

D R A F T

SUMMARY

Establishes Youth Development Division in Department of Education. Provides that division functions under direction and control of Youth Development Council and Youth Development Director.

Transfers administration of Oregon Youth Conservation Corps from Department of Community Colleges and Workforce Development to Youth Development Division.

A BILL FOR AN ACT

1
2 Relating to youth; creating new provisions; and amending ORS 181.715,
3 181.725, 182.515, 417.799, 417.845, 417.857, 418.653, 418.657, 418.658, 418.660,
4 418.975, 419B.005, 430.241, 430.242, 609.652 and 657A.490 and sections 21,
5 21b and 24, chapter 37, Oregon Laws 2012.

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

7 8 YOUTH DEVELOPMENT DIVISION

9
10 **SECTION 1. (1) The Youth Development Division is established in**
11 **the Department of Education. The purpose of the division is to ensure**
12 **that services are provided to school-age children through youth 20**
13 **years of age in a manner that supports academic success, reduces**
14 **criminal involvement and is integrated, measurable and accountable.**

15 **(2) The division shall function under the direction and control of**
16 **the Youth Development Council with the Youth Development Director**
17 **serving as the administrative officer.**

18 **SECTION 2. (1) The Governor shall appoint the Youth Development**

1 **Director, who is responsible for the performance of the duties, func-**
2 **tions and powers of the Youth Development Division.**

3 **(2) The director shall serve at the pleasure of the Governor.**

4 **(3) The director shall be directly responsible to the Superintendent**
5 **of Public Instruction.**

6 **SECTION 3.** Section 24, chapter 37, Oregon Laws 2012, is amended to
7 read:

8 **Sec. 24.** The amendments to section 21 [*of this 2012 Act*], **chapter 37,**
9 **Oregon Laws 2012,** by section 23 [*of this 2012 Act*], **chapter 37, Oregon**
10 **Laws 2012,** become operative on [*March 15, 2016*] **the effective date of this**
11 **2013 Act.**

12 **SECTION 4.** Section 21, chapter 37, Oregon Laws 2012, as amended by
13 section 23, chapter 37, Oregon Laws 2012, is amended to read:

14 **Sec. 21.** (1) The Youth Development Council is established. **The council**
15 **shall function under the direction and control of the Oregon Education**
16 **Investment Board established by section 1, chapter 519, Oregon Laws**
17 **2011.**

18 (2) The council is established for the purpose of **assisting the board in**
19 **overseeing a unified system that provides services to school-age children**
20 **through youth 20 years of age in a manner that supports academic success,**
21 **reduces criminal involvement and is integrated, measurable and accountable.**
22 **The council shall provide direction and control of the Youth Develop-**
23 **ment Division.**

24 (3) The council consists of no fewer than 15 members who are appointed
25 by the Governor. The Governor shall ensure that membership of the council
26 satisfies any federal requirements for membership of a state advisory com-
27 mittee on juvenile justice.

28 (4) The council shall:

29 (a) Prioritize funding for prevention and intervention services related to
30 gang violence and gang involvement.

31 (b) Determine the means by which services to children and youth may be

1 provided effectively and efficiently across multiple programs to improve the
2 academic and social outcomes of children and youth.

3 (c) Assess state programs and services related to youth development and
4 training, and identify methods by which programs and services may be co-
5 ordinated or consolidated.

6 (d) Establish common academic and social indicators to support attain-
7 ment of goals established by the [council] **board**.

8 (e) Establish common program outcome measurements and coordinate
9 data collection across multiple programs and services.

10 (f) Ensure implementation of best practices that:

11 (A) Are evidence based;

12 (B) Are culturally, gender and age appropriate;

13 (C) Address individual risk factors;

14 (D) Build upon factors that increase the health and well-being of children
15 and youth; and

16 (E) Include tribal best practices.

17 (5) The Governor may designate one member of the council to serve as
18 the chairperson or, if the Governor chooses not to designate a chairperson,
19 the council may elect one of its members to serve as chairperson.

20 (6) In accordance with applicable provisions of ORS chapter 183, the
21 council may adopt rules necessary for the administration of the laws that the
22 council is charged with administering.

23 **SECTION 5.** Section 21, chapter 37, Oregon Laws 2012, as amended by
24 section 23, chapter 37, Oregon Laws 2012, and section 4 of this 2013 Act, is
25 amended to read:

26 **Sec. 21.** (1) The Youth Development Council is established. [*The council*
27 *shall function under the direction and control of the Oregon Education In-*
28 *vestment Board established by section 1, chapter 519, Oregon Laws 2011.*]

29 (2) The council is established for the purpose of [*assisting the board in*]
30 overseeing a unified system that provides services to school-age children
31 through youth 20 years of age in a manner that supports academic success,

1 reduces criminal involvement and is integrated, measurable and accountable.
2 The council shall provide direction and control of the Youth Development
3 Division.

4 (3) The council consists of no fewer than 15 members who are appointed
5 by the Governor. The Governor shall ensure that membership of the council
6 satisfies any federal requirements for membership of a state advisory com-
7 mittee on juvenile justice.

8 (4) The council shall:

9 (a) Prioritize funding for prevention and intervention services related to
10 gang violence and gang involvement.

11 (b) Determine the means by which services to children and youth may be
12 provided effectively and efficiently across multiple programs to improve the
13 academic and social outcomes of children and youth.

14 (c) Assess state programs and services related to youth development and
15 training, and identify methods by which programs and services may be co-
16 ordinated or consolidated.

17 (d) Establish common academic and social indicators to support attain-
18 ment of goals established by the [*Oregon Education Investment Board*]
19 **council**.

20 (e) Establish common program outcome measurements and coordinate
21 data collection across multiple programs and services.

22 (f) Ensure implementation of best practices that:

23 (A) Are evidence based;

24 (B) Are culturally, gender and age appropriate;

25 (C) Address individual risk factors;

26 (D) Build upon factors that increase the health and well-being of children
27 and youth; and

28 (E) Include tribal best practices.

29 (5) The Governor may designate one member of the council to serve as
30 the chairperson or, if the Governor chooses not to designate a chairperson,
31 the council may elect one of its members to serve as chairperson.

1 (6) In accordance with applicable provisions of ORS chapter 183, the
2 council may adopt rules necessary for the administration of the laws that the
3 council is charged with administering.

4 **SECTION 6.** Section 21b, chapter 37, Oregon Laws 2012, is amended to
5 read:

6 **Sec. 21b.** (1) The Youth Development [*Council*] **Division** Fund is estab-
7 lished in the State Treasury, separate and distinct from the General Fund.
8 Interest earned by the Youth Development [*Council*] **Division** Fund shall be
9 credited to the fund.

10 (2) Moneys in the Youth Development [*Council*] **Division** Fund consist
11 of:

12 (a) Amounts donated to the fund;

13 (b) Moneys transferred to the fund from the federal government, state
14 agencies and local governments;

15 (c) Amounts appropriated or otherwise transferred to the fund by the
16 Legislative Assembly;

17 (d) Investment earnings received on moneys in the fund; and

18 (e) Other amounts deposited in the fund from any source.

