
Employment Education and Training Advisory Committee, Safe, 654.189
Employment Division, 657.010
 Assistant Director, 657.608
Employment Relations Board, 240.060
Employment Service, Oregon State, 657.705
EMTs, advisory committee on, 677.620
Energy Conservation Board, 455.510
Energy, Department of, 469.030
 Director, 469.040
Energy Facility Siting Council, 469.450
 Advisory groups, 469.480
Energy Policy Review Committee, 469.130
Energy Project Advisory Committee, Small Scale, Local, 470.040
Engineering Examiners, State Board, 672.240
Entrepreneurial Development Loan Fund Advisory Committee, Oregon, 1991 c.688 §11
Environment, Committee on Synthetic Chemicals in the, 634.352
Environmental Quality Commission, 468.010
Environmental Quality, Department of, 468.030
 Director, 468.040
 Remedial Action Advisory Committee, 465.420
Ethics Commission, Oregon Government, 244.250
 Executive director, 244.310
Euthanasia Task Force, 686.510
Executive Department, 184.305
 Director, 184.315
Executive residence, advisory committee, 276.104
Fair and Exposition Center, Oregon State, 565.015
Fair Commission, County, 565.410
Fair Dismissal Appeals Board, 342.930
Fair, Oregon State, 565.040
Fairview Training Center, 427.010
 Superintendent, 179.331, 427.010
Filbert Commission, Oregon, 576.145
Film and Video Board, Oregon, 1991 c.923 §1
Finance Committee for Economic Development Commission, 285.070
Fire Marshal, State, 476.020
Fire Standards and Accreditation Board, 476.840
Fish and Wildlife, State Department of, 496.080
Fish and Wildlife Commission, State, 496.090
Fish and Wildlife Director, State, 496.112

STATE EXECUTIVE DEPARTMENT AND ORGANIZATION

- Fish Division [Fish and Wildlife, State Department], 496.124
- Fish Screening Task Force [State Department of Fish and Wildlife], 1991 c.858 §6
- Fisheries Commission, Pacific Marine, 507.040, 507.050
- Fishery Permit Board, Commercial, 508.920
- Food Service Advisory Committee, State, 624.045
- Forest practice committees [State Board of Forestry], 527.650
- Forest Products Resources Committee, Hardwood, 1987 c.316 §3
- Forest Research Laboratory, 526.225
Advisory Committee, 526.225
- Forest Resources Institute, Oregon, 526.610
- Forest Trust Land Advisory Committee, 526.156
- Forester, State, 526.031
- Forestry Department, State, 526.008
- Forestry, State Board of, 526.009
- General Services, Department of, 283.030
Advisory Committee, 273.655
Director, 283.040
- Geologist, State, 516.120
- Geologist Examiners, State Board of, 672.615
- Geology and Mineral Industries, State Department of, 516.020
Governing Board, 516.080
- Governor, Const. Art. V, §1; Ch. 176
- Grains Commission, Oregon, 576.175
- Ground water advisory committee, 536.090
- Habitat Conservation Trust Fund Board, 468.666
- Hair design, schools, advisory committee, 345.420
- Hanford Waste Board, Oregon, 1987 c.514 §4
- Hardwood Forest Products Resources Committee, 1987 c.316 §3
- Health Care Containment System Advisory Committee, Oregon, 414.650
- Health care professions, practices and procedures, advisory board, 431.190
- Health Council, Oregon, 442.035
- Health Division [Department of Human Resources], 409.310
Assistant Director for Health, 409.310
- Health, Housing, Educational and Cultural Facilities Authority, 289.100
- Health Resources Commission, 442.580
- Health Sciences University, Oregon, 352.022
- Health Services Commission, 414.715
- Hearing Aids, Advisory Council to the Health Division on, 694.165
- Hearings Division [Department of Insurance and Finance], 656.708
- Higher Education, Department of, 351.010
- Higher Education, State Board of, Chancellor, 351.010, 351.075
- Higher Education, Western Interstate Commission for, 351.780
- Highway Division [Department of Transportation], 366.105
- Highway Engineer, State, 366.145
- Hillcrest School of Oregon, 420.320
- Hispanic Affairs, Commission on, 185.320
- Historic Columbia River Highway advisory committee, 366.553
- Historic Preservation, State Advisory Committee, 358.622
- Historic Preservation Officer, State, 358.565
- Historic Properties Commission [Secretary of State], 358.655
- Historical Museum Section [Tourism Division], 285.150
- Historical Society, Oregon, 358.770
- Hospital, F. H. Dammasch State, 426.010, 426.030
Superintendent, 179.331, 426.020
- Hospital, Oregon State, 426.010
Superintendent, 179.331, 426.020
- Housing and Community Services Department, 456.555
Director, 456.555
- Housing Council, State, 456.567
- Housing Innovation, Center for, University of Oregon, 352.048
- Human Resources, Department of, 409.010
Director, 409.100
- Hunger Relief Task Force, 411.849
- Hydroelectric Power, Commissioner of, 543.810
- Indian Services, Commission, 172.100
- Indoor Air Pollution Task Force, 1989 c.1070 §6
- Industrialized Housing Development Program, 352.048
- Information agency, State [reciprocal support enforcement], 110.162
- Injured workers, office of ombudsman for, [Department of Insurance and Finance], 656.709
- Institutional physical access committees, higher education, 352.015
- Insurance and Finance
Department of, 705.105
Director, 705.105
- Insurance Guaranty Association, Oregon, 734.550
- Insurance Pool Governing Board, 653.725
- Interagency Hazard Communication Council, 453.510
- Interagency Integrated Pest Management Coordinating Committee, 634.670
- Intergovernmental Coordination Division [Executive Department], 190.320
Administrator, 190.320
- International Port of Coos Bay, Oregon, Board of Commissioners, 777.920
- Investment Council, Oregon, 293.706
- Job Training Coordinating Council, Oregon State, 285.185
- Judge Advocate, State, 398.012
- Judicial Conference of the State of Oregon, 1.810
- Judicial Fitness and Disability, Commission on, 1.410
- Justice, Department of, 180.210
- Juvenile Compact Administrator, 417.040
- Juvenile Corrections Council, 420.035
- Klamath River Basin Compact Commission, 542.620 (Art. IX)
- Labor and Industries, Bureau of, 651.020
Commissioner, 651.030
- Land Board, State, 273.031
- Land Conservation and Development Commission, 197.030
Department of, 197.075

