

3772-2-05 Delegation of commission authority.

(A) The commission may, in its discretion and where permitted by law, delegate its authority to perform any of its functions under the act to the executive director or to other employees of the commission. Except as provided in paragraph (D) of this rule, such action shall for all purposes be deemed the final action of the commission, without approval, ratification, or other further action by the commission.

(B) Any delegation of commission authority shall be effected through ~~the adoption of a~~ formal resolutionaction at a public meeting of the commission. Such resolutionaction shall specify the following, without limitation:

(1) The specific authority delegated;

(2) The employee or employees of the commission to whom such authority is delegated; and

(3) Any limitations or conditions imposed on the authority delegated.

(C) All delegations of authority made pursuant to this ~~section~~rule shall remain in effect indefinitely, unless otherwise specified in the implementing resolution. Any delegation of authority previously approved by the commission may be revoked or modified by the commission through ~~the adoption of a~~ subsequent formal resolutionaction.

(D) Any determination ~~by the commission's employees~~made pursuant to delegated authority ~~shall~~may be ~~presented for review~~reviewed by the full commission, ~~upon timely request by any party adversely affected by such determination. Such request shall be in writing, and must be received by the commission within three days after the date of such determination.~~ Any such determination ~~by the commission's employees pursuant to delegated authority~~ shall be deemed final unless modified or reversed by the commission.

(E) Notwithstanding any other provision of this section, any matter which has ~~otherwise~~ been delegated ~~to the commission's employees~~ may alternatively be presented to and determined by the ~~full~~ commission on its own motion, ~~or~~ at the discretion of the chairperson, or upon the request of the ~~commission's employees~~executive director.