19 (3) Moneys in the fund are continuously appropriated to the Youth De-
20 velopment [*Council*] **Division** established in section 21 [*of this 2012 Act*],
21 **chapter 37, Oregon Laws 2012**, for the purpose of fulfilling the [*council's*]
22 **division's** duties, functions and powers.

23 (4) The [*council*] **division** may establish accounts and subaccounts within
24 the fund when the [*council*] **division** determines that accounts or subac-
25 counts are necessary or desirable and may credit any interest or income de-
26 rived from moneys in the fund to any account or subaccount in the fund.

27 **SECTION 7.** (1) **The amendments to section 21b, chapter 37, Oregon**
28 **Laws 2012, by section 6 of this 2013 Act are intended to change the**
29 **name of the “Youth Development Council Fund” to the “Youth De-**
30 **velopment Division Fund.”**

31 (2) **For the purpose of harmonizing and clarifying statutory law, the**

1 **Legislative Counsel may substitute for words designating the “Youth**
2 **Development Council Fund,” wherever they occur in statutory law,**
3 **other words designating the “Youth Development Division Fund.”**

4 **SECTION 8.** ORS 181.715, as amended by section 35, chapter 37, Oregon
5 Laws 2012, is amended to read:

6 181.715. (1) The Department of State Police or another criminal justice
7 agency designated by the Director of the Oregon Department of Administra-
8 tive Services shall operate a Criminal Justice Information Standards program
9 that coordinates information among state criminal justice agencies. The
10 program shall:

11 (a) Ensure that in developing new information systems, data can be re-
12 trieved to support evaluation of criminal justice planning and programs, in-
13 cluding, but not limited to, the ability of the programs to reduce future
14 criminal conduct;

15 (b) Ensure that maximum effort is made for the safety of public safety
16 officers;

17 (c) Establish methods and standards for data interchange and information
18 access between criminal justice information systems, in compliance with the
19 technology standards and policies of the Oregon Department of Administra-
20 tive Services;

21 (d) Design and implement improved applications for exchange of agency
22 information; and

23 (e) Implement the capability to exchange images between criminal justice
24 agencies.

25 (2) The program shall develop a plan to accelerate data sharing and in-
26 formation integration among criminal justice agencies. The plan shall in-
27 clude, but is not limited to, priorities, timelines, development costs, resources
28 needed, the projected ongoing cost of support, critical success factors and
29 any known barriers to accomplishing the plan. Representatives of criminal
30 justice agencies and public safety agencies, including but not limited to local
31 law enforcement agencies, courts of criminal jurisdiction, district attorneys,

1 city attorneys with criminal prosecutive functions, public defender organ-
2 izations established under ORS chapter 151, community corrections directors,
3 jail managers and county juvenile departments, shall be invited to partic-
4 ipate in the planning process. The program shall present the plan to the
5 Director of the Oregon Department of Administrative Services no later than
6 May 30 of each even-numbered year for development of the Governor's budget
7 report. The program shall submit the plan to the Joint Legislative Committee
8 on Information Management and Technology no later than December 31 of
9 each even-numbered year.

10 (3) Notwithstanding the meaning given "criminal justice agency" in ORS
11 181.010, as used in this section and ORS 181.720, "criminal justice agency"
12 includes, but is not limited to:

- 13 (a) The Judicial Department;
- 14 (b) The Attorney General;
- 15 (c) The Department of Corrections;
- 16 (d) The Department of State Police;
- 17 (e) Any other state agency with law enforcement authority designated by
18 order of the Governor;
- 19 (f) The Department of Transportation;
- 20 (g) The State Board of Parole and Post-Prison Supervision;
- 21 (h) The Department of Public Safety Standards and Training;
- 22 (i) The State Department of Fish and Wildlife;
- 23 (j) The Oregon Liquor Control Commission;
- 24 (k) The Oregon Youth Authority;
- 25 (L) The Youth Development [*Council*] **Division**; and
- 26 (m) A university that has established a police department under ORS
27 352.383.

28 **SECTION 9.** ORS 181.725, as amended by section 36, chapter 37, Oregon
29 Laws 2012, is amended to read:

30 181.725. (1) There is established a Criminal Justice Information Standards
31 Advisory Board to advise the Department of State Police or the criminal

1 justice agency designated by the Director of the Oregon Department of Ad-
2 ministrative Services under ORS 181.715 (1) about the department's or the
3 agency's duties under ORS 181.715. The board consists of the following
4 members:

5 (a) The State Court Administrator or the administrator's designee;

6 (b) The Director of the Department of Corrections or the director's
7 designee;

8 (c) The Superintendent of State Police or the superintendent's designee;

9 (d) The executive director of the Oregon Criminal Justice Commission or
10 the executive director's designee;

11 (e) The Director of Transportation or the director's designee;

12 (f) The chairperson of the State Board of Parole and Post-Prison Super-
13 vision or the chairperson's designee;

14 (g) The Director of the Department of Public Safety Standards and
15 Training or the director's designee;

16 (h) A chief of police designated by the Oregon Association Chiefs of Po-
17 lice;

18 (i) A sheriff designated by the Oregon State Sheriffs' Association;

19 (j) A jail manager designated by the Oregon Sheriff's Jail Command
20 Council;

21 (k) A county juvenile department director designated by the Oregon Ju-
22 venile Department Directors' Association;

23 (L) A community corrections agency director designated by the Oregon
24 Association of Community Corrections Directors;

25 (m) A district attorney designated by the Oregon District Attorneys As-
26 sociation;

27 (n) The administrator of the Enterprise Information Strategy and Policy
28 Division of the Oregon Department of Administrative Services or the
29 administrator's designee;

30 (o) The Director of the Oregon Youth Authority or the director's
31 designee;

- 1 (p) The State Fish and Wildlife Director or the director's designee;
2 (q) The administrator of the Oregon Liquor Control Commission or the
3 administrator's designee; and
4 *[(r) The chairperson of the Youth Development Council or the chairperson's*
5 *designee.]*
6 **(r) The Youth Development Director or the director's designee.**

7 (2) The board shall meet at such times and places as the board deems
8 necessary.

9 (3) The members of the board are not entitled to compensation but are
10 entitled to expenses as provided in ORS 292.495.

11 **SECTION 10.** ORS 182.515, as amended by section 37, chapter 37, Oregon
12 Laws 2012, is amended to read:

13 182.515. As used in this section and ORS 182.525:

14 (1) "Agency" means:

15 (a) The Department of Corrections;

16 (b) The Oregon Youth Authority;

17 (c) The Youth Development [*Council*] **Division**; and

18 (d) That part of the Oregon Health Authority that deals with mental
19 health and addiction issues.

20 (2) "Cost effective" means that cost savings realized over a reasonable
21 period of time are greater than costs.