STATE ADMINISTRATIVE AGENCIES

- Director, 197.075, 197.085
Land management advisory committee [Department of General Services], 270.120
Land Use, Joint Legislative Committee on, 197.125
Land Use Board of Appeals, 197.810
Lands, Division of State, 273.041
 Director, 273.161
Landscape Architect Board, State, 671.459
Landscape Contractors Board, State, 671.630
Legislative Administration Committee, 173.710
Legislative Administrator, 173.710
Legislative Counsel, 173.111
Legislative Counsel Committee, 173.111
Legislative Fiscal Officer, 173.410
Legislative Liaison, Office of [Executive Department], 184.305
Legislative Revenue Officer, 173.800
Librarian, State, 357.015
Library, State, 357.010
 Trustees, 357.010
Life and Health Insurance Guaranty Association, Oregon, 734.800
Liquor Control Commission, Oregon, 471.705
Livestock and Marketing Board, State, 599.440
Lobbyist, regulation, 171.725 to 171.785
Local Budget Advisory Committee [Department of Revenue], 294.413
Local citizen review boards [Judicial Department], 419.770
Local Health Officials, Conference of, 431.330
Local Officials Advisory Committee, 197.165
Long Term Care Advisory Committee, 441.137
Long Term Care Ombudsman, 441.103
Lottery Commission, Oregon State, 461.100
 Assistant Director for Security, 461.170
 Lottery Director, State, 461.150
Low income energy assistance programs, advisory committee, 458.515
MacLaren School for Boys, 420.120
 Superintendent, 420.120
Management-Labor Advisory Committee, Workers' Compensation, 656.790
Management Systems Division [Executive Department], 184.305
Manufactured Structures and Parks Advisory Board, 446.280
Marine Board, State, 830.105
Marine Director, State, 830.135
Maritime Pilots, Oregon Board [Department of Transportation], 776.105
Marketing Section [Tourism Division], 285.145
Mass Transportation Financing Authority, Oregon, 391.520
Massage Technicians, State Board of, 687.115
Maternity Care Access Planning Commission, 1991 c.760 §2
Medical care, advisory committee on, 656.794
Medical Examiner Advisory Board, State, 146.015
Medical Examiner, Deputy State, 146.045, 146.065
Medical Examiner, State, 146.035
Medical Examiners for the State of Oregon, Board of, 677.235
Medical Insurance Pool Account, Oregon, 735.612
Medical Insurance Pool Board, Oregon, 735.610
Medical Service Committee, State Emergency, 823.170
Mental Health Advisory Board, 430.050
Mental health compact administrator, 428.320
Mental Health and Developmental Disability Services Division, 430.021
 Assistant Director, 430.110
Military Council, 396.145
Military Department, Oregon, 396.305
Minerals Tax Task Force, 1991 c.735 §36
Minor Crops Advisory Committee, 634.600
Minority, Women and Emerging Small Businesses, Advocate for, [Office of the Governor], 200.025
Mobile Home Park Ombudsman, 446.543
Motor Vehicles Division [Department of Transportation], 802.010
 Administrator, 802.010
Mortuary and Cemetery Board, State, 692.300
Municipal Debt Advisory Commission, Oregon, 287.030
Museum of Anthropology, Oregon State, 352.045
Natural Heritage Advisory Council, 273.571
Natural Resources Division [Department of Agriculture], 561.400
Naturopathic Examiners, Board of, 685.160
Naturopathic Physicians Formulary, Council on, 685.145
New Crops Development Board, 561.700 to 561.730
Newsprint Recycling Task Force, Oregon, 1991 c.385 §30
Northwest Interstate Compact on Low-Level Radioactive Waste Management, 469.935
Nurse practitioners, council on, privilege of writing prescriptions, 678.385
Nursery Advisory Committee, State, 571.025
Nursing, Oregon State Board of, 678.140
Nursing Home Administrators, Board of Examiners of, 678.800
Occupational Disease Research, Center for, 352.073
Occupational Safety and Health Grant program, 654.191
Occupational Therapy Licensing Board, 675.310
Ocean Policy Advisory Council, 196.438
 Scientific and technical advisory committee, 196.451
Oil Heat Commission, 469.232
Optometry, Oregon Board of, 683.250
Oregon Health Sciences University, 352.022
Oregon Institute of Technology, 352.002
Oregon Marketplace, 285.173
Oregon 1998 Games Commission, 1987 c.580 §1
Oregon State University, 352.002
ORS Review Committee, 1989 c.952 §1
Outfitters and guides advisory committee, 704.525
Outfitters and Guides, State Marine Board, 704.010
Pacific Marine Fisheries Commission, 507.040, 507.050
Pacific Northwest Economic Region, 285.695
Pacific Northwest Electric Power and Conservation Planning Council, 469.815
Pacific Ocean Resources Compact, 196.180
Pacific States Radioactive Materials Transportation Committee, 466.450

