

## Chapter 292

### 1999 EDITION

#### Salaries and Expenses of State Officers and Employees

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

- 292.010 Salaries of state officers and employees payable monthly or biweekly
- 292.014 Definitions for ORS 292.014 to 292.036
- 292.016 Centralized payroll procedure
- 292.018 Designation of agent
- 292.022 Preparation of payroll
- 292.024 Warrant for aggregate amount allowed plus assessments; limits
- 292.026 Issuing payroll checks
- 292.032 Filing paid checks; unrepresented checks
- 292.033 Advances of regular and terminal salary or wages
- 292.034 Payment for use of centralized payroll services
- 292.036 Rules and regulations
- 292.039 Paying officers and employees of certain state institutions and agencies
- 292.040 Bond of payroll officer
- 292.042 Paying employees by single checks to designated financial institutions
- 292.043 Department of Higher Education; wage deduction for foundations
- 292.045 Deduction of United Fund contribution; payment to United Fund
- 292.051 Deduction of cost of group insurance and other services; payment to insurance companies or other contractors
- 292.055 Deduction of payment for labor organization; payment to organization; fees payable to state
- 292.061 Deduction for payment of delinquent taxes
- 292.063 Deduction of wage overpayment; procedure
- 292.065 Deduction of payment for parking fees; agreements for parking in state lots
- 292.067 Deduction of requested payments to financial institutions; payment to designated central depositories

- 292.070    Withholding compensation to purchase United States Savings Bonds or other obligations; Employees' Bond Savings Account
- 292.080    Issuance of bonds; delivery to employee
- 292.090    Use of balances to purchase bonds in advance
- 292.100    Refunds from account
- 292.110    Procedure where employee dies having credit in account
- 292.150    Advances upon mileage allowances of members of legislature and upon salaries of legislative clerks and other state employees
- 292.160    Repayment of amounts advanced
- 292.170    Procedure when employee leaves employment after overpayment
- 292.180    Invoice reflecting certain savings; use of savings; refunding

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

- 292.210    Definitions for ORS 292.220 and 292.230
- 292.220    Department to regulate subsistence and mileage allowances for travel
- 292.230    Policy on out-of-state travel; guidelines; use of travel awards; department rules
- 292.250    Reimbursement for use of privately owned motor vehicle on official business
- 292.280    Advance for expenses of travel and subsistence
- 292.286    Approval of advance by agency head; payment; regulations
- 292.288    State claim on advances

#### SALARIES AND EXPENSES OF ELECTED STATE OFFICERS

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

## SALARIES AND EXPENSES OF NONELECTIVE STATE OFFICIALS

292.495 Compensation and expenses of members of state boards and commissions

292.500 Compensation and expenses of members of Oregon Developmental Disabilities Council

## PUBLIC OFFICIALS COMPENSATION COMMISSION

292.907 Public Officials Compensation Commission; eligibility; term

292.912 Duties

292.917 Officers; quorum; meetings; compensation and expenses; staff

292.920 Legislative Assembly to act on recommendations; authority to lower salaries

292.930 Annual salary of certain public officials

## COMPARABLE VALUE OF WORK

292.951 Definitions for ORS 292.951 to 292.971

292.956 Rules to establish method for determining comparability of value of work

292.961 Pay Equity Adjustment Fund; use; priority; review of distribution by legislative body

292.971 Job Evaluation Teams; duties

## PENALTIES

292.990 Penalties

## CROSS-REFERENCES

Appropriation necessary before withdrawal from State Treasury, Const. Art. IX, s.4; see 291.232 to 291.260

Armed Forces, benefits for public employees while on temporary active duty, 408.290

Citizens' Utility Board, law inapplicable, 774.190

Commodity commissions, salary of administrators determined by commissions, 578.120, 579.140

Compensation plans for employees in exempt, unclassified or classified service, 240.235 to 240.245

Encumbrances, defined by rule of Oregon Department of Administrative Services, 293.075

Hours and overtime for labor directly or indirectly employed by public employers, 279.334 to 279.342

Oregon Health Sciences University, provisions of chapter generally do not apply to, 353.100

Payment of salary due deceased state employee, 293.490 to 293.500

Public employee wages as affected by absence to engage in search or rescue operation, 652.250

Semi-independent state agencies, application of chapter, 182.460

State Accident Insurance Fund Corporation, application, 656.753

State System of Higher Education, exempt from certain provisions of chapter, 351.086

Unclaimed property held for owner by public authority, 98.302 to 98.436

Unemployment insurance, 657.020, 657.065, 657.505

When compensation not allowed by state agency for services of attorney, 180.230

292.010 to 292.180

Designation of officer to approve disbursements, 293.330

Furnishing state employees with:

Itemized statement of amounts and purposes of deductions, 652.610

Statement of yearly compensation, 652.620

Paying employees of:

Adult and Family Services Division, 411.245

Department of Transportation, 366.160, 366.440

292.040

Allowance for expense of bond or letter of credit, 742.354

Bond not invalidated by omission of statutory provision, 742.370

292.043

Department of Higher Education, 351.010 to 351.260

292.051

Deduction of premiums for health benefit plan participation of participating state employee, 243.476

292.150

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

292.220

Interim committees, reimbursement of members for travel and other expenses, 171.620

