

Chapter 731, Division 3 Interagency Services

NEW RULE

731-003-0005

Provision of Business Services to Department of Aviation

(1) Oregon Laws 2011, chapter 630, requires the Department of Transportation to provide the following services to the Department of Aviation, and requires the Department of Aviation to abide by all rules adopted by the Department of Transportation related to the following services:

- Budget preparation services;
- Daily processing for accounts payable, accounts receivable, payroll, receipts and disbursements;
- Records and inventory maintenance accounting services;
- Financial management reports and revenue and expenditure projections;
- Purchasing, leasing and contracting services;
- Internal audit services;
- Computer and information system services; and
- Human resource services.

(2) The most current Department of Transportation administrative rules related to the services identified in section (1) apply to the Department of Aviation, including but not limited to OAR Chapter 731, Divisions 146, 147, 148 and 149.

(3) The most current Department of Transportation policies and procedures related to the services identified in section (1) apply to the Department of Aviation.

(4) The Financial Administration and Standards Manual applies to the Department of Aviation.

(5) For purposes of providing the services identified in section (1) the Department of Aviation shall be treated the same as a division of the Department of Transportation in applying applicable rules, policies and procedures.

(6) The Department of Transportation and Department of Aviation shall enter into an interagency agreement to address additional administration and implementation issues related to providing the services identified in section (1), and to establish the fee for providing those services and payment thereof.

Stat. Auth.: ORS 184.616, 184.619, chapter 630, OL 2011
Stats. Implemented: Chapter 630, OL 2011

Secretary of State
STATEMENT OF NEED AND JUSTIFICATION
A Certificate and Order for Filing Temporary Administrative Rules accompanies this form.

Oregon Department of Transportation,

Agency and Division

Administrative Rules Chapter Number

Central Services

In the Matter of

Rule Caption: (Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.)

Rule for legislative intent regarding ODOT's relationship with Aviation.

Statutory Authority: ORS 184.616, 184.619, chapter 630, OL 2011

Other Authority:

Statutes Implemented: Chapter 630, OL 2011

Need for the Temporary Rule(s):

Legislation enacted stated that ODOT would need to adopt rules for the business processes identified. Adoption of rules for policies and procedures already in place in ODOT would be extensive for each business process related to financial transactions. ODOT uses a process where all divisions, of which ODA will be included, assist in development and review of these policies and procedures contained in the Financial Administration and Standards Manual (FASM).

Documents Relied Upon, and where they are available:

Justification of Temporary Rules(s):

ODOT needs a temporary rule to provide Aviation and the public with guidance on what information Aviation must comply with. The rule also requires that ODOT's relationship with Aviation be guided by an intergovernmental agreement. This information is necessary for ODOT and Aviation to have a clear understanding of their working relationship. Not having the rule jeopardizes the agencies' working relationship and Aviation's ability to provide services to Oregonians.

Authorized Signer

Printed name
Date

LEG 04-01 Attachment 9

Secretary of State

STATEMENT OF NEED AND JUSTIFICATION

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Agency and Division

Administrative Rules Chapter Number

In the Matter of:

Rule Caption: (Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.)

Statutory Authority: ORS

Other Authority:

Stats. Implemented: ORS

Need for the Temporary Rule(s):

Documents Relied Upon, and where they are available:

Justification of Temporary Rule(s):

Authorized Signer

Printed name

Date

Attachment 9 (continued)
Explanation of Information Required on the
Statement of Need and Justification

Agency and Division: Department of Transportation and the division responsible for the rules.

In the Matter of: List the rules that are proposed for (1) adoption, (2) amendment or (3) repeal. (In the Matter of the Adoption of OAR 731-001-0020 ...)

Rule Caption: Identify the subject matter of the intended action in 15 words or less.

Citation of Statutory Authority: Cite ORS by individual numbers. This includes general rulemaking authority and the specific statute(s) that directs or allows the agency to write the rules.

Other Authority: Authority other than Oregon laws that give us rulemaking authority, such as federal laws or regulations.

Statutes Being Implemented: This is the statute(s) you are carrying out through your rules. This statute(s) may not direct the agency to write rules, but rules may be necessary in order to carry out a policy that is not specified in the law. Citation of this statute(s) helps the public find the statute related to the rules the agency writes. It may also be other regulations, such as federal laws.

Need for Rules: This section is informational. Explain what the agency is doing, why, and how the proposed rule accomplishes it. It can be a general description, rather than an explanation of every change, but must include enough information to make the agency's intent clear. Note: you cannot make changes that are outside the scope of this explanation.

Documents Relied Upon: If the agency is relying on Federal Standards, an Attorney General opinion, a study or other document to write the rules, that document must be cited here and be available upon request. Indicate where the public can view or obtain copies of the documents, i.e., a web site, ODOT section name and address or telephone number.

Justification of Emergency: Include: (1) Findings by the agency of specific injuries to the public interest or particular interests that will result if the agency fails to act promptly; and (2) Specific reasons why the agency's failure to act promptly will result in serious prejudice to those interests.