STATE EXECUTIVE DEPARTMENT AND ORGANIZATION

- Parks and Recreation Commission, State, [State Parks and Recreation Department], 390.114
Parks and Recreation Department, State, 390.111
Director, 390.127
Parole and Post-Prison Supervision, State Board of, 144.005
Penitentiary, Oregon State, 421.605
Superintendent, 179.331
Personnel Division [Executive Department], 240.055
Pest Management Coordinating Committee, Interagency Integrated, 634.670
Pesticide Analytical and Response Center, 634.550
Pharmacists Diversion Program Supervisory Council, 689.342
Pharmacy, State Board of, 689.115
Physical access committees, institutional, higher education, 352.015
Physical Therapist Licensing Board, 688.160
Physician Assistant Committee, 677.540
Planning Division [Executive Department], 184.305
Plumbing Board, State, 693.115
Podiatry, Advisory Council on, 677.855
Poet Laureate, 357.925
Poison Prevention Task Force, 431.890
Police, Department of State, 181.020
Police Officers, Capitol Building, 276.021
Police, Oregon State, 181.020
Police, Superintendent of State, 181.200
Port of Coos Bay, Oregon International, Board of Commissioners, 777.920
Port of Portland, Ch.778
Board of Commissioners, 778.205
Portland State University, 352.002
Ports Division [Economic Development Department], 285.807
Potato Commission, Oregon, 579.030
Practice Review Committee, 673.455
Printer, State, 282.080
Prison Terms and Parole Standards, Advisory Commission, 144.775
Private Activity Bond Committee, 286.615
Private schools, advisory committee, 345.575
Property and Fiscal Officer for Oregon, U. S., 396.175
Protection and Advocacy, State Office of, 436.335
Psychiatric Security Review Board, 161.385
Psychologist Examiners, State Board of, 675.100
Public Accounts, Auditor of, [Secretary of State], 293 505
Public Broadcasting, Oregon Commission on, 354.115
Public Defender, 151.280
Public Defender Committee, 151.270
Public Health Advisory Board, 431.195
Public Health Officer, 431.045
Public Instruction, Superintendent of, Const. Art. VIII, §1, 326.310
Deputies, 326.330
Public Officials Compensation Commission, 292.907
Public Records Advisory Council, 1991 c.671 §1
Public Safety Standards and Training, Board on, 181.620
Public Transit Division, 184.680
Public Utility Commission of Oregon, 756.014
Public Welfare Review Commission, 411.125
Racing Commission, Oregon, 462.210
Radiation Advisory Committee, 453.645
Radiation Control Agency, State, 453.635
Radioactive Materials Transportation Committee, Pacific States, 466.450
Radioactive Waste Management, Northwest Interstate Compact on Low-Level, 469.935
Radiologic Technology, Board of, 688.545
Real Estate Agency, 696.375
Real Estate Board [Real Estate Agency], 696.405
Real Estate Commissioner, 696.375
Recreation Trails Advisory Council, Oregon, 390.977
Recycling Markets Development Council, 1991 c.385 §45
Refugee Child Welfare Advisory Committee, 418.941
Release Assistance Officer, 135.235
Remedial Action Advisory Committee, 465.420
Research Policy Recommendations, Council for, established by State Board of Higher Education, 351.880
Research and Technology Development Corporation, Oregon, 284.630
Respiratory Care Practitioners Committee, 677.873
Retirement Board, Public Employees', 237.251, 237.952
Revenue, Department of, 305.025
Director of, 305.035
Rogue River Coordination Board, 517.510
Rural Health Coordinating Council, 442.490
Rural Health, Office of, 442.475
Safe Employment Education and Training Advisory Committee, 654.189
Safety committee for Oregon coast, 468B.415
Salmon Commission, Oregon, 576.165
Sanitarians Registration Board, 700.210
Supervisor, 725.010
Scholarship Commission, State, 348.510
Sea Grant College [Oregon State University], 352.230
Seal of state officer or state agency, 42.125
Search and Rescue Coordinator, 401.550
Secretary of State, Const. Art. VI, §1; Ch. 177
Assistant, 177.040
Seismic Safety Policy Advisory Commission, 401.337
Senior and Disabled Services Division, 410.070
Senior Services, Governor's Commission, 410.320
Sentencing Guidelines Board, State, 1987 c.619 §3
Sex Offenses Against Children Task Force, 1991 c.913 §1
Sheep Commission, Oregon, 577.710
Short Term Fund Board, Oregon, 294.885
Shorthand reporter advisory committee, certified, 703.414
Small Business Development Center Advisory Council, 285.545
Small business, office of ombudsman for [Department of Insurance and Finance], 656.709
Small Businesses, Advocate for Minority, Women and Emerging, [Office of the Governor], 200.025
Small claims division [Oregon Tax Court], 305.515
Small Employer Carrier Advisory Committee, 743.745
Small Employer Health Reinsurance Pool, Oregon, 743.743
Small Scale Local Energy Project Advisory Committee, 470.070

STATE ADMINISTRATIVE AGENCIES

- Smoke management advisory committee [State Forester], 447.556
- Social Workers, State Board of Clinical, 675.510
- Soil and Water Conservation Commission, State, 561.395
- Solid Waste Regional Policy Commission, 1989 c.459 §2
- South Slough Estuarine Sanctuary Management Commission, 273.554
- Southern Oregon State College, 352.002
- Special Courts Advisory Committee, 1.850
- Special Education, State Advisory Council for, 243.287
- Speech Pathology and Audiology, State Board of Examiners [Department of Human Resources], 681.400
- Speed Control Board, State, 802.380
- State Accident Insurance Fund Corporation, 656.752
Manager, 656.754
- State Governments, Council of, 190.470
- State lands advisory committee [Department of General Services], 270.120
- Strategic Water Management Group, 536.100
- Structural Code Advisory Board, State, 455.130
- Support Enforcement Division [Department of Justice], 180.340
- Supreme Court, Const. Art. VII (A), §1
- Synthetic Chemicals in the Environment, Committee on, 634.352
- Tax Court, Oregon, 305.405
Judge, 305.452
- Tax Service Examiners, State Board of, 673.725
- Tax Supervising and Conservation Commission, 294.605
- Teacher Standards and Practices Commission, 342.350
- Teachers' Retirement System, 239.201
- Telecommunications Devices Access Program Advisory Committee, 1991 c.889 §2
- Textbook Commission, State, 337.011
- Tillamook State Forest recreation plan advisory committee, 1991 c.889 §2
- Tourism Council, Oregon, 285.135
- Tourism Division [Economic Development Department], 285.143
Administrator, 285.153
- Trade and Economic Development, Legislative Committee on, 171.800
- Traffic Safety Committee, 802.300
- Traffic Safety Division, 802.310
- Transportation Commission, Oregon, 184.612
- Transportation, Department of, 184.615
Director, 184.620
- Travel Information Council, Ch. 104
- Treasurer, State, Const. Art. VI, §1; Ch. 178
Chief Deputy, 178.060
- 21st Century Schools Advisory Committee, 336.730
- 21st Century Schools Program, 336.540
- Underground Storage Tank Financial Assistance Advisory Committee, 1991 c.863 §7
- Unemployment Compensation, State Advisory Council on, 657.695
- Uniform State Laws, Commission on, 172.010
- University of Oregon, 352.002
- Valuation Committee, 295.095
- Veterans' Affairs, Advisory Committee on, 406.210
- Veterans' Affairs, Director, 406.020
- Veterinarian, State, 596.210
- Veterinary Medical Examining Board, Oregon State, 686.210
- Visitor Information Section [Tourism Division], 285.147
- Vital Statistics Unit, 432.010
- Vital Statistics, State Registrar, 432.020
- Vocational Rehabilitation Division, 344.520
Assistant Director, 344.525
- Vocational schools, advisory committee on, 345.330
- Volunteers in Service to Oregon (VISTO), 348.410
- Wage and Hour Commission, 653.505
- Waste Board, Oregon Hanford, 1987 c.514 §4
- Waste Reduction Trust Fund Board, 468.675
- Water Management Group, Strategic, 536.100
- Water Policy, Joint Legislative Committee on, 171.535 to 171.550
- Water Resources:
Commission, 536.022
Department, 536.039
Director, 536.032
- Watershed Enhancement Board, Governor's, 541.360
- Ways and Means Committees, 171.555
- Weed Board, State, 561.650
- Welfare Program Accessibility, Advisory Committee on Adult and Family Services Division, 411.979
- Western Oregon State College, 352.002
- Wheat Commission, Oregon, 578.030
- Wine Advisory Board, 576.750
- Winter Recreation Advisory Committee, 802.350
- Women, Commission for, 185.520
- Women and Emerging Small Businesses, Advocate for Minority, [Office of the Governor], 200.025
- Wood Products Competitiveness Corporation, 1991 c.941 §3
- Workers' Compensation Board, 656.712
- Workers' Compensation Management-Labor Advisory Committee, 656.790
- Workforce Quality Council, Oregon, 1991 c.927 §6
- Youth Conservation Corps, Oregon, 418.653
Advisory committee, 418.653
-
- Actions and suits against state agencies, 30.260 to 30.300, 30.320
- Actions by state agencies, 30.312
- Administrative procedure of state agencies, 183.310 to 183.550
- Board or commission members prohibited from accepting certain positions, 236.145
- Collective bargaining for public employees, 243.650 to 243.782
- Compensation and expenses of members of boards and commissions, 292.495
- Defendant, state as, in action involving title to real property in which state has interest, 30.360
- Discrimination against optometrists prohibited, 683.035
- Interagency services, 283.110
- Labor conciliation services for state and state employees, 662.435
- Leasing of real property to state for term less than 20 years, Const. Art. XI, §7