22 (3) "Evidence-based program" means a program that:

23 (a) Incorporates significant and relevant practices based on scientifically
24 based research; and

25 (b) Is cost effective.

26 (4)(a) "Program" means a treatment or intervention program or service
27 that is intended to:

28 (A) Reduce the propensity of a person to commit crimes;

29 (B) Improve the mental health of a person with the result of reducing the
30 likelihood that the person will commit a crime or need emergency mental
31 health services; or

1 (C) Reduce the propensity of a person who is less than 18 years of age to
2 engage in antisocial behavior with the result of reducing the likelihood that
3 the person will become a juvenile offender.

4 (b) "Program" does not include:

5 (A) An educational program or service that an agency is required to
6 provide to meet educational requirements imposed by state law; or

7 (B) A program that provides basic medical services.

8 (5) "Scientifically based research" means research that obtains reliable
9 and valid knowledge by:

10 (a) Employing systematic, empirical methods that draw on observation or
11 experiment;

12 (b) Involving rigorous data analyses that are adequate to test the stated
13 hypotheses and justify the general conclusions drawn; and

14 (c) Relying on measurements or observational methods that provide reli-
15 able and valid data across evaluators and observers, across multiple meas-
16 urements and observations and across studies by the same or different
17 investigators.

18 **SECTION 11.** ORS 417.799, as amended by section 109, chapter 37, Oregon
19 Laws 2012, is amended to read:

20 417.799. (1) The Department of Human Services is responsible for coordi-
21 nating statewide planning for delivery of services to runaway and homeless
22 youth and their families.

23 (2) The department shall recommend policies that integrate a system of
24 services and support for runaway and homeless youth into the state's
25 continuum of care for children who are 0 through 18 years of age.

26 (3) The department may work with the Youth Development [*Council*] **Di-**
27 **vision**, the Employment Department, the Housing and Community Services
28 Department, the Department of Community Colleges and Workforce Devel-
29 opment, the Department of Education and the Oregon Youth Authority to
30 develop a comprehensive and coordinated approach for services and support
31 for runaway and homeless youth and their families.

1 (4) In addition to the entities listed in subsection (3) of this section, the
2 department shall include representatives of youth, nonprofit organizations
3 and statewide coalitions related to runaway and homeless youth services and
4 supports in the joint process described in subsection (3) of this section.

5 (5) The department may enter into and renew contracts with providers for
6 the provision of services to runaway and homeless youth and their families.

7 **SECTION 12.** ORS 417.845, as amended by section 27, chapter 37, Oregon
8 Laws 2012, is amended to read:

9 417.845. (1) The Juvenile Crime Prevention Advisory Committee is created
10 within the Youth Development [*Council*] **Division**.

11 (2) The committee shall have the following members:

12 (a) The Director of the Oregon Youth Authority or a designee of the di-
13 rector;

14 [*(b) The chairperson of the Youth Development Council or a designee of the*
15 *chairperson;*]

16 **(b) The Youth Development Director or a designee of the director;**

17 (c) The Director of the Oregon Health Authority or one or more designees
18 of the director, one of whom has expertise in treatment and prevention of
19 substance abuse;

20 (d) The executive director of the Oregon Criminal Justice Commission or
21 a designee of the executive director;

22 (e) The Superintendent of Public Instruction or a designee of the super-
23 intendent;

24 (f) The Superintendent of State Police or a designee of the superintendent;

25 (g) The Director of the Department of Corrections or a designee of the
26 director;

27 (h) One designee of the Governor;

28 (i) One member appointed by the President of the Senate, who shall be a
29 member of the Senate and who shall be a nonvoting, advisory member;

30 (j) One member appointed by the Speaker of the House of Representatives,
31 who shall be a member of the House of Representatives and who shall be a

1 nonvoting, advisory member; and

2 (k) One designee of the Chief Justice of the Supreme Court from the Ju-
3 dicial Department who serves as a nonvoting member to provide information
4 and support the partnership role of the courts in an effective comprehensive
5 statewide approach to high-risk youth and their families.

6 (3) In addition to the members listed in subsection (2) of this section, the
7 Governor shall appoint the following members who shall be representative
8 of the geographic and cultural diversity of the state:

9 (a) To represent local public and private entities:

10 (A) A county commissioner;

11 (B) A local juvenile director;

12 (C) A director of a local commission on children and families;

13 (D) Two law enforcement officials;

14 (E) A county mental health director;

15 (F) An alcohol and drug abuse professional;

16 (G) A school superintendent;

17 (H) A private youth service provider; and

18 (I) An elected city official;

19 (b) A researcher;

20 (c) A citizen member; and

21 (d) Other members as determined by the Governor.

22 (4) Each member of the committee appointed by the Governor under sub-
23 section (3) of this section shall serve a term of four years. Members ap-
24 pointed by the Governor shall serve at the pleasure of the Governor. A
25 vacancy in the office of any member appointed by the Governor under sub-
26 section (3) of this section shall be filled by the Governor by appointment for
27 the unexpired term.

28 (5) The Governor shall select one of the members of the committee as
29 chairperson and one of its members as vice chairperson.

30 (6) The committee shall meet at times, places and intervals deemed ad-
31 visable by a majority of the members.

1 (7) The Youth Development [*Council*] **Division** shall provide staff support
2 to the committee.

3 (8) Members of the committee who are members of the Legislative As-
4 sembly are entitled to compensation and reimbursement of expenses as pro-
5 vided in ORS 171.072.

6 (9) Members of the committee who are not members of the Legislative
7 Assembly are not entitled to compensation, but may be reimbursed for actual
8 and necessary travel and other expenses incurred by them in the performance
9 of their official duties in the manner and amounts provided for in ORS
10 292.495. Claims for expenses shall be paid out of funds appropriated [*to the*
11 *Youth Development Council*] for purposes of the committee.

12 **SECTION 13.** ORS 417.857, as amended by section 56, chapter 37, Oregon
13 Laws 2012, is amended to read:

14 417.857. (1) Deschutes County may place greater emphasis on early inter-
15 vention and work with younger children than required by the Juvenile Crime
16 Prevention Advisory Committee if the county has been granted a waiver
17 pursuant to this section.

18 (2) The Juvenile Crime Prevention Advisory Committee shall develop an
19 objective process, review criteria and timetable for consideration of a waiver
20 request. A waiver granted under this section applies to the requirements for
21 basic services grants described in ORS 417.850 (8) and high-risk juvenile
22 crime prevention resources managed by the Youth Development [*Council*]
23 **Division**. The waiver shall be consistent with the goals of ORS 417.705 to
24 417.800, 417.850 and 417.855.

25 (3) Any documentation required for a waiver under this section shall be
26 obtained to the greatest extent possible from material contained in the
27 county's juvenile crime prevention plan and from material as determined
28 through biennial intergovernmental agreements. The Juvenile Crime Pre-
29 vention Advisory Committee may ask the county to submit additional infor-
30 mation regarding how the county intends to use crime prevention funds
31 under the waiver.

