

# House Bill 3432

Sponsored by Representative HUNT; Representatives BARKER, CLEM, GALIZIO, HANNA, WITT, Senators BROWN, DEVLIN, WESTLUND (at the request of Oregon Council of Police Associations, Association of Oregon Corrections Employees)

## 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**.

Reduces membership of Board on Public Safety Standards and Training to 17 members. Changes membership of board policy committees.

## A BILL FOR AN ACT

1  
2 Relating to Board on Public Safety Standards and Training; creating new provisions; and amending  
3 ORS 181.620 and 181.637.

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

5 **SECTION 1.** ORS 181.620 is amended to read:

6 181.620. (1) The Governor shall appoint a Board on Public Safety Standards and Training con-  
7 sisting of [24] **17** members as follows:

8 (a) [*Two members*] **One member** shall be [*chiefs*] **a chief** of police recommended to the Governor  
9 by the Oregon Association Chiefs of Police;

10 (b) One member shall be a sheriff recommended to the Governor by the Oregon State Sheriffs'  
11 Association;

12 (c) One member shall be a fire chief recommended to the Governor by the Oregon Fire Chiefs'  
13 Association;

14 (d) One member shall be a representative of the fire service recommended to the Governor by  
15 the Oregon Fire District Directors' Association;

16 (e) [*One member*] **Two members** shall be [*a member*] **members** of the Oregon State Fire Fight-  
17 er's Council recommended to the Governor by the executive body of the council;

18 [*f*] *One member shall be a representative of corrections personnel recommended to the Governor*  
19 *by the Oregon State Sheriffs' Association;*]

20 [*g*] (f) One member shall be a representative of the fire service recommended to the Governor  
21 by the Oregon Volunteer Fire Fighters' Association;

22 [*h*] (g) One member shall be a representative of public safety telecommunicators;

23 [*i*] (h) One member shall be a district attorney recommended to the Governor by the Oregon  
24 District Attorneys Association;

25 [*j*] (i) One member shall be the Superintendent of State Police;

26 [*k*] *One member shall be the Chief of the Portland Police Bureau;*]

27 [*L*] *One member shall be the State Fire Marshal;*]

28 [*m*] *One member shall be the Chief of the Portland Fire Bureau;*]

29 [*n*] (j) One member shall be the Director of the Department of Corrections;

30 [*o*] *One member shall be the Special Agent in Charge of the Federal Bureau of Investigation for*

**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 Oregon;]

2 [(p) One member shall represent forest protection agencies recommended to the Governor by the  
3 State Forestry Department;]

4 [(q) One member shall be an administrator of a municipality recommended to the Governor by the  
5 executive body of the League of Oregon Cities;]

6 [(r)] (k) Two members shall be nonmanagement representatives of law enforcement;

7 [(s)] (L) One member shall be a public member. A person appointed as a public member under  
8 this section shall be a person:

9 (A) Who has no personal interest or occupational responsibilities in the area of responsibility  
10 given to the board; and

11 (B) Who represents the interests of the public in general;

12 [(t)] (m) [Two members] **One member** shall be [representatives] **a representative** of the private  
13 security industry recommended to the Governor by the Private Security Policy Committee; and

14 [(u)] (n) [One member shall be a representative] **Two members shall be representatives** of  
15 [the] **a** collective bargaining unit that represents [the largest number of individual workers in the  
16 Department of Corrections] **workers in county or state correction facilities**.

17 (2) The term of office of a member is three years, and no member may be removed from office  
18 except for cause. Before the expiration of the term of a member, the Governor shall appoint the  
19 member's successor to assume the member's duties on July 1 next following. In case of a vacancy  
20 for any cause, the Governor shall make an appointment, effective immediately, for the unexpired  
21 term.

22 (3) Except for members who serve by virtue of office, no member shall serve more than two  
23 terms. For purposes of this subsection, a person appointed to fill a vacancy consisting of an unex-  
24 pired term of at least one and one-half years has served a full term.

25 (4) Appointments of members of the board by the Governor, except for those members who serve  
26 by virtue of office, are subject to confirmation by the Senate in the manner provided in ORS 171.562  
27 and 171.565.

28 (5) A member of the board is entitled to compensation and expenses as provided in ORS 292.495.

29 **SECTION 2.** ORS 181.637 is amended to read:

30 181.637. (1) The Board on Public Safety Standards and Training shall establish the following  
31 policy committees:

32 (a) Corrections Policy Committee;

33 (b) Fire Policy Committee;

34 (c) Police Policy Committee;

35 (d) Telecommunications Policy Committee; and

36 (e) Private Security Policy Committee.

37 (2) The members of each policy committee shall select a chairperson and vice chairperson for  
38 the policy committee. Only members of the policy committee who are also members of the board are  
39 eligible to serve as a chairperson or vice chairperson. The vice chairperson may act as chairperson  
40 in the absence of the chairperson.