STATE EXECUTIVE DEPARTMENT AND ORGANIZATION

| | |
|--|---|
| Lobbying by public agency, expense statement, filing required, 171.750 | 182.010 to 182.100 |
| Losses of public funds or property involving public officers, 297.120 | Affirmative action reports by state agencies to include information on award of contracts to minority businesses, 659.027 |
| Media person as witness at agency administrative proceedings, 44.510 to 44.540 | 182.010 |
| Notary public, functions not constituting lucrative office, 194.010 | Removal from office, 236.010 |
| Peace Corps volunteers, leave of absence for, 236.040 | 182.040 |
| Personal service on public officer, computation of time for personal service if office closed, 174.125 | Exemptions from certain county fees in favor of the State of Oregon and its agencies, 21.580, 180.360, 205.400, 273.091 |
| Presession filing of agency legislation, 171.130 | Liaison with local governments providing services to state agencies, 190.210, 190.220 |
| Private schools, advisory committee, 345.575 | 182.070 |
| Readability of income tax instructions, 316.364 | Distribution and sale of legislative publications, 171.200 to 171.270 |
| Real property, sale by state agency, Ch. 270, 273.251 to 273.311 | 182.425 |
| Records when agency abolished, 357.835 | Housing for officers and employees of state institutions, 179.400 |
| Release assistance officer, 135.235 | Housing for superintendents of state institutions, 179.370 |
| Reports of agencies, 192.240, 293.600, 293.640 | 182.605 to 182.635 |
| Sign language interpreters, 185.220, 185.230 | Denture Technology, State Board, review, 1997-1998, 1991 c.921 §20 |
| State agencies required to file proposed legislation before legislative session, 171.132 | 182.635 |
| State agency authority regarding projects to improve efficiency of energy use, 469.756 | State Department of Agriculture, dairy products, continuance of regulatory functions, 1991 c.404 §1 |
| Title to property acquired by state agency to be taken in name of state, 279.711 | State Department of Agriculture, pesticides, continuance of regulatory functions, 1991 c.304 §1 |
| Transfer of public employees, 236.610 to 236.650 | State Department of Agriculture, weights and measures, continuance of regulatory functions, 1991 c.289 §1 |
| Unclaimed property held for owner by public authority, 98.336, 98.302 to 98.436 | |
| Unemployment insurance, coverage of state employees, 657.020, 657.065, 657.505 | |

**STATE ADMINISTRATIVE AGENCIES
GENERALLY**

182.010 Nonattendance of member of board or commission at meetings as forfeiting office; appointment of successor. Any member of a state board or commission appointed by the Governor who fails to attend two consecutive meetings of the board or commission, whether regular, adjourned or special, shall forfeit office unless the member is prevented from attending by the serious illness of a member or the family of the member or for any other cause that in the judgment of the Governor constitutes a valid reason for failing to attend. The Governor shall immediately appoint a successor.

182.020 Notice of meetings of boards and commissions; reporting of absences. The secretary or clerk of every state board and commission shall:

(1) Give the members of the board or commission at least 10 days' notice, in writing, of the date and place of each regular, adjourned or special meeting.

(2) Report to the Governor the names of all members who fail to attend any meeting of the board or commission.

182.030 Employment of persons advocating violent overthrow of the Government of the United States or Oregon prohibited. (1) No state department, board or commission shall knowingly employ any person who either directly or indirectly carries on, advocates, teaches, justifies, aids or abets a program of sabotage, force and violence, sedition or treason against the Government of the United States or of the State of Oregon.

(2) Any person employed by any state department, board or commission shall immediately be discharged from employment when it becomes known to the appointing employer that such person has, during the period of employment, committed any offense set forth in subsection (1) of this section.

(3) Any person denied employment or discharged pursuant to this section shall have a right of appeal in accordance with the provisions of the State Personnel Relations Law.

182.040 Boards and commissions to pay counties for services; exceptions. (1) All state boards and commissions which are supported by fees, fines, licenses or taxes or other forms of income not derived from a direct tax on tangible property shall pay the various counties of the State of Oregon the same fees required of others for services rendered.

(2) ORS 182.040 to 182.060 do not apply to:

(a) Services rendered for the Bureau of Labor and Industries on wage claims assigned to it for collection.

(b) Any of the provisions or requirements of ORS 21.310, 52.410 to 52.440, 156.160, 205.360 and 205.370. [Amended by 1965 c.619 §35; 1967 c.398 §8; 1973 c.381 §7; 1981 s.s. c.3 §97; 1985 c.496 §25]

182.050 Time and manner of payment to counties. No state board or commission affected by the provisions of ORS 182.040 and 182.060 shall be required at the time of ordering the performance of any services for which a fee or charge may be collected by the county to pay the collectible fee or charge in advance or at the time the services are rendered. The county clerk or other officer performing the service, upon request made by the board or commission, shall charge to the board or commission the amount of the fee or charge, and thereafter on the first days of January, April, July and October of each calendar year supply to the board or commission an itemized statement of all services performed upon order of the board or commission for the three months preceding, together with the legal charge collectible therefor. The board or commission, upon receipt of the statement, promptly shall pay the amount due the county.

182.060 County clerk to file instruments affecting realty for state boards and commissions. When requested by a state board or commission, the county clerk shall file or record, or both, in the office of the clerk any instrument affecting real property and immediately shall return to the board or commission a receipt for the instrument, aptly describing it and showing the legal charge for the filing or recording of the instrument.

182.065 [1977 c.739 §1; 1979 c.593 §5; renumbered 183.025]

182.070 Publications of state agencies to be furnished to State Librarian. (1) Unless a greater or lesser number is agreed upon by the State Librarian and the issuer of the publication, the State Printer or, in the event the State Printer is unable to furnish the number of copies of the publication, the person responsible for distribution of a publication issued by, or by authority of a state officer, agency or institution not under the control of the State Board of Higher Education shall make available to the State Librarian for distribution and exchange purposes, 45 copies of all publications so issued in multiple form, other than interoffice memoranda or forms. The State Printer may withhold the prescribed number of copies from each printing order and forward them to the State Librarian. Cost of printing for all copies of a publication furnished to the

State Librarian in compliance with this subsection shall be borne by the issuing agency.

(2) The term "publication," as used in this section, does not include:

(a) Oregon Revised Statutes or any edition thereof.