1 (4) The Juvenile Crime Prevention Advisory Committee shall grant a
2 waiver or continue a waiver based on criteria that include:

3 (a) The rate of Oregon Youth Authority discretionary bed usage compared
4 to other counties;

5 (b) The county's rates of first-time juvenile offenders, chronic juvenile
6 offenders and juvenile recidivism compared to other counties;

7 (c) The amount and allocation of expenditures from all funding sources
8 for juvenile crime prevention, including prevention and early intervention
9 strategies, and how the requested waiver addresses the needs and priorities
10 for the target population described in ORS 417.855 and for the target popu-
11 lation described in the waiver;

12 (d) Inclusion of prevention or early intervention strategies in the juvenile
13 crime prevention plan;

14 (e) Investments in evidence-based crime prevention programs and prac-
15 tices;

16 (f) Support of the local public safety coordinating council, local commis-
17 sion on children and families and the board of county commissioners;

18 (g) Local integration practices including citizens, victims, courts, law
19 enforcement, business and schools;

20 (h) Identification of the risk factors for the target population described
21 in the waiver; and

22 (i) Changes in the risk factors for the target population described in the
23 waiver.

24 (5) The committee shall review and act on any request for a waiver within
25 90 days after receipt of the request.

26 (6) The duration of a waiver granted under this section is four years.
27 Before the expiration of a waiver granted under this section, the county may
28 submit a request for another waiver.

29 **SECTION 14.** ORS 417.857, as amended by sections 56 and 110b, chapter
30 37, Oregon Laws 2012, is amended to read:

31 417.857. (1) Deschutes County may place greater emphasis on early inter-

1 vention and work with younger children than required by the Youth Devel-
2 opment Council if the county has been granted a waiver pursuant to this
3 section.

4 (2) The Youth Development Council shall develop an objective process,
5 review criteria and timetable for consideration of a waiver request. A waiver
6 granted under this section applies to the requirements for basic services
7 grants described in ORS 417.850 (8) and high-risk juvenile crime prevention
8 resources managed by the Youth Development [*Council*] **Division**. The
9 waiver shall be consistent with the goals of ORS 417.705 to 417.800, 417.850
10 and 417.855.

11 (3) Any documentation required for a waiver under this section shall be
12 obtained to the greatest extent possible from material contained in the
13 county's juvenile crime prevention plan and from material as determined
14 through biennial intergovernmental agreements. The Youth Development
15 Council may ask the county to submit additional information regarding how
16 the county intends to use crime prevention funds under the waiver.

17 (4) The Youth Development Council shall grant a waiver or continue a
18 waiver based on criteria that include:

19 (a) The rate of Oregon Youth Authority discretionary bed usage compared
20 to other counties;

21 (b) The county's rates of first-time juvenile offenders, chronic juvenile
22 offenders and juvenile recidivism compared to other counties;

23 (c) The amount and allocation of expenditures from all funding sources
24 for juvenile crime prevention, including prevention and early intervention
25 strategies, and how the requested waiver addresses the needs and priorities
26 for the target population described in ORS 417.855 and for the target popu-
27 lation described in the waiver;

28 (d) Inclusion of prevention or early intervention strategies in the juvenile
29 crime prevention plan;

30 (e) Investments in evidence-based crime prevention programs and prac-
31 tices;

1 (f) Support of the local public safety coordinating council, local commis-
2 sion on children and families and the board of county commissioners;

3 (g) Local integration practices including citizens, victims, courts, law
4 enforcement, business and schools;

5 (h) Identification of the risk factors for the target population described
6 in the waiver; and

7 (i) Changes in the risk factors for the target population described in the
8 waiver.

9 (5) The Youth Development Council shall review and act on any request
10 for a waiver within 90 days after receipt of the request.

11 (6) The duration of a waiver granted under this section is four years.
12 Before the expiration of a waiver granted under this section, the county may
13 submit a request for another waiver.

14 **SECTION 15.** ORS 417.857, as amended by sections 56, 97 and 110b,
15 chapter 37, Oregon Laws 2012, is amended to read:

16 417.857. (1) Deschutes County may place greater emphasis on early inter-
17 vention and work with younger children than required by the Youth Devel-
18 opment Council if the county has been granted a waiver pursuant to this
19 section.

20 (2) The Youth Development Council shall develop an objective process,
21 review criteria and timetable for consideration of a waiver request. A waiver
22 granted under this section applies to the requirements for basic services
23 grants described in ORS 417.850 (8) and high-risk juvenile crime prevention
24 resources managed by the Youth Development [*Council*] **Division**. The
25 waiver shall be consistent with the goals of ORS 417.705 to 417.800, 417.850
26 and 417.855.

27 (3) Any documentation required for a waiver under this section shall be
28 obtained to the greatest extent possible from material contained in the
29 county's juvenile crime prevention plan and from material as determined
30 through biennial intergovernmental agreements. The Youth Development
31 Council may ask the county to submit additional information regarding how

1 the county intends to use crime prevention funds under the waiver.

2 (4) The Youth Development Council shall grant a waiver or continue a
3 waiver based on criteria that include:

4 (a) The rate of Oregon Youth Authority discretionary bed usage compared
5 to other counties;

6 (b) The county's rates of first-time juvenile offenders, chronic juvenile
7 offenders and juvenile recidivism compared to other counties;

8 (c) The amount and allocation of expenditures from all funding sources
9 for juvenile crime prevention, including prevention and early intervention
10 strategies, and how the requested waiver addresses the needs and priorities
11 for the target population described in ORS 417.855 and for the target popu-
12 lation described in the waiver;

13 (d) Inclusion of prevention or early intervention strategies in the juvenile
14 crime prevention plan;

15 (e) Investments in evidence-based crime prevention programs and prac-
16 tices;

17 (f) Support of the local public safety coordinating council and the board
18 of county commissioners;

19 (g) Local integration practices including citizens, victims, courts, law
20 enforcement, business and schools;

21 (h) Identification of the risk factors for the target population described
22 in the waiver; and

23 (i) Changes in the risk factors for the target population described in the
24 waiver.

25 (5) The Youth Development Council shall review and act on any request
26 for a waiver within 90 days after receipt of the request.

27 (6) The duration of a waiver granted under this section is four years.
28 Before the expiration of a waiver granted under this section, the county may
29 submit a request for another waiver.

30 **SECTION 16.** ORS 418.975, as amended by section 58, chapter 37, Oregon
31 Laws 2012, is amended to read:

1 418.975. As used in ORS 418.975 to 418.985:

2 (1) “Cultural competence” means accepting and respecting diversity and
3 differences in a continuous process of self-assessment and reflection on one’s
4 personal and organizational perceptions of the dynamics of culture.

5 (2) “Family” includes, with respect to a youth:

6 (a) A biological or legal parent;

7 (b) A sibling;

8 (c) An individual related by blood, marriage or adoption;

9 (d) A foster parent;

10 (e) A legal guardian;

11 (f) A caregiver;

12 (g) An individual with a significant social relationship with the youth;
13 and

14 (h) Any person who provides natural, formal or informal support to the
15 youth that the youth identifies as important.

