

**CHAPTER 411
DIVISION 1**

NOTICES AND ADMINISTRATIVE RULEMAKING

411-001-0000 Notice Rule for Rulemaking
(Amended 12/1/1994)

Prior to adoption, amendment, or repeal of any rule, the Senior and Disabled Services Division shall give notice of the intended action:

(1) In the Secretary of State's Bulletin referred to in ORS 183.360 at least 21 days before the effective date of the rule.

(2) By mailing a copy of the notice to persons on the Senior and Disabled Services Division's mailing list established pursuant to ORS 183.335 at least 28 days before the effective date of the rule; and

(3) By mailing or furnishing a copy of the notice to:

(a) The Associated Press;

(b) To each Senior and Disabled Services Division and Type B Area Agency on Aging field office to be posted in plain view in the area most frequently visited by the public; and

(c) Capitol Press Room

Stat. Auth.: ORS 183.341

Stats. Implemented: ORS 183.341

411-001-0010 Administrative Rulemaking
(Amended 1/11/1991)

The Senior Services Division adopts as its rule of procedure relating to rulemaking under the Administrative Procedure Act, the following Attorney General's Model Rules of Procedure, effective October 15, 1989:

(1) Under Division 1:

- (a) OAR 137-001-0005 and 137-001-0010, Permanent Rulemaking -- Definitions and Format;
- (b) OAR 137-001-0018, Limitation of Economic Effect on Small Businesses;
- (c) OAR 137-001-0030, Conduct of Hearing;
- (d) OAR 137-001-0040, Presiding Officer's Report;
- (e) OAR 137-001-0050, Action of Agency;
- (f) OAR 137-001-0060, Filing with the Secretary of State;
- (g) OAR 137-001-0070, Petition to Promulgate, Amend or Repeal Rule: Contents of Petition, Filing of Petition;
- (h) OAR 137-001-0080, Notice, Filing and Duration (Temporary Rulemaking); and
- (i) OAR 137-001-0085, Periodic Rule Review.

(2) Under Division 2:

- (a) OAR 137-002-0010, Contents of Petition;
- (b) OAR 137-002-0020, Filing and Service of Petition;
- (c) OAR 137-002-0025, Intervention;
- (d) OAR 137-002-0030, Contents of Notice of Hearing;
- (e) OAR 137-002-0040, Conduct of Hearing, Briefs, and Oral Argument;
- (f) OAR 137-002-0050, Presiding Officer's Proposed Declaratory Ruling; and

(g) OAR 137-002-0060, Decision of Agency: Time, Form and Service.

(3) Under Division 3:

(a) OAR 137-003-0001(1), Contested Case Notice;

(b) OAR 137-003-0002, Rights of Parties in Contested Cases;

(c) OAR 137-003-0003, Late Filing;

(d) OAR 137-003-0007, Request by Agency to Participate as a Party or an Interested Agency;

(e) OAR 137-003-0008, Persons Represented by Authorized Representative in Statutorily Designated Agencies;

(f) OAR 137-003-0040, Conducting Contested Case Hearing;

(g) OAR 137-003-0050, Evidentiary Rules;

(h) OAR 137-003-0060, Proposed Orders in Contested Cases, Filing of Exceptions and Argument, and Adoption of Order;

(i) OAR 137-003-0070, Final Orders;

(j) OAR 137-003-0075, Default Orders;

(k) OAR 137-003-0080, Reconsideration and Rehearing -- Contested Cases;

(l) OAR 137-003-0090, Request for Stay;

(m) OAR 137-003-0091, Request for Stay -- Motion to Intervene;

(n) OAR 137-003-0092, Request for Stay -- Agency Determination;

(o) OAR 137-003-0093, Request for Stay -- Time Frames.

(4) Under Division 4:

- (a) OAR 137-004-0000, Repealing Existing Rules;
- (b) OAR 137-004-0010, Unacceptable Conduct; and
- (c) OAR 137-004-0080, Reconsideration and Rehearing -- Orders in Other Than a Contested Case.

Stat. Auth.: ORS 183.341

Stats. Implemented: ORS 183.341