(b) Legislative bills, calendars and interim committee reports made available under ORS 171.206.

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

182.080 Effect of repeal of statute authorizing state agency to collect, receive and expend money. (1) In the event of repeal of a statute or a part thereof which granted or conferred power to any state officer, board, commission, corporation, institution, department, agency or other state organization to collect, receive and expend money for or on behalf of the state or for any purpose authorized by law, such repeal shall not affect or impair any act done, or right accruing, accrued or acquired, or liability, or obligation to pay the state a license or other fee, or payment exacted or required by law to be made or authorized by said repealed statute and the rules, regulations and orders, if any, promulgated thereunder and in effect at the time of such repeal, unless otherwise specifically provided by law. In the event of such repeal of a statute, the Secretary of State shall have the authority to determine, collect and disburse any moneys due the state, or payable by or through the state, representing such license or other fee, or payment exacted or required by law in accordance with the provisions of such repealed statute and such rules, regulations and orders promulgated thereunder, and as otherwise provided by law, in order to secure the full force, effect and operation of such statute up to the time of its repeal, but not thereafter.

(2) Upon repeal of a statute or a part thereof as described in subsection (1) of this section, there hereby is appropriated for the payment of all expenses incurred by the Secretary of State in winding up and concluding administration of such repealed statute, as authorized in subsection (1) of this section, so much as may be necessary, and no more, of the balance in the General Fund theretofore appropriated for the use, operation and function of such state officer, board, commission, corporation, institution, department or other state organization or agency. Should the balance of such unexpended appropriation be insufficient to cover said costs and expenses of the Secretary of State in administering and concluding the operation of

such repealed statute, then, in addition thereto, such amount as may be necessary, and no more, hereby is appropriated out of any funds, accounts and receipts belonging to the state in the custody or control of such state officer, board, commission, corporation, institution, department or other state organization, to cover in full the costs of winding up and concluding the administration of such statute. [1955 c.73 §1]

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

(2) Amounts allowed under this section for reasonable attorney fees and expenses shall be paid from funds available to the state agency. The court may withhold all or part of the attorney fees from any award to a petitioner if the court finds that the state agency has proved that its action was substantially justified or that special circumstances exist which make the award of all or a portion of the attorney fees unjust.

(3) As used in this section, "civil judicial proceeding" means any proceeding, other than a criminal proceeding as defined in ORS 131.005 (7), conducted before a court of this state. [1981 c.871 §2; 1983 c.763 §61]

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

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

(3) As used in this section, "affirmative action" means a method of eliminating the effects of past and present discrimination, intended or unintended, on the basis of race, religion, national origin, age, sex, marital status or physical or mental disabilities, that are evident or indicated by analysis of present appointment patterns, practices and policies. [1981 c.255 §1; 1989 c.224 §10]

182.105 Information concerning tax benefits of providing day care under em-

ployee benefit plan. Any state agency may provide information to employers concerning the tax benefits of providing day care, as defined in ORS 418.805, under an employee benefit plan. [1985 c.753 §5]

182.109 Agency actions to carry out policies of ORS 410.710. In carrying out the policies stated in ORS 410.710, state agencies shall:

(1) Review their rules and policies and may revise them as necessary to reflect a positive approach to persons with disabilities.

(2) Encourage and promote education of state employees, state officials and the public in general about the worth and capacity of persons with disabilities.

(3) In all state correspondence and publications, avoid the use of stereotypes and negative labels such as "victim," "afflicted," "crippled" and "handicapped" except as such terms as required by statute or federal law and regulation.

(4) Use the preferred and more positive term "disabled" instead of "handicapped" or other negative words except as such terms as required by statute or federal law and regulation.

(5) In implementing subsections (1) to (4) of this section, develop and seek input regarding terminology and portrayal of persons with disabilities from persons who have disabilities and their advocates.

(6) Foster corrective measures and avoid stereotypes and negative labeling in texts used by schools, newspapers, magazines, radio and television by encouraging review and analysis of these media by publishers, company owners or appropriate agencies. [1989 c.224 §2]

182.110 [1959 c.501 §1; repealed by 1959 c.501 §10]

182.115 [1973 c.457 §1; 1975 c.731 §1; 1977 c.42 §1; 1983 c.150 §2; 1987 c.879 §5; renumbered 171.852 in 1987]

182.120 [1959 c.501 §2; repealed by 1959 c.501 §10]

182.121 [1975 c.731 §2; renumbered 171.855 in 1987]

182.125 [1973 c.457 §4; repealed by 1975 c.731 §3]

182.130 [1959 c.501 §3; repealed by 1959 c.501 §10]

182.135 [1973 c.457 §3; repealed by 1975 c.731 §3]

182.140 [1959 c.501 §4; repealed by 1959 c.501 §10]

182.145 [1973 c.457 §5; repealed by 1975 c.731 §3]

182.150 [1959 c.501 §5; repealed by 1959 c.501 §10]

182.160 [1959 c.501 §6; repealed by 1959 c.501 §10]

182.170 [1959 c.501 §7; repealed by 1959 c.501 §10]

182.180 [1959 c.501 §8; repealed by 1959 c.501 §10]

182.190 [1959 c.501 §9; repealed by 1959 c.501 §10]

182.200 [1959 c.501 §10; repealed by 1959 c.501 §10]

EMPLOYEE SUGGESTION PROGRAM (Generally)

182.310 Definitions for ORS 182.310 to 182.400. As used in ORS 182.310 to 182.400:

(1) "Commission" means the Employee Suggestion Awards and Productivity Improvement Commission.

(2) "Employee suggestion program" means the program developed by the commission under ORS 182.320 (3).

(3) "Productivity improvement program" means a program or project developed under ORS 182.320 (3).

(4) "Secretary" means the secretary of the employee suggestion program and the productivity improvement program. [1959 c.616 §1; 1989 c.815 §2]

182.320 Employee Suggestion Awards and Productivity Improvement Commission; authority. (1) There is established the Employee Suggestion Awards and Productivity Improvement Commission consisting of seven members appointed by the Governor. At least two members shall be public employees, as defined by ORS 243.650 (17). The term of office is one year, beginning July 1. Members may be reappointed. Members serve at the pleasure of the Governor.

(2) The members of the commission shall annually elect one member as chairman. The Governor shall appoint a state officer or employee to serve as secretary of the employee suggestion program and the productivity improvement program. The commission members shall serve without compensation.

(3) The commission shall formulate, establish and maintain an employee suggestion program and an agency or unit productivity improvement program to encourage and reward meritorious suggestions by state employees that will promote effectiveness, efficiency and economy in the performance of any function of state government. The commission shall:

(a) Administer the employee incentive fund;

(b) Administer the Oregon State Productivity Improvement Revolving Fund established in ORS 182.375;

(c) Approve agency productivity improvement projects;

(d) Authorize expenditure of Oregon State Productivity Improvement Revolving Fund moneys for agency productivity improvement projects;

(e) Distribute savings from productivity improvement projects on an equitable basis to the participating employees in state agencies and the Oregon State Productivity Improvement Revolving Fund; and

(f) Authorize individual agency productivity improvement accounts within the fund for agencies with an approved productivity improvement project.