16 (3) “Family-run organization” means a private nonprofit entity organized
17 for the purpose of serving families with a youth who has a serious emotional
18 disorder. The entity must:

19 (a) Have a governing board in which a majority of the members are family
20 members of a youth with a serious emotional disorder; and

21 (b) Give a preference to family members in hiring decisions for the entity.

22 (4) “Identified population” means youth who have or are at risk of de-
23 veloping emotional, behavioral or substance use related needs, and who are
24 involved with two or more systems of care.

25 (5) “Partner agency” includes the Department of Education, Oregon
26 Youth Authority, Department of Human Services, Early Learning Council,
27 Youth Development [*Council*] **Division**, Oregon Health Authority and other
28 appropriate agencies involved in the system of care.

29 (6) “Services and supports” means public, private and community re-
30 sources that assist youth in the achievement of positive outcomes.

31 (7) “System of care” means a coordinated network of services including

1 education, child welfare, public health, primary care, pediatric care, juvenile
2 justice, mental health treatment, substance use treatment, developmental
3 disability services and any other services and supports to the identified
4 population that integrates care planning and management across multiple
5 levels, that is culturally and linguistically competent, that is designed to
6 build meaningful partnerships with families and youth in the delivery and
7 management of services and the development of policy and that has a sup-
8 portive policy and management infrastructure.

9 (8) “Wraparound” means a definable, team-based planning process involv-
10 ing a youth and the youth’s family that results in a unique set of community
11 services and services and supports individualized for that youth and family
12 to achieve a set of positive outcomes.

13 (9) “Youth” means an individual 18 years of age or younger.

14 **SECTION 17.** ORS 419B.005, as amended by section 60, chapter 37,
15 Oregon Laws 2012, and section 1, chapter 92, Oregon Laws 2012, is amended
16 to read:

17 419B.005. As used in ORS 419B.005 to 419B.050, unless the context re-
18 quires otherwise:

19 (1)(a) “Abuse” means:

20 (A) Any assault, as defined in ORS chapter 163, of a child and any phys-
21 ical injury to a child which has been caused by other than accidental means,
22 including any injury which appears to be at variance with the explanation
23 given of the injury.

24 (B) Any mental injury to a child, which shall include only observable and
25 substantial impairment of the child’s mental or psychological ability to
26 function caused by cruelty to the child, with due regard to the culture of the
27 child.

28 (C) Rape of a child, which includes but is not limited to rape, sodomy,
29 unlawful sexual penetration and incest, as those acts are described in ORS
30 chapter 163.

31 (D) Sexual abuse, as described in ORS chapter 163.

1 (E) Sexual exploitation, including but not limited to:

2 (i) Contributing to the sexual delinquency of a minor, as defined in ORS
3 chapter 163, and any other conduct which allows, employs, authorizes, per-
4 mits, induces or encourages a child to engage in the performing for people
5 to observe or the photographing, filming, tape recording or other exhibition
6 which, in whole or in part, depicts sexual conduct or contact, as defined in
7 ORS 167.002 or described in ORS 163.665 and 163.670, sexual abuse involving
8 a child or rape of a child, but not including any conduct which is part of
9 any investigation conducted pursuant to ORS 419B.020 or which is designed
10 to serve educational or other legitimate purposes; and

11 (ii) Allowing, permitting, encouraging or hiring a child to engage in
12 prostitution or to patronize a prostitute, as defined in ORS chapter 167.

13 (F) Negligent treatment or maltreatment of a child, including but not
14 limited to the failure to provide adequate food, clothing, shelter or medical
15 care that is likely to endanger the health or welfare of the child.

16 (G) Threatened harm to a child, which means subjecting a child to a
17 substantial risk of harm to the child's health or welfare.

18 (H) Buying or selling a person under 18 years of age as described in ORS
19 163.537.

20 (I) Permitting a person under 18 years of age to enter or remain in or
21 upon premises where methamphetamines are being manufactured.

22 (J) Unlawful exposure to a controlled substance, as defined in ORS
23 475.005, that subjects a child to a substantial risk of harm to the child's
24 health or safety.

25 (b) "Abuse" does not include reasonable discipline unless the discipline
26 results in one of the conditions described in paragraph (a) of this subsection.

27 (2) "Child" means an unmarried person who is under 18 years of age.

28 (3) "Higher education institution" means:

29 (a) A community college as defined in ORS 341.005;

30 (b) A public university listed in ORS 352.002;

31 (c) The Oregon Health and Science University; and

- 1 (d) A private institution of higher education located in Oregon.
- 2 (4) “Law enforcement agency” means:
- 3 (a) A city or municipal police department.
- 4 (b) A county sheriff’s office.
- 5 (c) The Oregon State Police.
- 6 (d) A police department established by a university under ORS 352.383.
- 7 (e) A county juvenile department.
- 8 (5) “Public or private official” means:
- 9 (a) Physician, osteopathic physician, physician assistant, naturopathic
- 10 physician, podiatric physician and surgeon, including any intern or resident.
- 11 (b) Dentist.
- 12 (c) School employee, including an employee of a higher education insti-
- 13 tution.
- 14 (d) Licensed practical nurse, registered nurse, nurse practitioner, nurse’s
- 15 aide, home health aide or employee of an in-home health service.
- 16 (e) Employee of the Department of Human Services, Oregon Health Au-
- 17 thority, Early Learning Council, Youth Development [*Council*] **Division**,
- 18 Child Care Division of the Employment Department, the Oregon Youth Au-
- 19 thority, a county health department, a community mental health program, a
- 20 community developmental disabilities program, a county juvenile department,
- 21 a licensed child-caring agency or an alcohol and drug treatment program.
- 22 (f) Peace officer.
- 23 (g) Psychologist.
- 24 (h) Member of the clergy.
- 25 (i) Regulated social worker.
- 26 (j) Optometrist.
- 27 (k) Chiropractor.
- 28 (L) Certified provider of foster care, or an employee thereof.
- 29 (m) Attorney.
- 30 (n) Licensed professional counselor.
- 31 (o) Licensed marriage and family therapist.

