

REVENUE: No revenue impact

FISCAL: No fiscal impact

Action:	Do Pass as Amended and Be Printed Engrossed
Vote:	6 - 0 - 2
Yeas:	Conger, Doherty, Hoyle, Johnson, Matthews, Schaufler
Nays:	0
Exc.:	Esquivel, Kennemer
Prepared By:	Theresa Van Winkle, Administrator
Meeting Dates:	3/14, 4/1

WHAT THE MEASURE DOES: Clarifies an exception to disciplinary action statutes for public safety officers under a collective bargaining agreement. Declares an emergency, effective upon passage.

ISSUES DISCUSSED:

- History of House Bill 2713 (2009)
- Legislative intent of the measure
- Examples of how the exemption is applied

EFFECT OF COMMITTEE AMENDMENT: Clarifies that statutes related to the Public Safety Officer Bill of Rights do not apply to disciplinary action taken against public safety officers who are represented in a collective bargaining unit if the collective bargaining agreement or the established policies of the public safety officers' employer already provide identical procedures and safeguards.

BACKGROUND: House Bill 2713 (2009), also known as the Public Safety Officer Bill of Rights, created a statewide standard for dealing with investigations that involve public safety officers. While a number of larger local jurisdictions have implemented similar standards within their own agencies via unions, there are smaller jurisdictions throughout the state that either do not have unions or have unions with numbers too small to negotiate effectively through collective bargaining. The implemented statutes are similar to others throughout the United States, most notably California.

After enactment of the measure, it was discovered that a sentence that was to be removed was inadvertently kept in. The sentence, which is a subsection of ORS 236.370 (exemptions for certain public safety officers) states that the bill of rights does not apply to disciplinary action taken against public safety officers who are under a collective bargaining agreement requiring just cause for disciplinary action. House Bill 3140-A deletes this sentence and clarifies that the bill of rights does not apply to disciplinary actions that are taken against public safety officers who are represented in a collective bargaining unit if the collective bargaining agreement or the established policies of the public safety officers' employer already provide identical procedures and safeguards.