Travel and expense allowances and use of privately owned vehicles, 283.345

292.250

Use of privately owned vehicles, 283.345

292.410

Compensation to be fixed by law and not diminished during term, Const. Art. VII (A), s.1

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

**292.010 Salaries of state officers and employees payable monthly or biweekly.** The salaries of the Governor, Secretary of State, State Treasurer, Attorney General, judges of the Supreme and circuit courts, district attorneys, and all other state officers, and all persons employed by the state whose salary or compensation is payable by law out of the State Treasury, shall be paid monthly or on a biweekly basis. [Amended by 1969 c.378 s.1; 1989 c.894 s.1]

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

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

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

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

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

**292.020** [Renumbered 292.038]

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

(2) The payroll shall be certified as correct by the chief administrative officer of the state agency or by the officer designated pursuant to ORS 293.330 to approve disbursements for the state agency.

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

**292.024 Warrant for aggregate amount allowed plus assessments; limits.** (1) The Oregon Department of Administrative Services shall, as it determines and may at any time redetermine, either draw a warrant for or transfer the aggregate amount allowed of a payroll transmitted under ORS 292.022 plus additional amounts specified in subsection (2) of this section. The aggregate amounts allowed shall be deposited with the State Treasurer, to be held in a special account to be designated as the Joint Payroll Account.

(2) In addition to the aggregate amount allowed of a payroll in subsection (1) of this section, the department may assess a fee equal to the State Treasury short term investment pool interest rate against any portion of any payroll reimbursement the source of funds of which is other than from a General Fund appropriation, and which is transmitted to the department 45 or more days after the issue date of the payroll. All moneys received by the department under the provisions of this subsection shall be deposited in the State Treasury to the credit of the General Fund. [1955 c.495 s.5; 1961 c.108 s.10; 1967 c.454 s.81; 1969 c.378 s.4; 1991 c.611 s.1]

**292.026 Issuing payroll checks.** (1) After preparation of the payroll, the aggregate amount as prescribed by ORS

292.024 shall be deposited in the Joint Payroll Account. The Oregon Department of Administrative Services may issue checks in the proper amount even though reimbursement funds payable to the Joint Payroll Account are not available on the date of issuance. The checks shall be drawn on the State Treasurer and be payable from the Joint Payroll Account. The checks shall be issued to:

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

(b) The persons, public or private, including persons responsible for holding or investing an officer or employee's individual retirement account, section 408, Internal Revenue Code of 1954, in effect on January 1, 1987, entitled to receive the authorized employee deductions under the payroll as allowed by the department.

(c) Banks, savings and loan associations or credit unions, including persons responsible for holding or investing an officer or employee's individual retirement account entitled to receive direct deposit of payroll checks as preauthorized by employee.

(2) Checks issued under subsection (1)(b) or (c) of this section may be for the aggregate amount due under the payroll to the person, public or private, entitled to receive the money or the department may utilize an automatic or electronic transfer of funds system authorized by the State Treasurer's office in lieu of issuing checks. The department may, where monthly payments are not required, issue checks less frequently than monthly to the persons, public or private, entitled to receive payments under subsection (1)(b) of this section. [1955 c.495 s.6; 1967 c.454 s.82; 1969 c.378 s.5; 1979 c.718 s.1; 1981 c.567 s.1; 1985 c.355 s.1]

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

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

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

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

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

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

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

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

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

(2) All moneys received by the department under the provisions of this section shall be deposited in the State Treasury to the credit of the Oregon Department of Administrative Services Operating Fund. [1955 c.495 s.9; 1961 c.108 s.12; 1967 c.454 s.83; 1969 c.378 s.7; 1993 c.500 s.44a]

**292.036 Rules and regulations.** The Oregon Department of Administrative Services may prescribe such rules and

regulations as are necessary to carry out the provisions of ORS 292.014 to 292.036. [1955 c.495 s.10]

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

**292.039 Paying officers and employees of certain state institutions and agencies.** (1) The payment of the salary or compensation of the employees of the Department of Transportation and the officers and employees of any state agency, as defined in ORS 291.002 (7), if such agency is authorized by the Director of the Oregon Department of Administrative Services, where such salary or compensation is payable out of the State Treasury and is fixed by law or the proper governing board or authority at a definite rate per day, week, month or year, shall be made monthly, as provided in this section.

(2) The superintendent, president or chief executive officer of the institutions, boards, commissions or state agencies listed in subsection (1) of this section, or such other officer thereof as may be, with the approval of the department, designated by the proper governing board or authority, shall, at the end of each month, make out, certify and transmit to the department, a payroll, duly verified by the superintendent, president or chief executive officer or designated other officer and approved by the proper auditing committee or officer, showing the names of the several officers and employees during the preceding payroll period, the rate of compensation of each by the day, week, month or year, the time employed, the amount due and any other facts the department requires. The department, if it approves the payroll, shall draw a warrant on the State Treasurer for the aggregate amount allowed by it thereon, in favor of the superintendent, president or other officer of the institution, board, commission or state agency, who shall immediately pay over the moneys received thereon to the several parties entitled thereto, taking receipts therefor, which shall be transmitted to the department. [Formerly 292.030; 1957 c.482 s.1; 1959 c.183 s.1; 1959 c.566 s.5; 1967 c.454 s.84; 1969 c.378 s.8; 1995 c.612 s.20]