- 1 (p) Firefighter or emergency medical services provider.
- 2 (q) A court appointed special advocate, as defined in ORS 419A.004.
- 3 (r) A child care provider registered or certified under ORS 657A.030 and
4 657A.250 to 657A.450.
- 5 (s) Member of the Legislative Assembly.
- 6 (t) Physical, speech or occupational therapist.
- 7 (u) Audiologist.
- 8 (v) Speech-language pathologist.
- 9 (w) Employee of the Teacher Standards and Practices Commission directly
10 involved in investigations or discipline by the commission.
- 11 (x) Pharmacist.
- 12 (y) An operator of a preschool recorded program under ORS 657A.255.
- 13 (z) An operator of a school-age recorded program under ORS 657A.257.
- 14 (aa) Employee of a private agency or organization facilitating the pro-
15 vision of respite services, as defined in ORS 418.205, for parents pursuant to
16 a properly executed power of attorney under ORS 109.056.
- 17 (bb) Employee of a public or private organization providing child-related
18 services or activities:
- 19 (A) Including but not limited to youth groups or centers, scout groups or
20 camps, summer or day camps, survival camps or groups, centers or camps
21 that are operated under the guidance, supervision or auspices of religious,
22 public or private educational systems or community service organizations;
23 and
- 24 (B) Excluding community-based, nonprofit organizations whose primary
25 purpose is to provide confidential, direct services to victims of domestic vi-
26 olence, sexual assault, stalking or human trafficking.
- 27 (cc) A coach, assistant coach or trainer of an amateur, semiprofessional
28 or professional athlete, if compensated and if the athlete is a child.
- 29 **SECTION 18.** ORS 430.241, as amended by section 62, chapter 37, Oregon
30 Laws 2012, is amended to read:
- 31 430.241. (1) As used in this section and ORS 430.242:

1 (a) "Local government" means a local government as defined in ORS
2 174.116 that receives state or federal funding for programs that provide al-
3 cohol or drug prevention or treatment services.

4 (b) "Participating state agency" means the Youth Development [*Council*]
5 **Division**, the Department of Corrections, the Department of Human Services,
6 the Oregon Health Authority, the Department of Education, the Oregon
7 Criminal Justice Commission, the Oregon State Police, the Oregon Youth
8 Authority or any other state agency that is approved by the Alcohol and
9 Drug Policy Commission to license, contract for, provide or coordinate al-
10 cohol or drug prevention or treatment services.

11 (c) "Provider" means any person that is licensed by the Oregon Health
12 Authority to provide alcohol or drug prevention or treatment services.

13 (2) There is created the Alcohol and Drug Policy Commission, which is
14 charged with planning, evaluating and coordinating policies for the funding
15 and effective delivery of alcohol and drug prevention and treatment services.

16 (3) The membership of the commission consists of:

17 (a) Sixteen members appointed by the Governor, subject to confirmation
18 by the Senate in the manner prescribed in ORS 171.562 and 171.565, includ-
19 ing:

20 (A) An elected district attorney;

21 (B) An elected county sheriff;

22 (C) A county commissioner;

23 (D) A representative of an Indian tribe;

24 (E) A provider;

25 (F) A chief of police;

26 (G) An alcohol or drug treatment researcher or epidemiologist;

27 (H) A criminal defense attorney;

28 (I) A representative of the health insurance industry;

29 (J) A representative of hospitals;

30 (K) An alcohol or treatment professional who is highly experienced in the
31 treatment of persons with a dual diagnosis of mental illness and substance

1 abuse;

2 (L) An alcohol or drug abuse prevention representative;

3 (M) A consumer of alcohol or drug treatment who is in recovery;

4 (N) A representative of the business community;

5 (O) An alcohol or drug prevention representative who specializes in
6 youth; and

7 (P) A person with expertise in and experience working with information
8 technology systems used in complex intergovernmental or corporate settings.

9 (b) Two members of the Legislative Assembly appointed to the commission
10 as nonvoting members of the commission, acting in an advisory capacity only
11 and including:

12 (A) One member from among members of the Senate appointed by the
13 President of the Senate; and

14 (B) One member from among members of the House of Representatives
15 appointed by the Speaker of the House of Representatives.

16 (c) The following voting ex officio members:

17 (A) The Governor or the Governor's designee;

18 (B) The Attorney General;

19 (C) The Director of the Oregon Health Authority;

20 (D) The Director of the Department of Corrections;

21 (E) The Deputy Superintendent of Public Instruction or the deputy
22 superintendent's designee;

23 (F) The Director of Human Services;

24 (G) The Director of the Oregon Youth Authority;

25 [(H) *The chairperson of the Youth Development Council; and*]

26 **(H) The Youth Development Director; and**

27 (I) The administrator of the Oregon Liquor Control Commission.

28 (d) A judge of a circuit court appointed to the commission as a nonvoting
29 member by the Chief Justice of the Supreme Court.

30 (4) The Alcohol and Drug Policy Commission shall select one of its
31 members as chairperson and another as vice chairperson, for such terms and

1 with duties and powers necessary for the performance of the functions of
2 such offices as the commission determines.

3 (5) A majority of the voting members of the commission constitutes a
4 quorum for the transaction of business.

5 (6) Official action of the commission requires the approval of a majority
6 of a quorum.

7 (7) The commission may establish a steering committee and subcommit-
8 tees. These committees may be continuing or temporary.

9 (8) The term of office of each commission member appointed by the Gov-
10 ernor is four years, but a member serves at the pleasure of the Governor. If
11 there is a vacancy for any cause, the Governor shall make an appointment
12 to become immediately effective.

13 (9) The Oregon Health Authority shall provide staff support to the com-
14 mission. Subject to available funding, the commission may contract with a
15 public or private entity to provide staff support.

16 (10) Members of the commission who are not members of the Legislative
17 Assembly are entitled to compensation and expenses incurred by them in the
18 performance of their official duties in the manner and amounts provided for
19 in ORS 292.495. Claims for compensation and expenses shall be paid out of
20 funds appropriated to the Oregon Health Authority or funds appropriated to
21 the commission for purposes of the commission.

22 (11) The commission shall establish a budget advisory committee com-
23 posed of the individuals listed in subsection (3)(a)(C), (c)(B) to (I) and (d) of
24 this section. The individual described in subsection (3)(d) of this section is
25 a nonvoting member of the committee. The committee shall recommend
26 budget policy priorities to the commission:

27 (a) Regarding the allocation of funding for alcohol and drug prevention
28 and treatment services across state agencies and throughout this state;

29 (b) That identify additional funding from federal and private sources for
30 alcohol and drug prevention and treatment services; and

31 (c) For authorizing a suspension of the payment of state funds, or funds

1 administered by this state, to programs that do not comply with the
2 commission's rules or the budget priority policy or that do not provide ef-
3 fective prevention or treatment services.

4 (12)(a) The Governor shall appoint a Director of the Alcohol and Drug
5 Policy Commission who shall serve at the pleasure of the Governor and be
6 responsible for the dissemination and implementation of the commission's
7 policies and the performance of the duties, functions and powers of the
8 commission that are delegated to the director by the commission.

9 (b) The director shall be paid a salary as provided by law or, if not so
10 provided, as prescribed by the Governor.

11 **SECTION 19.** ORS 430.242, as amended by section 63, chapter 37, Oregon
12 Laws 2012, is amended to read:

13 430.242. (1) The Alcohol and Drug Policy Commission established under
14 ORS 430.241 shall:

15 (a) Establish priorities and policies for alcohol and drug prevention and
16 treatment services as part of a long-term strategic prevention and treatment
17 plan for this state.