(4) The secretary, with the approval of the Employe Suggestion Awards and Productivity Improvement Commission, shall prepare rules necessary or appropriate for the proper administration of ORS 182.310 to 182.400 and for the accomplishment of the purposes of ORS 182.310 to 182.400. [1957 c.616 §2; 1965 c.9 §1; 1989 c.815 §3]

182.330 Commission determination final. The commission shall make the final determination as to whether an employee suggestion award will be made; and, subject to the rules and regulations adopted pursuant to ORS 182.320 (4), the commission shall determine the nature and extent of the award. [1957 c.616 §3]

182.340 [1957 c.616 §5, repealed by 1965 c.9 §2]

182.350 [1957 c.616 §4; 1961 c.197 §3; repealed by 1967 c.73 §5]

182.360 Costs and payment of cash awards and administrative expenses. (1) The costs arising out of the awards under ORS 182.310 to 182.400 shall be paid in the following manner:

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

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

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

(d) For administrative expenses of the Personnel Division incurred in administering ORS 182.310 to 182.400, the expenses shall be added to and collected with the expenses and costs of operating the Personnel Division collected under ORS 240.165.

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

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

(Productivity Improvement Programs)

182.365 Legislative findings. (1) The Legislative Assembly finds that it is in the public interest to encourage and reward government efficiency and that the present state budgeting system has developed inadequate mechanisms to reward efficiency in government agencies and programs. The Legislative Assembly further finds that it is in the public interest to establish a program to reward efficiency and effectiveness in government agencies and programs.

(2) As used in ORS 182.310 to 182.400, "agency or unit" means any department, division, agency or section or unit of any department, division or agency or unit, that has an identifiable budget which may be separated from other budgets and for which credit can be given. [1989 c.815 §1]

182.370 Agency employee incentive fund; establishment; uses. Each state agency or unit in the executive branch shall establish an employee incentive fund to which shall be credited 30 percent of agency budget savings resulting from an improved efficiency project, as certified by the head of the agency or unit and commission. The employee incentive fund may also be used by the agency or unit to make cash awards to employees of the agency or unit. The fund shall not be subject to any expenditure limitation imposed on the agency or unit's other funds or to allotment or other budgetary procedures. [1989 c.815 §4]

182.375 State Productivity Improvement Revolving Fund; creation; sources; uses. (1) There is created in the State Treasury, separate and distinct from the General Fund, an Oregon State Productivity Improvement Revolving Fund. All moneys in the Oregon State Productivity Improvement Revolving Fund are appropriated continuously to the Executive Department for making loans, grants, matching funds or cash awards available to state agencies or employees for implementation of employee suggestions and productivity improvement projects upon authorization of the Employe Suggestions Awards and Productivity Improvement Commission. Interest on earnings of the fund shall be credited to the fund.

(2) The Oregon State Productivity Improvement Revolving Fund shall consist of:

(a) Moneys transferred from the Executive Department's Personnel Account, as provided in ORS 240.170, in a sum not to exceed \$500,000 to establish the fund.

(b) Executive Department savings realized from implementation of employee suggestions and productivity improvement projects which may include existing and future projects such as travel management services and recycling efforts.

(c) Any unexpended revenues transferred in accordance with ORS 279.645 (2).

(3) Thirty percent of the agency or unit budget savings resulting from improved efficiency shall be credited to the Oregon State Productivity Improvement Revolving Fund to be used for program improvement by the agency or unit. If not used in the biennium in which the savings occur, the amount of credit to an agency or unit may be treated as if it were continuously appropriated to the agency or unit and may be expended in following biennia without resulting in any budget justification for the agency or unit. Expenditures from the fund are not subject to allotment or other budgetary procedures.

(4) None of the expenditures in a biennium by the agency or unit under this section shall be considered to be within any appropriation or expenditure limitation in the agency's base budget for the biennium. [1989 c.815 §5; 1991 c.385 §89]

182.380 Credit of certain savings to General Fund. Forty percent of the agency or unit budget savings resulting from improved efficiency and effectiveness shall be credited to the General Fund or, if the origin of the agency or unit's funds is a dedicated fund or federal money, to the fund or account of origin, to be used for the purposes of the fund or account. [1989 c.815 §6]

182.385 Adjustment of budget request as a result of improved efficiency. (1) In preparing its budget for the biennium following one in which the state agency or unit credits any amount to its employee incentive fund, Oregon State Productivity Improvement Revolving Fund and the General Fund, the agency or unit shall adjust its budget request by showing reduced number of positions or reduction in classification of positions, if any, or any other reduction in agency or unit expenses resulting from improved efficiency.

(2) Any agency or unit in which positions are vacant at the beginning of a biennium and remain vacant during the biennium shall not use the vacancy as a basis for crediting any savings under ORS 182.370 to 182.380. Any agency or unit shall not use as a basis

for crediting savings any vacancy created by the transfer of personnel to other agencies. However, any vacancy occurring during a biennium that is not filled because of increased productivity shall be the basis for such credit. [1989 c.815 §7]

182.390 Plan for increased efficiency. (1) In order to qualify for credits under ORS 182.370 to 182.380, the agency or unit must present to the Executive Department a plan for increased efficiency resulting in budget savings and comply with the review requirements developed by the commission and the Legislative Fiscal Officer. The plan must be approved by the commission and by the appropriate legislative review agency, as defined in ORS 291.371. If the plan requires any increased funding or increases in an expenditure limitation in order to implement the plan, the plan shall indicate the amount required. The legislative review agency may include approval of the funding in approving the plan.

(2) The plan required in subsection (1) of this section shall include long-range objectives of each program, indicating in each case where the agency or unit shall increase efficiency and cost savings without a reduction in public services. The plan shall include reasons for leaving current positions vacant, actual reductions in services and supplies, travel and capital outlay and shall include a system to evaluate the resulting accomplishments of each agency or unit.

(3) Each employee desiring to participate in a plan submitted for approval under this section shall sign the plan. Employees who have not signed the plan shall be excluded from participation in either the employee incentive fund or the Oregon State Productivity Improvement Revolving Fund established in ORS 182.315. An employee who is hired after the plan is implemented may participate, but the participation shall be prorated for purposes of any cash awards to reflect the duration of participation. [1989 c.815 §8]

182.395 Eligibility of new programs for cash awards or credit savings. (1) Any new programs mandated by law, assigned to the agency or unit by the Executive Department, or budgeted as additions to the base budget or reduced level budget of the agency or unit shall not be eligible for cash awards or credit savings under ORS 182.310 to 182.400 for a period of four years from the date of inception of the new program.