**292.040 Bond of payroll officer.** Before the superintendent, president or other officer of an institution, board or commission listed in ORS 292.039, forwards a payroll or receives from the Oregon Department of Administrative Services a warrant issued thereon, the superintendent, president or other officer shall file with the department a bond running to the State of Oregon, for the benefit of whomsoever it may concern, in such sum and amount as the department may require, not less, however than 50 percent of the probable aggregate amount of the monthly payroll nor more than \$50,000, with an approved surety company as surety. The bond shall be conditioned that the superintendent, president or other officer will faithfully pay over the moneys received on the warrant issued by the department to the several parties entitled thereto, and properly account for the same. The premium on the bond shall be considered an expense of the state and payable from any funds appropriated for the benefit of the institution, board, commission or state agency listed in ORS 292.039 (1). [Amended by 1953 c.95 s.2; 1967 c.454 s.85; 1969 c.378 s.9; 1989 c.171 s.38]

**292.042 Paying employees by single checks to designated financial institutions.** (1) Notwithstanding the provisions of ORS 292.039 or any other law, any state official authorized to disburse funds in payment of salaries or wages of state officers or employees is authorized, upon written request of state officers or employees to whom salaries and wages are to be paid, and may pay the same to any financial institution designated by the officers or employees for credit to their accounts. A single check may be drawn in favor of such financial institution, for the total amount due the officers or employees involved, and written directions provided to such financial institution of the amount to be credited to the account of each officer or employee. Financial institutions permitted to participate in the payroll program shall be those only which are qualified state depositories as provided by ORS 295.005 to 295.165.

(2) The issuance and delivery by the disbursing officer of a check in accordance with the procedure set forth in subsection (1) of this section and proper indorsement thereof by the financial institution shall constitute full acquittance for the amount due to the officer or employee. [1967 c.69 ss.2,3; 1969 c.378 s.10; 1997 c.631 s.443; 1999 c.311 s.3]

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

(2) Any state official authorized to disburse funds in payment of salaries or wages, as defined in ORS 292.014, of the officers, teachers, instructors and other employees of the Department of Higher Education is authorized, upon written request of the individual, to deduct each month from the salary or wages of the individual the amount of money

designated by the individual for payment to a foundation.

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

(4) The moneys so deducted shall be paid over promptly to the foundation designated by the individual. Subject to any rules prescribed by the State Board of Higher Education, the state official authorized to disburse the funds in payment of salaries and wages may prescribe any procedures necessary to carry out this section. [1975 c.385 s.1; 1995 c.612 s.1]

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

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

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

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

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

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

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

(d) Automobile casualty insurance under a monthly payroll deduction program endorsed or offered by an employee organization representing 500 or more state employees. Membership in the employee organization shall not be a requirement for participation in this program.

(e) Legal insurance under a monthly payroll deduction program endorsed or offered by an employee organization representing 500 or more state employees.

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

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

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

(5) As used in this section, "officer or employee" means all persons who receive salaries or wages disbursed by any state official. [1965 c.23 s.1; 1971 c.527 s.12; 1975 c.475 s.1; 1979 c.469 s.1; 1979 c.717 s.1; 1997 c.222 s.43]

**292.053** [1987 c.201 s.2; repealed by 1999 c.49 s.1]

**Note:** 292.053 is repealed February 1, 2000. See sections 1 and 3, chapter 49, Oregon Laws 1999. 292.053 (1997



Edition) is set forth for the user's convenience.

**292.053. Deduction for repayment of loan to Director of Veterans' Affairs.** (1) A state officer or employee may direct, in writing, that the disbursing official for the officer or employee deduct each month from the salary or wages of the officer or employee a specified amount of money for payment to the Director of Veterans' Affairs.

(2) When a state officer or employee directs that a deduction be made from salary or wages under this section, the amount deducted each month shall not be less than the amount that the officer or employee is obligated to pay to the Director of Veterans' Affairs each month under a loan agreement or purchase contract, including any amounts for taxes and insurance premiums.

(3) Not later than 30 days after receiving a written authorization from a state officer or employee for a deduction from salary or wages under this section, the disbursing official shall deduct each month from the salary or wages of the officer or employee the amount specified in the authorization. The disbursing official shall pay the amount so deducted to the Director of Veterans' Affairs or to a single central depository designated by the director.

(4) Upon receipt of a request in writing from a state officer or employee to do so, a disbursing official shall stop making the deduction authorized under this section from the salary or wages of that officer or employee.

(5) Subject to any rules prescribed by the Oregon Department of Administrative Services, a disbursing official may prescribe any procedures necessary to carry out this section.

(6) As used in this section, "disbursing official" means any person authorized to disburse funds in payment of salaries or wages to state officers and employees.

**Note:** Section 2, chapter 49, Oregon Laws 1999, provides:

**Sec. 2.** A disbursing official making a deduction from salary or wages authorized by ORS 292.053 (1997 Edition) shall not make the deduction for any pay period ending after January 31, 2000. [1999 c.49 s.2]

**292.055 Deduction of payment for labor organization; payment to organization; fees payable to state.** (1) Upon receipt of the request in writing of a state officer or employee so to do, the state official authorized to disburse funds in payment of the salary or wages of such state officer or employee each month shall deduct from the salary or wages of such officer or employee the amount of money indicated in such request, for payment thereof to a labor organization as the same is defined in ORS 243.650.