18 (b) In consultation with the budget advisory committee described in ORS
19 430.241, adopt budget policy priorities including recommendations for state
20 agency budget allocations, in the Governor's proposed budget, for alcohol
21 and drug prevention and treatment services.

22 (c) For alcohol and drug prevention and treatment services that use state
23 funds or that use private or federal funds administered by this state, estab-
24 lish, as the commission deems appropriate, minimum standards for licensing,
25 contracting for, providing and coordinating the services.

26 (2) To promote the effective and efficient use of resources and to reduce
27 unnecessary administrative requirements, the commission, in consultation
28 with participating state agencies, the Judicial Department, local govern-
29 ments, providers and the Oregon Department of Administrative Services,
30 shall develop and implement a plan for structuring Oregon's data collection
31 and reporting systems for alcohol and drug prevention and treatment pro-

1 grams to enable participating state agencies, the Judicial Department, local
2 governments and providers to share data to:

- 3 (a) Improve client care;
- 4 (b) Improve and ensure the fidelity of evidence-based treatment practices;
- 5 (c) Improve alcohol and drug prevention and treatment programs;
- 6 (d) Ensure the accountability of publicly funded programs;
- 7 (e) Establish high-level, statewide performance measures for Oregon's al-
8cohol and drug prevention and treatment programs; and
- 9 (f) Advance the science of alcohol and drug prevention and treatment.

10 (3) The plan established under subsection (2) of this section must:

- 11 (a) Include protocols and procedures to improve data collection, sharing
12 and analysis and the interoperability of data and information systems;
- 13 (b) Include safeguards for protecting the confidentiality of information
14 consistent with state and federal privacy and security requirements;
- 15 (c) Include safeguards for protecting trade secret information of providers;
- 16 (d) Include a review of the data collection, sharing and analysis functions
17 of participating state agencies with respect to alcohol and drug prevention
18 and treatment programs to identify duplicative, inefficient, wasteful or un-
19 necessary functions and include recommendations for improvements to the
20 functions described in this paragraph; and
- 21 (e) Be published no later than six months after the appointment, under
22 ORS 430.241, of the first Director of the Alcohol and Drug Policy Commis-
23 sion and shall be revised as frequently as the commission determines is ap-
24 propriate.

25 (4) Consistent with the plan established under subsection (2) of this sec-
26 tion, the commission may:

- 27 (a) Designate a statewide data repository for data related to alcohol and
28 drug prevention and treatment services and require participating state
29 agencies, local governments and providers to furnish data to the designated
30 statewide data repository in the form and manner prescribed by the com-
31 mission.

1 (b) Direct participating state agencies, local governments and providers
2 to furnish other data, information and reports that the commission considers
3 necessary to perform its duties.

4 (c) Furnish data to participating state agencies, local governments, pro-
5 viders and the Judicial Department.

6 (d) Direct the unit within the Oregon Health Authority that conducts
7 analyses and evaluations of alcohol and drug prevention and treatment pro-
8 grams to:

9 (A) Modify systems and business processes to conform to the plan estab-
10 lished under subsection (2) of this section; and

11 (B) Change or stop data collection, data sharing or data analysis func-
12 tions that are duplicative, inefficient, wasteful or unnecessary.

13 (5) All participating state agencies shall:

14 (a) Provide staff support and financial resources to assist the commission
15 in the performance of its duties, which may include making reasonable
16 modifications to the information systems of the state agencies to conform the
17 systems to the plan established under subsection (2) of this section.

18 (b) Furnish such information, assistance and advice as the commission
19 considers necessary to perform its duties.

20 (c) Coordinate grant applications that seek funding for alcohol or drug
21 prevention or treatment programs.

22 (d) Coordinate with research entities to obtain current information about
23 issues related to alcohol and drug use and to encourage research to evaluate
24 and refine prevention and treatment efforts.

25 (e) Educate the general public about issues related to alcohol and drug
26 use and the effectiveness of evidence-based prevention and treatment ser-
27 vices, to increase public awareness and the allocation of resources.

28 (f) Promote a treatment delivery infrastructure that will meet anticipated
29 increases in demand for services, ensure a skilled addictions treatment
30 workforce and provide effective treatment assessment mechanisms.

31 (g) Assess funding priorities and explore opportunities for additional fed-

1 eral resources for alcohol and drug prevention and treatment services.

2 (h) Solicit from agencies, associations, individuals and all political sub-
3 divisions of this state program proposals that address identified priorities.

4 (i) Evaluate and report to the commission, in the manner and at intervals
5 prescribed by the commission, on the cost and effectiveness of the state
6 agency's treatment programs.

7 (6) The commission may:

8 (a) Establish up to 10 pilot programs, located in diverse Oregon commu-
9 nities including at least one tribe, to:

10 (A) Phase in the long-term strategic prevention and treatment plan de-
11 veloped under subsection (1)(a) of this section; and

12 (B) Implement prevention programs developed under subsection (7) of this
13 section.

14 (b) Delegate to the Director of the Alcohol and Drug Policy Commission
15 the authority to carry out the provisions of this section.

16 (c) Apply for and receive gifts and grants from any public or private
17 source. All moneys received by the commission under this paragraph are
18 continuously appropriated to the commission for the purposes of carrying out
19 the duties, functions and powers of the commission.

20 (d) Award grants from funds appropriated to the commission by the Leg-
21 islative Assembly, or from funds otherwise available from any other source,
22 for the purpose of carrying out the duties of the commission.

23 (7) No later than six months after the appointment of the first Director
24 of the Alcohol and Drug Policy Commission, the director shall develop a
25 science-based model alcohol and drug prevention program for use in con-
26 junction with the pilot programs, if any, established under subsection (6) of
27 this section and as otherwise directed by the commission. The director shall
28 develop the model program in consultation with:

29 (a) The Oregon Health Authority;

30 (b) The Department of Human Services;

31 (c) The Department of Education;

- 1 (d) The Oregon Liquor Control Commission;
- 2 (e) The Youth Development [*Council*] **Division**;
- 3 (f) Organizations that represent or advocate on behalf of consumers of
4 alcohol and drug prevention and treatment programs; and
- 5 (g) Behavioral scientists.
- 6 (8) The commission and participating state agencies shall enter into
7 interagency agreements to:
- 8 (a) Provide staff and financial resources to assist the commission in car-
9 rying out its duties;
- 10 (b) Share computer systems and technologies between participating state
11 agencies' staff;
- 12 (c) Collect and analyze data related to the performance of alcohol and
13 drug prevention and treatment programs; and
- 14 (d) Investigate the impacts of drug and alcohol abuse on Oregonians.
- 15 (9) The commission may adopt rules to carry out its duties under this
16 section.

