

## Instruction on how to find an agency's enabling statutes

Step 1: Go to [Oregon Legislature](#) web page

Step 2: On the right navigation go to ORS General Index and click on the appropriate letter for the agency name.

The screenshot shows the Oregon State Legislature website. The main content area is titled "Oregon Revised Statutes (ORS) 2013 Edition". A search bar is located at the top right. The sidebar on the left contains links to "Oregon Laws" and "Oregon Revised Statutes". A red arrow points to the "ORS General Index" link in the right sidebar.

Step 4: Click on the Find button. The find box will appear and then type in a portion of the agency name. Click Find. The name may appear several times but you want the heading for the actual agency.

The screenshot shows a search interface. The search box contains "health authority" and the search button is highlighted. The results list includes "HEALTH AUTHORITY, OREGON" and "HEALTH AUTHORITY, OREGON".

**HEALTH AUTHORITY, OREGON**  
(Generally), 413.032 et seq.  
Abuse and neglect reports, use, disclosure, 413.036  
Administrative Procedures Act, applicability, 183.315  
Administrative Services, Oregon Department of, 183.315  
Administrative committees, generally, 413.033  
Alcohol and drug abuse programs, administration, 430.021, 430.030, 430.256, 430.272, 430.335  
Appropriations, see STATE FINANCE  
Contested case proceedings, 183.453, 413.038, 413.041  
Cooperative research and demonstration projects, 413.255, 414.033  
Cremated remains in possession of, information disclosure, 413.195  
Criminal records checks, 181.537, 401.654, 443.004, 443.105, 443.730, 475.304, 475.314, 676.303  
Data sharing, Department of Human Services, 413.171, 413.175  
Demographic data collection standards, 413.161, 413.162  
Dental pilot projects, see note after, 680.210  
Director  
(Generally), 413.033  
Alcohol and drug abuse programs, administration,

Step 5: Once you locate the agency, you will look for subheadings such as Director, staff, etc. In this example, we have one for Deputy Director and the Director. In this case, we want to look at the Director subheading and the delegation of duties, powers and functions which references ORS 413.033. Another scenario would be when a Deputy Director is listed, we want to check what the statute has to say about the Deputy Director which is referenced in ORS 705.125.

**CONSUMER AND BUSINESS SERVICES,  
DEPARTMENT OF**

- (Generally), 705.010 et seq.**
- Administrative Procedures Act, application,**  
183.315
- Appropriations, see STATE FINANCE**
- Business registration information, agencies shar-**  
**ing, 190.255**
- Check-cashing businesses, enforcement author-**  
**ity, 697.542**
- Collection of debts owed, warrants, 705.175**
- Confidential information, generally, 705.137,**  
705.138, 705.139
- Consumer Advocacy Section, 705.117**
- Consumer and Business Services Fund, see**  
**FUNDS AND ACCOUNTS**
- Creation, 705.105**
- Criminal records checks, fingerprinting author-**  
**ity, 705.141**
- Deputy director, 705.125**
- Director**  
(Generally), 705.105  
Bond, 705.105  
Delegation of duties, powers and functions, 705.135

Step 6: Go back to [Oregon Legislature](#) Click on the statute range that includes the first three digits of the statute you are trying to find. In this case, we are looking for ORS 705. A new box will appear. Click on Chapter 705 then scroll down the statute you are looking for. We are looking for 705.135 and 705.125.

2013 Oregon Revised Statutes	
Document Title	ORS Chapter Title
<a href="#">Volume : 01 - Courts, Oregon Rules of Civil Procedure - Chapters 1-55</a>	(48)
<a href="#">Volume : 02 - Business Organizations, Commercial Code - Chapters 56-89</a>	(34)
<a href="#">Volume : 03 - Landlord-Tenant, Domestic Relations, Probate - Chapters 90-130</a>	(36)
<a href="#">Volume : 04 - Criminal Procedure, Crimes - Chapters 131-170</a>	(33)
<a href="#">Volume : 05 - State Government, Government Procedures, Land Use - Chapters 171-200</a>	(30)
<a href="#">Volume : 06 - Local Government, Public Employees, Elections - Chapters 201-260</a>	(42)
<a href="#">Volume : 07 - Public Facilities, Finance - Chapters 261-304</a>	(41)
<a href="#">Volume : 08 - Revenue and Taxation - Chapters 305-325</a>	(19)
<a href="#">Volume : 09 - Education and Culture - Chapters 326-365</a>	(31)
<a href="#">Volume : 10 - Highways, Military, Juvenile Code, Human Services - Chapters 366-430</a>	(52)
<a href="#">Volume : 11 - Public Health, Housing, Environment - Chapters 431-470</a>	(44)
<a href="#">Volume : 12 - Drugs and Alcohol, Fire Protection, Natural Resources - Chapters 471-535</a>	(43)
<a href="#">Volume : 13 - Water Resources, Agriculture and Food - Chapters 536-644</a>	(75)
<a href="#">Volume : 14 - Trade Practices, Labor</a>	
<a href="#">Volume : 15 - Occupations - Chapter 705</a>	Department of Consumer and Business Services
<a href="#">Volume : 16 - Financial Institutions, Insurance - Chapters 705-755</a>	(42)
<a href="#">Volume : 17 - Utilities, Vehicle Code, Watercraft, Aviation, Constitutions - Chapters 756-838</a>	(50)

**705.135 Delegation; rules; employee indebtedness; reporting.** (1) The Director of the Department of Consumer and Business Services may delegate any duties, powers and functions of the director or of the Department of Consumer and Business Services, under such conditions as the director deems appropriate.

(2) In accordance with ORS chapter 183, and in addition to other rulemaking authority prescribed by law, the director may adopt rules for the purpose of carrying out the functions of the department.

(3) The director shall adopt rules governing circumstances under which employees or any category of employees of the department may or may not be or become indebted to or hold any interest in any entity subject to regulation by the department. The rules shall provide for reporting any such indebtedness or interest and for preventing or resolving possible conflicts of interest arising therefrom. [1987 c.373 §6; 2003 c.802 §180]

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

(2) Except as provided in ORS 705.115 and subsection (1) of this section, the director, subject to applicable provisions of the State Personnel Relations Law, shall appoint all subordinate officers and employees of the Department of Consumer and Business Services, prescribe their functions and fix their compensation. [1987 c.373 §5]

Step 7: Compare the agencies enabling statutes with the agency organizational chart against the language in ORS 240.205 (1) – (5) to determine if a position is in the unclassified “executive” service. To review this statute go to [Oregon Legislature](#). Click on the statute range that includes the first three digits of the statute you are trying to find. In this case, we are looking for ORS 240. A new box will appear. Click on Chapter 240 then scroll down the statute you are looking for. We are looking for 240.205.

If the position does not meet the definition of ORS 240.205 (1) - (5), review ORS 240.212 to determine if the position meets the definition of management service and ORS 240.210 if the position does not meet any of the above.