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

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

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

(5) Upon receipt from the Oregon Department of Administrative Services of a copy of a valid fair-share agreement in a collective bargaining unit, the state official authorized to disburse funds in payment of the salary or wages of the employees in such unit each month shall deduct from the salary or wages of the employees covered by the agreement the in-lieu-of-dues payment stated in the agreement and pay such amount to the labor organization party the agreement in the same manner as deducted dues are paid to a labor organization. Such deduction and payment shall continue for the life of the agreement. [1959 c.316 s.1; 1969 c.414 s.1; 1971 c.510 s.1; 1973 c.536 s.31; 1975 c.347 s.1; 1995 c.286 s.28]

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

**292.061 Deduction for payment of delinquent taxes.** (1) Any state official authorized to disburse funds in payment of salaries or wages of state officers or employees is authorized, upon written request of the state officer or employee, to deduct each pay period from the salary or wages of the officer or employee the amount of money designated by the officer or employee for the purpose of paying delinquent taxes, including interest and penalties, due

state or federal agencies. Such deductions must be in accordance with an agreement between the officer or employee and the state or federal agency.

(2) The state official each month shall pay such amount so deducted to the state or federal agency designated to receive it.

(3) Upon receipt of the request in writing of the officer or employee so to do, the state official shall cease making such deductions and payments. [1987 c.444 s.2]

**292.063 Deduction of wage overpayment; procedure.** (1) When a state employee receives payment of salary or wages in an amount greater than the employee's entitlement, the amount of overpayment may be deducted from salary or wages earned by the employee.

(2) The deduction may be in such form and manner as the Oregon Department of Administrative Services, by rule, may prescribe. [1995 c.452 s.7]

**Note:** 292.063 was added to and made a part of ORS chapter 292 by legislative action but was not added to any smaller series therein. See Preface to Oregon Revised Statutes for further explanation.

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

(a) "Department" means the Oregon Department of Administrative Services.

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

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

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

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

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

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

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

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

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

(8) The authorization for deduction and cancellation of deduction shall be made to the payroll officer in such form and manner and under such rules as prescribed by the Oregon Department of Administrative Services. [1969 c.445 ss.1,2,3,4; 1975 c.634 s.1; 1993 c.500 s.45]

**292.067 Deduction of requested payments to financial institutions; payment to designated central depositories.** (1) Upon receipt of the request in writing of a state officer or employee to do so, the state officer

authorized to disburse funds in payment of the salary or wages of such state officer or employee each month shall deduct from the salary or wages of such officer or employee the amount of money indicated in such request, for payment thereof to any designated financial institution that is a member of the Oregon Automated Clearing House Association or its successor, designated by such officer or employee to receive it.

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

(3) Upon receipt of the request in writing of such officer or employee to do so, such state official shall cease making such deductions and payments.

(4) As used in this section, "financial institution" means a financial institution as defined in ORS 706.008 or any other entity authorized to hold or invest individual retirement accounts under section 408, Internal Revenue Code of 1954, in effect on January 1, 1987. [1971 c.71 s.2; 1979 c.718 s.2; 1985 c.355 s.2; 1997 c.631 s.444]

**292.068** [1977 c.642 s.2; repealed by 1979 c.718 s.3]

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

(a) "Compensation" means salaries and wages.

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

(2) The Oregon Department of Administrative Services, pursuant to such rules as it may adopt, is authorized, with the approval of state employees, to withhold from their compensation sums with which to purchase for them United States Savings Bonds or other obligations of the United States of America and to deposit such sums with the State Treasurer in a trust account entitled Employees' Bond Savings Account. The account shall be subject to withdrawal, in whole or in part, upon the check or written order of the department, or of such persons as may be deputized by it, for the purposes provided in ORS 292.070 to 292.110. The account, with its component items, shall be exempt from garnishment, attachment or execution under the laws of this state. [Amended by 1981 c.567 s.3]

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

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

(a) Forwarded to the purchasing employee by the department by mail in envelopes furnished by the federal government; or

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

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

**292.100 Refunds from account.** The Oregon Department of Administrative Services may make refunds from the Employees' Bond Savings Account, of the uninvested amounts therein, of employees' salary deductions. [Amended by 1981 c.567 s.6]

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

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

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

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

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

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

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

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

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

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

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

(a) Verify the vouchers.

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

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

**292.170 Procedure when employee leaves employment after overpayment.** If a state employee leaves state employment after having received payment of salary or wages in an amount greater than the employee's entitlement, the amount of overpayment shall be considered a delinquent account and shall be subject to collection by the Collections Unit in the Department of Revenue under ORS 293.250. [1981 c.567 s.12]

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

(2) It is the intention of this section to allow the department to use demonstrated savings of Workers' Compensation workday tax costs to pay for the implementation costs of ORS 238.350, 240.546, 292.026, 292.033, 292.070 to 292.110, 292.170 and this section and the moneys received are continuously appropriated for the purposes of ORS 238.350, 240.546, 292.026, 292.033, 292.070 to 292.110, 292.170 and this section.