(2) An agency or unit entitled to credit savings in any biennium as a result of action taken under a plan adopted under ORS 182.390 shall not be eligible for such a credit until four years after the end of the biennium in which the credit accrues.

(3) Cash awards shall not accrue to any employee who is not a participating employee at the time of the original plan. [1989 c.815 §9]

182.400 Progress report on employee suggestion awards and productivity improvement program. The Employee Suggestion Awards and Productivity Improvement Commission shall be considered a pilot program, subject to evaluation by the Executive Department and the Legislative Assembly. At the end of the commission's first year of operation, the Executive Department shall provide a preliminary progress report on the program to the legislative review agency, as defined in ORS 291.371. Prior to July 1, 1991, the Executive Department shall conduct an interim evaluation of the program and make a report to the Legislative Assembly. [1989 c.815 §10]

182.410 [Amended by 1955 c.707 §56; renumbered 184.410]

RULES GOVERNING AGENCY-PROVIDED HOUSING

182.415 Definitions for ORS 182.415 to 182.435. As used in ORS 182.415 to 182.435 and 240.086 unless the context requires otherwise:

(1) "Furnishings" includes furniture usually used in connection with occupancy of a household but does not include rugs, draperies, range, refrigerator, washer, dryer or any item of furnishings received by the state or one of its agencies as a gift, nor does it include any furniture purchased for the state-owned residence required in relation to the official duties of an institutional executive or the Chancellor of the Department of Higher Education prior to September 9, 1971.

(2) "Housing" includes single and multiple family dwellings, apartments, and manufactured dwellings and manufactured dwelling pads, available on a monthly tenancy but does not include guard stations maintained by the State Forestry Department or dormitory facilities at any state institution or at any state institution of higher education.

(3) "Dormitory" includes any facility which houses students and those facilities used primarily for sleeping purposes by the employees of the Mental Health and Developmental Disability Services Division.

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

(5) "Department" means the Department of General Services. [1971 c.575 §1; 1977 c.583 §3]

182.420 [Renumbered 184.420]

182.425 State agency required to collect rental for housing provided employ-

ees; furnishing prohibited; determination of fair rental value. (1) Every state agency that provides housing for its officers or employees shall collect a rental for such housing based on the fair rental value as determined by a qualified appraiser approved by the Department of General Services, subject to any reductions therefrom authorized under ORS 182.435. Rentals collected under this section shall be credited to the agency's account.

(2) No state agency shall provide furnishings as part of any housing provided by the agency.

(3) Determinations of fair rental value shall be reexamined periodically but not less frequently than once every five years and the rental shall be adjusted annually unless such adjustment is determined by the department to be unnecessary.

(4) Determination of the net rental of any employee-occupied state-owned housing unit under subsections (1), (2) and (3) of this section shall be considered a personnel action for purposes of ORS 240.086. [1971 c.575 §§2, 4; 1977 c.583 §4]

182.430 [Renumbered 184.430]

182.435 Uniform schedule of reduction from fair rental value; management policies. (1) The Department of General Services shall by rule establish a uniform schedule of reductions from the fair rental value of any housing described in ORS 182.425 (1). The schedule shall be examined periodically but not less frequently than once every three years and may be changed as the department considers necessary.

(2) In determining reductions, the Department of General Services shall consider factors such as isolation, invasion of the officer or employee's privacy, the agency's justifiable need in having its officers or employees occupying housing in a specific location and inequities between the fair rental value as determined under ORS 182.425 (1) and the salary of the officer or employee occupying the housing.

(3) The department shall by rule establish policies for the management of state-provided housing and shall be responsible for the monitoring of agency programs to assure appropriate application of ORS 182.415 to 182.435. [1971 c.575 §3; 1977 c.583 §5]

182.440 [Renumbered 184.440]

182.450 [Renumbered 184.450]

182.510 [1953 c.588 §1; repealed by 1957 c.624 §14]

182.520 [1953 c.588 §2; repealed by 1957 c.624 §14]

182.530 [1953 c.588 §3; repealed by 1957 c.624 §14]

182.540 [1953 c.588 §4; 1955 c.152 §1; repealed by 1957 c.624 §14]

**DETERMINATION OF PUBLIC NEED
FOR CERTAIN STATE AGENCIES**

182.605 "Agency" defined for ORS 182.605 to 182.635. As used in ORS 182.605 to 182.635, "agency" means:

- (1) The State Board of Accountancy created under ORS chapter 673.
- (2) The State Department of Agriculture relating to duties under ORS 576.044 to 576.584, 576.610 to 576.650, 576.750 to 576.765 and 576.991 and ORS chapters 618, 621 and 634.
- (3) The State Board of Architect Examiners created under ORS chapter 671.
- (4) The Oregon State Bar created under ORS 9.010 to 9.665, 9.705 to 9.850 and 9.990.
- (5) The Director of the Department of Insurance and Finance relating to duties regulating debt consolidating agencies under ORS 697.602 to 697.842.
- (6) The Board of Boiler Rules created under ORS chapter 480, and the Building Codes Agency relating to duties under ORS chapter 480.
- (7) The Construction Contractors Board created under ORS chapter 701.
- (8) The State Board of Chiropractic Examiners created under ORS chapter 684.
- (9) The Oregon Board of Dentistry created under ORS chapter 679.
- (10) The Electrical Board created under ORS 479.800, and the State Building Code Administrator relating to duties under ORS 479.510 to 479.945.
- (11) The State Board of Engineering Examiners created under ORS chapter 672.
- (12) The State Mortuary and Cemetery Board created under ORS chapter 692.
- (13) The Advisory Council to the Health Division on Hearing Aids created under ORS chapter 694, and the Health Division of the Department of Human Resources relating to duties under ORS chapter 694.
- (14) The Director of the Department of Insurance and Finance relating to duties under ORS chapter 744.
- (15) The State Landscape Contractors Board created under ORS chapter 671 relating to duties under ORS chapter 671.
- (16) The Oregon Liquor Control Commission created under ORS chapter 471 and ORS 474.105 and 474.115.
- (17) The State Marine Board relating to duties under ORS 488.400 to 488.430 (1979 Replacement Part).
- (18) The State Board of Massage Technicians created under ORS chapter 687.
- (19) The Board of Medical Examiners for the State of Oregon created under ORS chapter 677.
- (20) The Naturopathic Board of Examiners created under ORS chapter 685.
- (21) The Oregon State Board of Nursing created under ORS chapter 678.
- (22) The Board of Examiners of Nursing Home Administrators created under ORS chapter 678, and the Health Division of the Department of Human Resources relating to duties under ORS chapter 678.
- (23) The Oregon Board of Optometry created under ORS 683.010 to 683.335.
- (24) The State Board of Pharmacy created under ORS chapter 689.
- (25) The Physical Therapist Licensing Board created under ORS chapter 688.
- (26) The Oregon Board of Maritime Pilots created under ORS chapter 776.
- (27) The State Plumbing Board created under ORS chapter 693.
- (28) The Board on Public Safety Standards and Training created under ORS chapter 181.
- (29) The State Board of Psychologist Examiners created under ORS 675.010 to 675.150.
- (30) The Oregon Racing Commission created under ORS chapter 462.
- (31) The Real Estate Commissioner, Real Estate Agency and Real Estate Board created under ORS chapter 696.
- (32) The Sanitarians Registration Board created under ORS chapter 700.
- (33) The State Board of Examiners for Speech Pathology and Audiology created under ORS chapter 681.
- (34) The State Board of Tax Service Examiners created under ORS chapter 673.
- (35) The Teacher Standards and Practices Commission created under ORS 342.120 to 342.175, 342.177 to 342.430 and 342.485 to 342.980.
- (36) The Commissioner of the Bureau of Labor and Industries relating to duties under ORS chapter 702.
- (37) The Oregon State Veterinary Medical Examining Board created under ORS chapter 686.
- (38) The Water Resources Department relating to duties under ORS 537.747 to 537.762.
- (39) The State Landscape Architect Board created under ORS 671.310 to 671.459.
- (40) The Oregon Board of Licensed Professional Counselors and Therapists created under ORS 675.775.

