

DEPARTMENT OF ADMINISTRATIVE SERVICES

DIVISION 75

USE OF BUILDINGS, PARKS AND GROUNDS AND PARKING LOTS UNDER
DEPARTMENT CONTROL

125-075-0015

Prohibiting Possession or Use of Firearms, Alcoholic Beverages and Other Illegal Substances on the Grounds, Parking lots, and Premises of State Office Buildings owned or leased by the Under Department Control

(1)(a) ~~No firearm of any kind including explosives shall be permitted at any time~~ **Possession or use of firearms or other weapon of any kind, including any explosive, air gun, or slingshot on the grounds, parking lots or premises of any state office building owned or leased by the under Department control of Administrative Services is governed by federal and state laws, local ordinances and regulations.**

(b) The provisions of this section ~~shall do~~ not apply to firearms in the possession of or stored for official public business authorized by statute for peace officers or for members of any state or national military organization.

(2) ~~No alcoholic beverage of any kind, illegal drugs, or any statutorily controlled substance possessed unlawfully shall be permitted at any time on the premises of any state office building which is owned or leased by the Department of Administrative Services, except:~~

(a) The sale, possession, and consumption of alcoholic beverages are governed by federal and state laws, local ordinances, and regulations in compliance with a permit. Visitors to any grounds, parking lots or premises of any building under Department control must comply with any directions given to them by law enforcement authorities or other authorized individuals.

(b) (a) Wine is permitted when stored or used for official public business by the Department of Agriculture under ORS Chapter 576; ~~or~~ .

(c) (b) Alcoholic beverages are permitted if stored legally in any private vehicle in transit through or while legally parked on any public grounds or parking areas **lots** under the control of the Department of Administrative Services.

(3)(a) It shall be unlawful for any person to possess illegal drugs or any statutorily controlled substance on the grounds, parking lots, or premises of any building under Department control.

(b) Illegal drug activities are subject to federal and state laws; local ordinances and regulations; and State Policy 50.000.01 Drug-Free Workplace. Any person who uses, possesses, or distributes illegal drugs on the grounds, parking lots, or premises of any building under Department control is subject to criminal prosecution by state and federal authorities.

Stat. Auth.: ORS 276 & ORS 283

Stats. Implemented:

Hist.:

Secretary of State
NOTICE OF PROPOSED RULEMAKING HEARING*
A Statement of Need and Fiscal Impact accompanies this form.

Department of Administrative Services, Facilities Division

125

Agency and Division

Administrative Rules Chapter Number

Yvonne Hanna

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Rules Coordinator

Telephone

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Address

RULE CAPTION

Rules for Use of Buildings, Grounds and Parking Lots under Department Control

Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.

Hearing Date (m/d/yyyy)	Time	Location	Hearings Officer
1 12/22/2008	10 a.m.	Mt. Ashland Conf Rm. 1225 Ferry St. SE, Salem, OR 97301	Staff
2			
3			
4			

Auxiliary aids for persons with disabilities are available upon advance request

RULEMAKING ACTION

ADOPT:

Secure approval of rule numbers with the Administrative Rules Unit prior to filing.

AMEND:

125-075-0015

REPEAL:

Renumber: Secure approval of rule numbers with the Administrative Rules Unit prior to filing.

Amend and Renumber: Secure approval of rule numbers with the Administrative Rules Unit prior to filing.

Statutory Authority: ORS

ORS 184.340, ORS 276 and ORS 283

Other Authority:

Statutes Implemented: ORS

ORS 184.340, ORS 276 and ORS 283

Continuation of ... NOTICE OF PROPOSED RULEMAKING HEARING*

RULE SUMMARY

Amendment removes language in conflict with ORS 166.170 and 166.370 and adds language regarding the use of illegal substances and illegal drug activities on the grounds, parking lots and premises of buildings under Department control.

ORS 183.335(2)(b)(G) requests public comment on whether other options should be considered for achieving the rule's substantive goals while reducing negative economic impact of the rule on business.

12/22/2008 5:00 pm	Yvonne Hanna	yvonne.hanna@das.state.or.us	10/31/2008
Last Day (m/d/yyyy) and Time for Public Comment	Printed Name	Email Address	Date Filed

Please enter date as m/d/yyyy or mm/dd/yyyy

*The Oregon Bulletin is published on the 1st of each month and updates the rule text found in the Oregon Administrative Rules Compilation. Notice forms must be submitted to the Administrative Rules Unit, Oregon State Archives, 800 Summer Street NE, Salem, Oregon 97310 by 5:00 pm on the 15th day of the preceding month unless this deadline falls on a Saturday, Sunday or legal holiday when Notice forms are accepted until 5:00pm on the preceding workday.

Secretary of State
STATEMENT OF NEED AND FISCAL IMPACT
A Notice of Proposed Rulemaking Hearing or a Notice of Proposed Rulemaking accompanies this form.

Department of Administrative Services, Facilities Division

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Agency and Division

Administrative Rules Chapter Number

Rules for Use of Buildings, Grounds and Parking Lots under Department Control

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

In the Matter of:

OAR Chapter 125, Division 075

Statutory Authority: ORS

ORS 184.340, ORS 276 and ORS 283

Other Authority:

Stats. Implemented: ORS

ORS 184.340, ORS 276 and ORS 283

Need for the Rule(s):

Amendment removes language in conflict with ORS 166.170 and 166.370 and adds language regarding the use of illegal substances and illegal drug activities on the grounds, parking lots and premises of buildings under Department control.

Documents Relied Upon, and where they are available:

Statewide Facility Planning Process Rule and Senate Bill 90.

Continued on next page

Continuation of ... STATEMENT OF NEED AND FISCAL IMPACT

Fiscal and Economic Impact:

No fiscal impact

Statement of Cost of Compliance:

1. Impact on state agencies, units of local government and the public (ORS 183.335(2)(b)(E)):
None

2. Cost of compliance effect on small business (ORS 183.336):
a. Estimate the number of small businesses and types of business and industries with small businesses subject to the rule:
None

b. Projected reporting, recordkeeping and other administrative activities required for compliance, including costs of professional services:
None

c. Equipment, supplies, labor and increased administration required for compliance:
None

How were small businesses involved in the development of this rule?

Small businesses are not impacted by this rule so were not involved in its development.

Administrative Rule Advisory Committee consulted?:

Yes No

If not, why?:

12/22/2008 5:00 pm	Yvonne Hanna	yvonne.hanna@das.state.or.us	10/31/2008
<small>Last Day (m/d/yyyy) and Time for Public Comment</small>	<small>Printed Name</small>	<small>Email Address</small>	<small>Date Filed</small>

Please enter date as m/d/yyyy or mm/dd/yyyy