(3) Any excess moneys remaining after the implementation of ORS 238.350, 240.546, 292.026, 292.033, 292.070 to 292.110, 292.170 and this section shall be returned pro rata on the basis of total moneys to agency contributions to the agencies from which received. However, if the amount remaining is less than \$10,000, that amount may be transferred to the General Fund as a miscellaneous receipt. [1981 c.567 s.11; 1983 c.81 s.1]

**292.190** [1991 c.530 s.1; repealed by 1995 c.162 s.94]

**292.200** [1975 c.4 s.1; repealed by 1985 c.565 s.47]

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

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

- (1) “State agency” has the same meaning as provided in ORS 291.002.
  - (2) “State officer” means any elected or appointed state officer, including members of boards and commissions.
- [Amended by 1953 c.623 s.3; 1971 c.153 s.1]

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

**292.230 Policy on out-of-state travel; guidelines; use of travel awards; department rules.** (1) It is the policy of the state that all out-of-state travel by state agency personnel shall be allowed only when the travel is essential to the normal discharge of the agency's responsibilities. Out-of-state travel shall be conducted in the most efficient and cost-effective manner resulting in the best value to the state. The travel must comply with requirements of rules adopted under subsection (5) of this section. State agencies shall adhere to the following guidelines when using out-of-state travel:

- (a) All out-of-state travel must be for official state business.
  - (b) Use of out-of-state travel must be related to the agency's scope of responsibilities.
  - (c) Each state agency is charged with the responsibility for determining the necessity and justification for and method of travel.
  - (d) Each state agency shall make every effort possible to minimize employee time spent on out-of-state travel.
- (2) Notwithstanding any other law, including but not limited to ORS 243.650 to 243.782, it is the policy of the state that travel awards earned while conducting state business shall be used to reduce the costs of state travel expenses except as otherwise required as a prerequisite to receipt of federal or other granted funds. The use of travel awards obtained while conducting state business for personal travel constitutes personal gain from state employment and violates ORS 244.040.
- (3) The Oregon Department of Administrative Services shall work with commercial airlines to make travel awards available to the state rather than individual employees.
- (4) Notwithstanding subsection (5) of this section, each state agency shall manage all travel awards earned by personnel employed by them who travel for the state. Agencies shall establish procedures in accordance with Oregon Department of Administrative Services rules to monitor the earning and use of awards by individual employees.
- (5) The Oregon Department of Administrative Services shall adopt by rule standards regulating out-of-state travel including but not limited to:
- (a) Limiting the number of officers and employees who may attend the same meeting;
  - (b) Requiring state agencies to establish practices for travel that are consistent with the agency's resources;
  - (c) Requiring agencies to develop information sharing for reporting and other aspects that have benefits to more than one agency;
  - (d) Developing telecommunication resources to be used in lieu of travel;
  - (e) Requiring agency administrators or their designees, as designated in writing, to approve out-of-state travel; and
  - (f) Setting up procedures to audit agency use of travel and travel awards including appropriate sanctions for misuse.
- (6) As used in this section:
- (a) “Official state business” means activity conducted by any agency personnel that has been authorized by that agency in support of approved state programs.
  - (b) “Out-of-state travel” means all travel from a point of origin in Oregon to a point of destination in another state and return therefrom.
  - (c) “Travel award” means any object of value awarded by any business providing commercial transportation or accommodations to an individual or agency which can be used to reduce the cost of travel including, but not limited to, frequent flier miles, discounts or coupons. [Amended by 1993 c.750 s.1]

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

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

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

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

**292.260** [Amended by 1965 c.8 s.2; repealed by 1971 c.244 s.6]

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

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

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

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

(3) The Oregon Department of Administrative Services shall make regulations setting forth procedures for request and disbursal of travel advances provided in ORS 292.286 and 292.288. [1955 c.765 s.3; 1971 c.244 s.3; 1973 c.158 s.2; 1993 c.18 s.57]

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

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

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

**292.295** [1955 c.765 s.6; repealed by 1971 c.244 s.6]

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

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

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

## SALARIES AND EXPENSES OF ELECTED STATE OFFICERS

**292.313 Governor, Secretary of State, State Treasurer, Attorney General, Superintendent of Public**

**Instruction, Commissioner of Bureau of Labor and Industries.** The incumbents of each of the following offices shall be paid an annual salary on a monthly basis, as follows:

(1) Governor, \$88,300 for the year beginning July 1, 1997, and each year thereafter. The Governor shall also be paid \$1,000 per month regularly for expenses necessarily incurred but not otherwise provided for.

(2) Secretary of State, \$67,900 for the year beginning July 1, 1997, and each year thereafter. The Secretary of State shall also be paid \$250 per month regularly for expenses necessarily incurred but not otherwise provided for.

(3) State Treasurer, \$67,900 for the year beginning July 1, 1997, and each year thereafter. The State Treasurer shall also be paid \$250 per month regularly for expenses necessarily incurred but not otherwise provided for.

(4) Attorney General, \$72,800 for the year beginning July 1, 1997, and each year thereafter. The Attorney General shall also be paid \$250 per month regularly for expenses necessarily incurred but not otherwise provided for.