(41) The State Board of Geologist Examiners created under ORS 672.615. [1977 c.842 §1; 1981 c.85 §10, 1981 c.438 §45; 1981 c.821 §1a; 1983 c.17 §28; 1987 c.414 §145; 1989 c.460 §2; 1989 c.721 §21; 1991 c.67 §43]

182.608 Review of regulation of debt consolidating agencies. This section subjects the regulation of debt consolidating agencies by the Director of the Department of Insurance and Finance to automatic review by the Legislative Assembly under ORS 182.605 to 182.635. For the purposes of ORS 182.605 to 182.635, the functions of the Director of the Department of Insurance and Finance relating to regulation of debt consolidating agencies constitute an agency. [Derived from 1983 c.17 §1; 1991 c.67 §44]

Note: 182.608 was enacted into law by the Legislative Assembly but was not added to or made a part of ORS chapter 182 or any series therein by legislative action. See Preface to Oregon Revised Statutes for further explanation.

182.609 Review of regulation of hair design, facial technology and manicure. This section subjects the regulation of practitioners of hair design, facial technology or manicure by the State Board of Barbers and Hairdressers to automatic review by the Legislative Assembly under ORS 182.605 to 182.635. For the purposes of ORS 182.605 to 182.635, the functions of the State Board of Barbers and Hairdressers relating to regulation of practitioners of hair design, facial technology or manicure, constitute an agency. [Derived from 1983 c.151 §24; 1987 c.31 §12]

Note: 182.609 was enacted into law by the Legislative Assembly but was not added to or made a part of ORS chapter 182 or any series therein by legislative action. See Preface to Oregon Revised Statutes for further explanation.

182.610 [Derived from 1983 c.655 §11; repealed by 1989 c.586 §7]

182.615 Legislative review of public need for certain state agencies. The President of the Senate and the Speaker of the House of Representatives acting jointly shall refer review of an agency to an appropriate interim committee. The committee shall review the agency, hold a public hearing and determine whether an agency has demonstrated a public need for its continued existence in accordance with ORS 182.625. The committee shall submit its recommendations or proposed legislation to the President and the Speaker for distribution to the Legislative Assembly so as to allow a thorough review of the recommendations or proposed legislation not later than 18 months before the repeal date of the agency. [1977 c.842 §47]

182.625 Evidence and factors to be used to determine public need; hearing. (1) Before submitting its recommendations or proposed legislation to the President of the Senate and the Speaker of the House of

Representatives, the interim committee reviewing the agency shall hold a public hearing, receiving testimony from the public and the agency. At the hearing the agency shall have the burden of demonstrating a public need for its continued existence. The agency, before the hearing, shall furnish the committee with:

(a) A statement of why the exercise of its power is necessary to protect the public health, safety or welfare;

(b) A statement of specific and detailed objectives of the agency scheduled for repeal;

(c) A statement of conclusions as to the effectiveness of the agency's program or programs in meeting the stated objectives;

(d) Recommendations with respect to any changes or additional legislative action considered necessary or desirable in carrying out the agency's program or programs; and

(e) A listing of principal models, analyses or studies supporting the conclusions and recommendations provided pursuant to paragraphs (b) and (c) of this subsection.

(2) The interim committee, in determining whether an agency has demonstrated a public need for its continued existence, shall consider the following factors:

(a) Whether the absence of regulation would significantly harm or endanger the public health, safety or welfare;

(b) Whether there is a reasonable relationship between the exercise of the state's official power and the protection of the public health, safety or welfare;

(c) Whether there is another less restrictive method of regulation available which could adequately protect the public;

(d) Whether the regulation has the effect of directly or indirectly increasing the cost of any goods or services involved, and if so, to what degree;

(e) Whether the increase in cost is more harmful to the public than the harm which could result from the absence of regulation;

(f) The extent to which the agency has operated in the public interest, and the extent to which its operation has been impeded or enhanced by existing statutes, rules, procedures and practices of the agency;

(g) The extent to which the agency has permitted qualified applicants for an occupational or professional license, certificate or registration to serve the public;

(h) The extent to which the agency has recommended statutory changes to the Legislative Assembly to benefit the public;

(i) The extent to which the agency has required the persons it regulates to report to

it concerning the impact on the public of rules and decisions of the agency regarding improved service, and economy and availability of service;

(j) The extent to which persons regulated by the agency have been required to assess problems in their industry which affect the public;

(k) The extent to which the agency has encouraged participation by the public in making its rules and decisions;

(L) The efficiency with which formal public complaints filed with the agency concerning persons subject to regulation have been processed to completion by the agency;

(m) The extent to which affirmative action requirements of state and federal statutes and constitutions have been complied with by the agency or the industry it regulates;

(n) The extent to which changes are necessary in the enabling laws of the agency to

adequately comply with the factors listed in this subsection; and

(o) The condition of the financial affairs of the agency as indicated by the most recent audit report prepared by the Secretary of State under ORS 297.210. [1977 c.842 §48]

182.635 Duration of continuation of agency; subsequent review; requirement for separate legislative action to continue any agency. (1) An agency may be continued or reestablished by the Legislative Assembly for a period not to exceed eight years, at the end of which period the agency shall be reviewed again pursuant to ORS 182.605 to 182.635.

(2) No more than one agency shall be continued or reestablished in any Act. [1977 c.842 §49]

182.615 [1982 s.s.1 c.3 §1; renumbered 284.895 in 1989]

STATE EXECUTIVE DEPARTMENT AND ORGANIZATION
