

Senate Bill 376

Sponsored by Senator HANSELL; Representative BARRETO (Pre-session filed.)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Requires Senate confirmation of appointments by Governor of directors of Housing and Community Services Department and State Department of Energy.

A BILL FOR AN ACT

1
2 Relating to Senate confirmation of appointments; creating new provisions; and amending ORS
3 456.555 and 469.040.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1.** ORS 456.555 is amended to read:

6 456.555. (1) The Housing and Community Services Department is established.

7 (2) The department shall be under the supervision and control of a director who is responsible
8 for the performance of the duties imposed upon the department. The Governor shall appoint the
9 Director of the Housing and Community Services Department. **The appointment of the director**
10 **shall be subject to confirmation by the Senate in the manner provided by ORS 171.562 and**
11 **171.565.** The director shall hold office at the pleasure of the Governor. The person appointed as di-
12 rector shall be a person who, by training and experience, is well qualified to perform the duties of
13 the office.

14 (3) The director shall receive such salary as may be provided by law, or, if not so provided, as
15 may be fixed by the Governor. In addition to the salary of the director, the director shall, subject
16 to the limitations otherwise provided by law, be reimbursed for all expenses actually and necessarily
17 incurred by the director in the performance of official duties.

18 (4) The director may establish department divisions including but not limited to divisions for
19 administration, housing programs and community services programs.

20 (5) The Oregon Housing Stability Council shall:

21 (a) With the advice of the director, set policy and approve or disapprove rules and standards for
22 housing programs;

23 (b) Approve or disapprove loans, grants and other funding award proposals under ORS 456.561;

24 (c) Provide policy direction and oversight to the department regarding the department's financial
25 planning and biennial budget proposal prior to its submittal to the Oregon Department of Adminis-
26 trative Services; and

27 (d) Carry out the provisions of ORS 456.571.

28 (6) The Community Action Partnership of Oregon shall advise the Housing and Community
29 Services Department and the council on community services programs as determined by the director
30 and as set forth in ORS 458.505.

31 (7) The director shall report regularly to the council to keep the council informed on progress

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1 made by the department in carrying out the department's responsibilities for housing programs.

2 (8) The department may adopt rules to carry out the programs that the department is charged
 3 with administering, including, but not limited to, rules regarding:

4 (a) Administration and enforcement.

5 (b) Criteria for the granting of benefits.

6 (c) The establishment of fees and charges.

7 (d) The identification of housing programs and community services programs.

8 (e) The distinguishing of housing programs from community services programs.

9 (9) Subject to the approval of the council, the department shall establish by rule one or more
 10 threshold property purchase prices above which a housing loan proposed by the department requires
 11 council review and approval under ORS 456.561. In establishing or modifying a threshold property
 12 purchase price under this subsection, the department shall consider any maximum acquisition cost
 13 set forth in the Internal Revenue Code or federal rules and regulations implementing the code.

14 (10) Subject to the approval of the council, the department shall establish by rule one or more
 15 threshold amounts above which a housing grant or other housing funding award proposal requires
 16 council review and approval under ORS 456.561.

17 **SECTION 2.** ORS 469.040 is amended to read:

18 469.040. (1) The State Department of Energy shall be under the supervision of the Director of
 19 the State Department of Energy, who shall:

20 (a) Supervise the day-to-day functions of the State Department of Energy;

21 (b) Supervise and facilitate the work and research on energy facility siting applications at the
 22 direction of the Energy Facility Siting Council;

23 (c) Hire, assign, reassign and coordinate personnel of the State Department of Energy, prescribe
 24 their duties and fix their compensation, subject to the State Personnel Relations Law; and

25 (d) Adopt rules and issue orders to carry out the duties of the director and the State Department
 26 of Energy in accordance with ORS chapter 183 and the policy stated in ORS 469.010.

27 (2) The director may delegate to any officer or employee the exercise and discharge in the
 28 director's name of any power, duty or function of whatever character vested in the director by law.
 29 The official act of any person acting in the director's name and by the director's authority shall be
 30 considered an official act of the director.

31 (3) The director shall be appointed by the Governor. **The appointment of the director shall
 32 be subject to confirmation by the Senate in the manner provided by ORS 171.562 and 171.565.**

33 **SECTION 3. The amendments to ORS 456.555 and 469.040 by sections 1 and 2 of this 2017
 34 Act apply to appointments made on or after the effective date of this 2017 Act.**

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