(5) Superintendent of Public Instruction, \$67,900 beginning July 1, 1997, and each year thereafter. The superintendent shall also be paid \$250 per month regularly for expenses necessarily incurred but not otherwise provided for.

(6) Commissioner of the Bureau of Labor and Industries, \$67,900 for the year beginning July 1, 1997, and each year thereafter. The commissioner shall also be paid \$250 per month regularly for expenses necessarily incurred but not otherwise provided for. [1953 c.307 s.1; 1955 c.706 s.1; 1957 c.578 s.1; 1959 c.693 s.1; 1961 c.392 s.1; 1963 c.572 s.55; 1965 c.14 s.1; 1967 c.7 s.1; 1969 c.644 s.1a; 1971 c.642 s.4; 1973 c.628 s.1; 1977 c.896 s.2; 1979 c.635 s.1; 1981 c.736 s.5; 1981 c.739 s.1; 1985 c.782 s.4; 1987 c.894 s.4; 1989 c.977 s.1; 1997 c.572 s.1]

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**292.344** [Renumbered 292.975]

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

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

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

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

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

**292.405 Court of Appeals judges.** (1) The annual salary of the Chief Judge of the Court of Appeals shall be \$93,600 for the year beginning July 1, 1997, and each year thereafter.

(2) The annual salary of each other judge of the Court of Appeals shall be \$91,500 for the year beginning July 1, 1997, and each year thereafter. [1969 c.198 s.9; 1971 c.642 s.5; 1973 c.786 s.1; 1977 c.896 s.3; 1979 c.635 s.2; 1981 c.739 s.2; 1985 c.782 s.5; 1987 c.894 s.5; 1989 c.977 s.2; 1993 c.725 s.28; 1995 c.658 s.139; 1997 c.572 s.2]

**292.410 Supreme Court Justice and judges.** (1) The annual salary of the Chief Justice of the Supreme Court shall be \$95,800 for the year beginning July 1, 1997, and each year thereafter.

(2) The annual salary of each other judge of the Supreme Court shall be \$93,600 for the year beginning July 1, 1997, and each year thereafter. [Formerly 292.315; 1961 c.702 s.3; 1965 c.171 s.3; 1967 c.38 s.3; 1969 c.365 s.3; 1971 c.642 s.6; 1973 c.786 s.2; 1977 c.896 s.4; 1979 c.635 s.3; 1981 c.739 s.3; 1985 c.782 s.6; 1987 c.894 s.6; 1989 c.977 s.3; 1993 c.725 s.29; 1995 c.658 s.139a; 1997 c.572 s.3]

**292.415 Circuit court judges.** The annual salary of each judge of a circuit court shall be \$85,300 for the year beginning July 1, 1997, and each year thereafter. [1971 c.642 s.43; 1973 c.786 s.3; 1977 c.896 s.5; 1979 c.635 s.4; 1981 c.739 s.4; 1985 c.782 s.7; 1987 c.894 s.7; 1989 c.977 s.4; 1993 c.725 s.30; 1995 c.658 s.139b; 1997 c.572 s.4]

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

**292.422** [1981 c.816 s.2; 1985 c.782 s.8; 1987 c.894 s.8; 1989 c.977 s.5; 1993 c.725 s.31; 1995 c.658 s.139c; 1997 c.572 s.5; repealed by 1995 c.658 s.127]

**292.425 Tax court judge.** The annual salary of the judge of the Oregon Tax Court shall be \$88,000 for the year beginning July 1, 1997, and each year thereafter. [1977 c.896 s.8; 1979 c.635 s.6; 1981 c.739 s.6; 1985 c.782 s.9; 1987 c.894 s.9; 1989 c.977 s.6; 1993 c.725 s.32; 1995 c.658 s.139d; 1997 c.572 s.7]

**292.430 Retirement and insurance benefits extension to state elected officers.** (1) In addition to the annual salaries set forth in ORS 171.072 and 292.313, the Oregon Department of Administrative Services may “pick-up,”



assume and pay to the Public Employees Retirement Fund the employee contributions, otherwise required by ORS 238.200, for the Governor, Secretary of State, State Treasurer, Attorney General, Superintendent of Public Instruction, Commissioner of the Bureau of Labor and Industries and members of the Legislative Assembly.

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

## **SALARIES AND EXPENSES OF NONELECTIVE STATE OFFICIALS**

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

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

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

**292.500 Compensation and expenses of members of Oregon Developmental Disabilities Council.** (1) As used in this section, "council" means the Oregon Developmental Disabilities Council that receives federal financial support under the Developmental Disabilities Assistance and Bill of Rights Act (42 U.S.C. 6000 et seq.).

(2) Each member of the Oregon Developmental Disabilities Council is entitled to compensation as provided in ORS 292.495 (1).

(3) Subject to limits provided by law or by the Oregon Department of Administrative Services under ORS 292.210 to 292.250, each member of the council may receive actual and necessary travel or other expenses incurred in the performance of the member's official duties and not reimbursed from other sources.

(4) As used in subsection (3) of this section, "other expenses" means:

(a) Expenses not exceeding \$25 for each day that are incurred by a member of the council in employing another person to perform duties, including personal duties, normally performed by the member that the member is unable to perform because of other official duties that cannot be delayed without risk to health or safety.

