

STATEMENT OF NEED AND JUSTIFICATION

A Certificate and Order for Filing Temporary Administrative Rules accompanies this form.

Department of Administrative Services, Chief Human Resources Office

105

Agency and Division

Administrative Rules Chapter Number

In the Matter of: Adopt temporary rule 105-010-0018

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

Recognition by state agencies of same-sex marriages that were validly performed in other jurisdictions.

Statutory Authority: ORS 184.340

Other Authority: SCOTUS Decision in United States v. Windsor; Letter of Advice from Oregon Attorney General

Stats. Implemented: ORS 184.305(4)

Need for the Temporary Rule(s):

In the administration of all state laws, state agencies must recognize the marriages of same-sex couples validly performed in other jurisdictions to the same extent that they recognize other marriages validly performed in other jurisdictions. The Department of Administrative Services is adopting this Temporary Rule to ensure consistent application of statewide policy by agencies and to comply with the federal Constitution.

Documents Relied Upon, and where they are available: Department of Justice Letter of Advice dated October 16, 2013. Document is available from COO|Director's office by contacting Amy Williams at 503.378.4522.

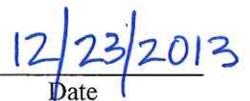
Justification of Temporary Rule(s): The Department of Administrative Services is adopting this Temporary Rule to ensure consistent application of statewide policy by agencies and to comply with the federal Constitution.



Authorized Signer



Printed name



Date

Secretary of State
Certificate and Order for Filing
TEMPORARY ADMINISTRATIVE RULES
A Statement of Need and Justification accompanies this form.

I certify that the attached copies are true, full and correct copies of the TEMPORARY Rule(s) adopted on [01/01/14] by the
Date prior to or same as filing date
Department of Administrative Services, Chief Human Resources Office 105

Agency and Division Administrative Rules Chapter Number
Janet Chambers, 155 Cottage Street NE, Salem, OR 97301 503.378.5522
Rules Coordinator Address Telephone

to become effective [January 1, 2014] through [June 30, 2014].
Date upon filing or later A maximum of 180 days including the effective date.

RULE CAPTION

Recognition by state agencies of same-sex marriages that were validly performed in other jurisdictions.

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

RULEMAKING ACTION

List each rule number separately, 000-000-0000.

Secure approval of new rule numbers (Adopted rules) with the Administrative Rules Unit prior to filing

ADOPT: 105-010-0018

AMEND:

SUSPEND:

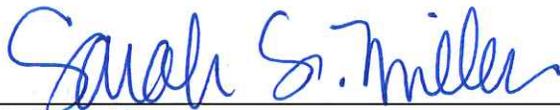
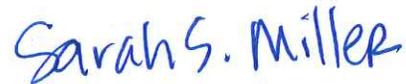
Stat. Auth.: ORS 184.340

Other Auth.: SCOTUS Decision in United States v. Windsor; Letter of Advice from Oregon Attorney General

Stats. Implemented: 184.305(4);

RULE SUMMARY

In the administration of all state laws, state agencies must recognize the marriages of same-sex couples validly performed in other jurisdictions to the same extent that they recognize other marriages validly performed in other jurisdictions. The Department of Administrative Services is adopting this Temporary Rule to ensure consistent application of statewide policy by agencies and to comply with the federal Constitution.

  
Authorized Signer Printed name Date

Note: Temporary rulemakings must be submitted by the 15th day of the month to be included in the next month's *Oregon Bulletin* and online *OAR Compilation* updates.

DEPARTMENT OF ADMINISTRATIVE SERVICES

CHIEF HUMAN RESOURCES OFFICE

DIVISION 10

GENERAL

105-010-0018

Recognition by State Agencies of Marriages Between Same-Sex Couples Validly Performed in Other Jurisdictions

Effective January 1, 2014, state agencies, in the administration of all state laws, must recognize the marriages of same-sex couples validly performed in other jurisdictions to the same extent that they recognize other marriages validly performed in other jurisdictions.

Stat. Auth.: ORS 184.340

Stat. Implemented: ORS.305(4); SCOTUS Decision in United States v. Windsor; Letter of Advice from Oregon Attorney General.