41 (3) The Corrections Policy Committee consists of:

42 (a) All of the board members who represent the corrections discipline;

43 (b) The chief administrative officer of the training division of the Department of Corrections;

44 (c) A security manager from the Department of Corrections; and

45 (d) The following, who may not be current board members, appointed by the chairperson of the

- 1 board:
- 2 (A) One person recommended by and representing the Oregon State Sheriffs' Association;
- 3 (B) *[Two persons]* **One person** recommended by and representing the Oregon Jail Managers'
- 4 Association;
- 5 (C) One person recommended by and representing a statewide association of community cor-
- 6 rections directors;
- 7 (D) One nonmanagement corrections officer employed by the Department of Corrections; *[and]*
- 8 (E) One corrections officer who is a female, who is employed by the Department of Corrections
- 9 at a women's correctional facility and who is a member of a bargaining unit[.]; **and**
- 10 **(F) One nonmanagement parole and probation officer employed by a community cor-**
- 11 **rections program.**
- 12 (4) The Fire Policy Committee consists of:
- 13 (a) All of the board members who represent the fire service discipline; and
- 14 (b) The following, who may not be current board members, appointed by the chairperson of the
- 15 board:
- 16 (A) One person recommended by and representing a statewide association of fire instructors;
- 17 (B) One person recommended by and representing a statewide association of fire marshals;
- 18 (C) One person recommended by and representing community college fire programs; and
- 19 (D) One nonmanagement firefighter recommended by a statewide organization of firefighters.
- 20 (5) The Police Policy Committee consists of:
- 21 (a) All of the board members who represent the law enforcement discipline; and
- 22 (b) The following, who may not be current board members, appointed by the chairperson of the
- 23 board:
- 24 (A) One person recommended by and representing the Oregon Association Chiefs of Police;
- 25 (B) *[Two persons]* **One person** recommended by and representing the Oregon State Sheriffs'
- 26 Association;
- 27 (C) One command officer recommended by and representing the Oregon State Police; and
- 28 (D) *[One]* **Two** nonmanagement law enforcement *[officer]* **officers.**
- 29 (6) The Telecommunications Policy Committee consists of:
- 30 (a) All of the board members who represent the telecommunications discipline; and
- 31 (b) The following, who may not be current board members, appointed by the chairperson of the
- 32 board:
- 33 (A) Two persons recommended by and representing a statewide association of public safety
- 34 communications officers;
- 35 (B) One person recommended by and representing the Oregon Association Chiefs of Police;
- 36 (C) One person recommended by and representing the Oregon State Police;
- 37 (D) Two persons representing telecommunicators;
- 38 (E) One person recommended by and representing the Oregon State Sheriffs' Association;
- 39 (F) One person recommended by and representing the Oregon Fire Chiefs' Association;
- 40 (G) One person recommended by and representing the Emergency Medical Services and Trauma
- 41 Systems Program of the Department of Human Services; and
- 42 (H) One person representing paramedics and recommended by a statewide association dealing
- 43 with fire medical issues.
- 44 (7) The Private Security Policy Committee consists of:
- 45 (a) All of the board members who represent the private security industry; and

1 (b) The following, who may not be current board members, appointed by the chairperson of the  
2 board:

3 (A) One person representing unarmed private security professionals;

4 (B) One person representing armed private security professionals;

5 (C) One person representing the health care industry;

6 (D) One person representing the manufacturing industry;

7 (E) One person representing the retail industry;

8 (F) One person representing the hospitality industry;

9 (G) One person representing private business or a governmental entity that utilizes private se-  
10 curity services;

11 (H) One person representing persons who monitor alarm systems;

12 (I) Two persons who are investigators licensed under ORS 703.430, one of whom is recommended  
13 by the Oregon State Bar and one of whom is in private practice; and

14 (J) One person who represents the public at large and who is not related within the second de-  
15 gree by affinity or consanguinity to a person who is employed or doing business as a private security  
16 professional or executive manager, as defined in ORS 181.870, or as an investigator, as defined in  
17 ORS 703.401.

18 (8) In making appointments to the policy committees under this section, the chairperson of the  
19 board shall seek to reflect the diversity of the state's population. An appointment made by the  
20 chairperson of the board must be ratified by the board before the appointment is effective. The  
21 chairperson of the board may remove an appointed member for just cause. An appointment to a  
22 policy committee that is based on the member's employment is automatically revoked if the member  
23 changes employment. The chairperson of the board shall fill a vacancy in the same manner as  
24 making an initial appointment. The term of an appointed member is two years. An appointed member  
25 may be appointed to a second term.

26 (9) A policy committee may meet at such times and places as determined by the policy commit-  
27 tee in consultation with the Department of Public Safety Standards and Training. A majority of a  
28 policy committee constitutes a quorum to conduct business. A policy committee may create sub-  
29 committees if needed.

30 (10)(a) Each policy committee shall develop policies, requirements, standards and rules relating  
31 to its specific discipline. A policy committee shall submit its policies, requirements, standards and  
32 rules to the board for the board's consideration. When a policy committee submits a policy, re-  
33 quirement, standard or rule to the board for the board's consideration, the board shall:

34 (A) Approve the policy, requirement, standard or rule;

35 (B) Disapprove the policy, requirement, standard or rule; or

36 (C) Defer a decision and return the matter to the policy committee for revision or reconsider-  
37 ation.

38 (b) The board may defer a decision and return a matter submitted by a policy committee under  
39 paragraph (a) of this subsection only once. If a policy, requirement, standard or rule that was re-  
40 turned to a policy committee is resubmitted to the board, the board shall take all actions necessary  
41 to implement the policy, requirement, standard or rule unless the board disapproves the policy, re-  
42 quirement, standard or rule.

43 (c) Disapproval of a policy, requirement, standard or rule under paragraph (a) or (b) of this  
44 subsection requires a two-thirds vote by the members of the board.

45 (11) At any time after submitting a matter to the board, the chairperson of the policy committee

1 may withdraw the matter from the board's consideration.

2       **SECTION 3. Notwithstanding ORS 181.620 (1), a person who is a member of the Board**  
3 **on Public Safety Standards and Training on the day before the effective date of this 2007 Act**  
4 **and whose position is eliminated by the amendments to ORS 181.620 by section 1 of this 2007**  
5 **Act shall continue to serve as a member of the board until the member's three-year term**  
6 **of office expires or the position becomes vacant, whichever occurs first.**

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