(b) Notwithstanding paragraph (a) of this subsection, the actual cost of personal assistant services necessary for a member of the council to perform official duties of the member.

(c) Notwithstanding paragraph (a) of this subsection, the actual cost of care for children or family members with disabilities that is required to allow a parent or caregiver to perform the duties of a member of the council. [1999 c.426 s.1]

**Note:** 292.500 was enacted into law by the Legislative Assembly but was not added to or made a part of ORS chapter 292 or any series therein by legislative action. See Preface to Oregon Revised Statutes for further explanation.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

- 292.690** [Formerly part of 292.317; 1961 c.530 s.36; 1963 c.572 s.31; repealed by 1965 c.14 s.45]
- 292.695** [Formerly part of 292.317; 1961 c.530 s.37; 1963 c.572 s.32; 1965 c.14 s.23; 1967 c.7 s.23; 1969 c.644 s.21; 1971 c.642 s.27; 1973 c.787 s.19; repealed by 1977 c.589 s.1]
- 292.700** [Formerly part of 292.317; 1961 c.530 s.38; 1963 c.572 s.33; 1965 c.14 s.24; 1967 c.7 s.24; 1969 c.644 s.22; 1971 c.642 s.28; 1973 c.787 s.20; repealed by 1977 c.589 s.1]
- 292.705** [Formerly part of 292.317; 1961 c.530 s.39; 1963 c.572 s.34; 1965 c.14 s.25; repealed by 1967 c.7 s.40]
- 292.707** [1961 c.530 s.58; 1963 c.572 s.35; repealed by 1965 c.14 s.45]
- 292.710** [Formerly part of 292.317; 1961 c.530 s.40; repealed by 1963 c.572 s.50]
- 292.711** [1965 c.14 s.27; 1967 c.7 s.25; 1969 c.644 s.23; repealed by 1971 c.642 s.29]
- 292.715** [Formerly part of 292.317; 1961 c.530 s.41; 1963 c.572 s.36; 1965 c.14 s.28; 1967 c.7 s.26; repealed by 1969 c.599 s.68]
- 292.720** [Formerly part of 292.317; 1961 c.530 s.42; repealed by 1963 c.572 s.50]
- 292.725** [Formerly part of 292.317; 1961 c.530 s.43; 1963 c.572 s.37; 1965 c.14 s.29; 1967 c.7 s.27; 1969 c.644 s.25; repealed by 1971 c.642 s.30]
- 292.730** [Formerly part of 292.317; 1961 c.530 s.44; 1963 c.572 s.38; 1965 c.14 s.30; repealed by 1967 c.7 s.40]
- 292.735** [Formerly part of 292.317; 1961 c.530 s.45; 1963 c.572 s.39; 1965 c.14 s.31; 1967 c.7 s.28; 1969 c.644 s.26; 1971 c.642 s.31; 1973 c.787 s.21; repealed by 1977 c.589 s.1]
- 292.737** [1963 c.572 s.52; 1965 c.14 s.32; repealed by 1965 c.405 s.4 and 1967 c.7 s.40]
- 292.740** [Formerly part of 292.317; 1963 c.572 s.40; 1965 c.14 s.33; 1967 c.7 s.29; repealed by 1969 c.644 s.39]
- 292.745** [Formerly part of 292.317; 1961 c.530 s.46; 1963 c.572 s.41; repealed by 1965 c.14 s.45]
- 292.750** [Formerly part of 292.317; 1961 c.530 s.47; 1963 c.572 s.42; 1965 c.14 s.34; 1967 c.7 s.30; 1969 c.644 s.27; 1971 c.642 s.32; 1973 c.787 s.22; repealed by 1977 c.589 s.1]
- 292.752** [1961 c.530 s.56; repealed by 1963 c.572 s.50]
- 292.755** [Formerly part of 292.317; 1961 c.530 s.48; 1963 c.572 s.43; repealed by 1965 c.14 s.45]
- 292.760** [Formerly part of 292.317; 1961 c.530 s.49; 1963 c.572 s.44; 1965 c.14 s.35; 1967 c.7 s.31; repealed by 1969 c.520 s.49]
- 292.762** [1969 c.644 s.28b; 1971 c.642 s.33; 1973 c.787 s.23; repealed by 1977 c.589 s.1]
- 292.765** [Formerly part of 292.317; repealed by 1961 c.125 s.1]
- 292.767** [1969 c.597 s.80n; repealed by 1971 c.642 s.34]
- 292.770** [Formerly part of 292.317; 1961 c.530 s.50; 1963 c.572 s.45; 1965 c.14 s.36; 1967 c.7 s.32; 1969 c.644 s.29; repealed by 1971 c.642 s.35]

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

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

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

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

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

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

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

**292.860** [Formerly 292.319; 1969 c.597 s.55; repealed by 1989 c.171 s.96]

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

## PUBLIC OFFICIALS COMPENSATION COMMISSION

**292.907 Public Officials Compensation Commission; eligibility; term.** (1) There is established a Public Officials Compensation Commission consisting of seven members of whom two are appointed by the Governor, two by the Speaker of the House of Representatives, two by the President of the Senate and one by the Chief Justice of the Supreme Court of the State of Oregon.

