

Enrolled
House Bill 3039

Sponsored by Representative OLSON, Senator MORSE; Representatives BARKER, BERGER, BEYER, BOONE, CAMERON, CANNON, CLEM, COWAN, DEMBROW, DOHERTY, ESQUIVEL, FREEMAN, GARRARD, GARRETT, GELSER, HANNA, HARKER, HICKS, HOYLE, JOHNSON, KENNEMER, KOTEK, KRIEGER, MCLANE, PARRISH, ROBLAN, SCHAUFLE, SHEEHAN, G SMITH, SPRENGER, TOMEI, WAND, WEIDNER, WHISNANT, WINGARD, Senators FERRIOLI, KRUSE, STARR, THOMSEN

CHAPTER

AN ACT

Relating to roadside memorial signs; and appropriating money.

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

SECTION 1. (1) As used in this section, "police officer" includes:

(a) Employees of institutions defined in ORS 421.005 as Department of Corrections institutions whose duties, as assigned by the Director of the Department of Corrections, include the custody of persons committed to the custody of or transferred to the Department of Corrections and employees of the Department of Corrections who were classified as police officers.

(b) Employees of the Department of State Police who are classified as police officers by the Superintendent of State Police.

(c) Sheriffs and those deputy sheriffs or other employees of a sheriff whose duties, as classified by the sheriff, are the regular duties of police officers or corrections officers.

(d) Police chiefs and police personnel of a city who are classified as police officers by the council or other governing body of the city.

(2) The Department of Transportation shall erect and maintain a roadside memorial sign that commemorates a police officer killed in the line of duty if:

(a) The Legislative Assembly adopts a concurrent resolution that recognizes the police officer killed in the line of duty; and

(b) The department receives the payment of a fee determined by the department under subsection (3) of this section.

(3) The department shall determine the amount of the fee required under subsection (2)(b) of this section by rule. The fee may not exceed the direct and indirect expenses associated with erecting, maintaining and removing a roadside memorial sign.

(4) The department shall deposit the fees that the department collects under this section into the Roadside Memorial Fund established under section 2 of this 2011 Act.

(5) A public body, as defined in ORS 174.109, may not expend moneys for the purpose of paying the fee required under subsection (2)(b) of this section.

(6) The department, by rule, shall establish the size, design and location of a roadside memorial sign erected under this section. The sign must include the name of the police officer.

SECTION 2. The Roadside Memorial Fund is established in the State Treasury, separate and distinct from the General Fund. Moneys in the Roadside Memorial Fund are continuously appropriated to the Department of Transportation for the purpose of carrying out the provisions of section 1 of this 2011 Act.

SECTION 3. Section 1 of this 2011 Act applies to concurrent resolutions passed on or after January 1, 2011.

Passed by House June 22, 2011

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Ramona Kenady Line, Chief Clerk of House

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Bruce Hanna, Speaker of House

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Arnie Roblan, Speaker of House

Passed by Senate June 24, 2011

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Peter Courtney, President of Senate

Received by Governor:

.....M.,....., 2011

Approved:

.....M.,....., 2011

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John Kitzhaber, Governor

Filed in Office of Secretary of State:

.....M.,....., 2011

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Kate Brown, Secretary of State