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

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

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

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

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

- (a) Comparable positions in neighboring states.
- (b) The qualifications and skills necessary for each office.
- (c) The level of responsibility implicit in each office.
- (d) The cost of living.
- (e) The total compensation of the positions, including benefits other than salary.
- (f) Budget limitations.

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

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

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

**292.917 Officers; quorum; meetings; compensation and expenses; staff.** (1) The Public Officials Compensation

Commission shall select one of its members as chairperson and another as vice chairperson, for such terms and with duties and powers necessary for the performance of the functions of such offices as the commission determines.

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

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

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

(5) The Personnel Division shall assist the Public Officials Compensation Commission in carrying out its functions.

[1983 c.790 s.2]

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

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

(1) Governor.

(2) Secretary of State.

(3) State Treasurer.

(4) Attorney General.

(5) Superintendent of Public Instruction.

(6) Commissioner of the Bureau of Labor and Industries.

(7) Court of Appeals Judge.

(8) Supreme Court Justice.

(9) Circuit Court Judge.

(10) Tax Court Judge. [1983 c.790 s.5; 1995 c.658 s.102]

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

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

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

**292.950** [1959 c.686 s.33; repealed by 1961 c.530 s.60]

## COMPARABLE VALUE OF WORK

**292.951 Definitions for ORS 292.951 to 292.971.** As used in ORS 240.190 and 292.951 to 292.971:

(1) “Comparability of the value of work” means the value of the work measured by the needs of the employer and the knowledge, composite skill, effort, responsibility and working conditions required in the performance of the work.

(2) “Compensation” means wages or salary.

(3) “Compensation plan” means the ranges of compensation for all classifications within a branch of state government, as approved by the appropriate authority.

(4) “Point factor job evaluation system” means a method of assigning points to classifications based upon the degree that the factors are required in the performance of the work.

(5) “Point value” means a numerical score representing total points resulting from application of a point factor job evaluation system. [1987 c.772 s.1]

**Note:** 292.951 to 292.971 were enacted into law by the Legislative Assembly but were not added to or made a part of ORS chapter 292 or any series therein by legislative action. See Preface to Oregon Revised Statutes for further explanation.

**292.956 Rules to establish method for determining comparability of value of work.** For purposes of analyzing

the state's classification and compensation system to assess progress in achieving policies stated in ORS 240.190, and for the purpose of determining undervalued jobs in need of wage adjustments, the Oregon Department of Administrative Services, the Chief Justice of the Supreme Court and the Legislative Administration Committee shall by rules, pursuant to ORS 183.310 to 183.550, adopt a neutral and objective method of determining the comparability of the value of work as defined in ORS 292.951 (1). [1987 c.772 s.3; 1991 c.842 s.7]

**Note:** See note under 292.951.

**292.961 Pay Equity Adjustment Fund; use; priority; review of distribution by legislative body.** (1) There is created a Pay Equity Adjustment Fund. Any moneys appropriated for pay equity adjustment purposes shall be applied as a first priority to compensation adjustments for the most undervalued jobs in the lowest salary ranges.

(2) For the biennium beginning July 1, 1987, the pay equity adjustment priority described in this section shall include all classes and class series which are 15 percent or more below the male payline of December 1985 and begin at a rate equal to or less than Standard Salary Range 19 of the Executive Department Unrepresented Compensation Plan in effect on July 1, 1986. The Oregon Department of Administrative Services shall determine corresponding equivalent salary ranges for the compensation plans applicable to the legislative and judicial branches of government.

(3) The distribution of funds to each employee bargaining unit and unrepresented employees by this section shall be determined by collective bargaining agreement or by compensation plan in accordance with the priority described in subsection (2) of this section.

(4) Pay equity wage adjustments authorized by ORS 240.190 and 292.951 to 292.971 shall be in addition to any general salary adjustments authorized by the Legislative Assembly.

(5) No employee shall have wages decreased as a result of implementation of this section.

(6) The appropriate legislative body shall review the distribution process described in subsection (3) of this section prior to the expenditure of funds appropriated or authorized by ORS 240.190 and 292.951 to 292.971. [1987 c.772 s.5]

**Note:** See note under 292.951.

**292.966** [1987 c.772 s.6; repealed by 1991 c.842 s.8]

**292.971 Job Evaluation Teams; duties.** The appropriate authority within each branch of government shall establish procedures for creation of Job Evaluation Teams, consisting of state employees, including representatives of management, bargaining unit employees and unrepresented employees who possess occupational experience and other characteristics of the workforce, to advise the authority on the evaluation of classifications. [1987 c.772 s.7]

**Note:** See note under 292.951.

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

## PENALTIES

**292.990 Penalties.** (1) The provisions of ORS 291.990 shall apply to ORS 292.220 and 292.230 the same as such provisions apply to ORS 279.805, 279.826, 279.828, 283.010, 283.020, 283.110, 283.130 to 283.190 and 283.305 to 283.390 or 291.001 to 291.034, 291.201 to 291.222, 291.232 to 291.260 and 291.307.

(2) If any of the officers mentioned in ORS 292.316 fails to pay over to the State Treasurer any and all moneys collected by virtue of office, the officer shall be deemed guilty of theft, and shall be punished accordingly. [Amended by 1971 c.743 s.352; 1997 c.249 s.90]

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