17 **SECTION 20.** ORS 609.652, as amended by section 66, chapter 37, Oregon
18 Laws 2012, and section 15, chapter 67, Oregon Laws 2012, is amended to read:
19 609.652. As used in ORS 609.654:

- 20 (1)(a) "Aggravated animal abuse" means any animal abuse as described
21 in ORS 167.322.
- 22 (b) "Aggravated animal abuse" does not include:
- 23 (A) Good animal husbandry, as defined in ORS 167.310; or
- 24 (B) Any exemption listed in ORS 167.335.
- 25 (2) "Law enforcement agency" means:
- 26 (a) Any city or municipal police department.
- 27 (b) A police department established by a university under ORS 352.383.
- 28 (c) Any county sheriff's office.
- 29 (d) The Oregon State Police.
- 30 (e) A law enforcement division of a county or municipal animal control
31 agency that employs sworn officers.

1 (f) A humane investigation agency as defined in section 1, chapter 67,
2 Oregon Laws 2012, that employs humane special agents commissioned under
3 section 1, chapter 67, Oregon Laws 2012.

4 (3) "Public or private official" means:

5 (a) A physician, including any intern or resident.

6 (b) A dentist.

7 (c) A school employee.

8 (d) A licensed practical nurse or registered nurse.

9 (e) An employee of the Department of Human Services, Oregon Health
10 Authority, Early Learning Council, Youth Development [Council] **Division**,
11 Child Care Division of the Employment Department, the Oregon Youth Au-
12 thority, a county health department, a community mental health program, a
13 community developmental disabilities program, a county juvenile department,
14 a licensed child-caring agency or an alcohol and drug treatment program.

15 (f) A peace officer.

16 (g) A psychologist.

17 (h) A member of the clergy.

18 (i) A regulated social worker.

19 (j) An optometrist.

20 (k) A chiropractor.

21 (L) A certified provider of foster care, or an employee thereof.

22 (m) An attorney.

23 (n) A naturopathic physician.

24 (o) A licensed professional counselor.

25 (p) A licensed marriage and family therapist.

26 (q) A firefighter or emergency medical services provider.

27 (r) A court appointed special advocate, as defined in ORS 419A.004.

28 (s) A child care provider registered or certified under ORS 657A.030 and
29 657A.250 to 657A.450.

30 (t) A member of the Legislative Assembly.

31 **SECTION 21.** ORS 657A.490, as amended by section 67, chapter 37,

1 Oregon Laws 2012, is amended to read:

2 657A.490. If the Department of Education is able to find adequate funding
3 under ORS 657A.493, the department, in partnership with organizations in-
4 cluding, but not limited to, the Institute on Violence and Destructive Be-
5 havior at the University of Oregon, the Child Care Division of the
6 Employment Department, the Early Learning Council, the Youth Develop-
7 ment [*Council*] **Division** and the Oregon Center for Career Development in
8 Childhood Care and Education:

9 (1) Shall establish, in coordination with existing training systems, a
10 statewide child care provider training program that will educate child care
11 providers on:

12 (a) The importance of healthy brain development in the first three years
13 of a child's life.

14 (b) The identification of risk factors and behaviors that indicate that a
15 child:

16 (A) Needs special education or mental health treatment; or

17 (B) Is at risk of becoming involved in the criminal justice system.

18 (c) Appropriate referrals for intervention for the behaviors identified un-
19 der paragraph (b) of this subsection.

20 (2) Shall establish an application process for child care providers who
21 wish to attend the program and may charge child care providers a fee for
22 attending the program.

23 (3) May adopt any rules necessary to implement this section.

24

25 **OREGON YOUTH CONSERVATION CORPS**

26

27 **SECTION 22.** ORS 418.653 is amended to read:

28 418.653. (1) Subject to the availability of funds therefor, there is created
29 an Oregon Youth Conservation Corps that shall provide emergency services,
30 public conservation, rehabilitation and improvement programs. The corps
31 shall be headed by a program director, and shall be administered through the

1 [*Department of Community Colleges and Workforce Development*] **Youth De-**
2 **velopment Division.**

3 (2) Upon implementation of subsection (1) of this section, there shall be
4 created an Oregon Youth Conservation Corps Advisory Committee to consist
5 of nine members, three to be appointed by the President of the Senate, three
6 to be appointed by the Speaker of the House of Representatives and three
7 public members to be appointed by the Governor. No more than one Senator
8 and one Representative shall be appointed.

9 (3) Committee members may receive reimbursement of necessary and ac-
10 tual expenses under ORS 292.495 (2), but may not receive compensation under
11 ORS 292.495 (1) or otherwise for participation as a committee member.

12 (4) Committee members may be removed by the appointing authority. Va-
13 cancies shall be filled by the appointing authority. Committee members shall
14 serve for a term of three years and may be reappointed for an additional
15 consecutive term.

16 (5) The advisory committee established under subsection (2) of this section
17 shall advise the program director on the implementation of ORS 418.650 to
18 418.663.

19 **SECTION 23.** ORS 418.657 is amended to read:

20 418.657. (1) In consultation with the Oregon Youth Conservation Corps
21 Advisory Committee and the [*Commissioner for Community College Services*]
22 **Youth Development Director**, the program director of the Oregon Youth
23 Conservation Corps shall:

24 (a) Establish eligibility criteria for participants. Such criteria shall not
25 render the program ineligible for federal funds. Participants shall be lawful
26 permanent residents of the state.

27 (b) Establish criteria in order to make the required determination that
28 enrollment in the corps was not the reason that an individual ceased at-
29 tendance at a secondary school.

30 (c) Assume that application of the eligibility and participation criteria
31 results in enrollment of at least 75 percent disadvantaged and at-risk youth

1 among the total number of participants.

2 (2) The program director, in consultation with the [*Commissioner for*
3 *Community College Services*] **Youth Development Director**, may take the
4 following actions, including but not limited to:

5 (a) Applying for and accepting grants or contributions of funds from any
6 public or private source;

7 (b) Making agreements with any local, state or federal agency to utilize
8 any service, material or property of any such agency, where such agreements
9 are considered reasonable and necessary; and

10 (c) Purchasing or contracting for necessary private services, equipment,
11 materials and property where such are needed to carry out the projects ap-
12 proved for and undertaken by the corps.

13 (3) The [*State Board of Education*] **Youth Development Council** may
14 adopt all necessary rules to carry out the purposes and objectives of the
15 program and to regulate the standards of conduct and other operating
16 guidelines for corps members and other personnel.

17 (4) Corps members are exempt from:

18 (a) State Personnel Relations Law; and

19 (b) ORS 279C.800 to 279C.870.

20 **SECTION 24.** ORS 418.658 is amended to read:

21 418.658. (1) The program director of the Oregon Youth Conservation Corps
22 shall establish a separate program known as the Oregon Community
23 Stewardship Corps. In addition to the established purposes of the Oregon
24 Youth Conservation Corps, the purpose of the Oregon Community
25 Stewardship Corps is to promote community service activities throughout the
26 state for a broad cross section of Oregon disadvantaged and at-risk youth
27 through programs that also include appropriate educational and job training
28 opportunities for participants.

29 (2) In addition to projects submitted under ORS 418.660 (1), projects of the
30 Oregon Community Stewardship Corps may include, but shall not be limited
31 to:

1 (a) Child care services.

2 (b) Elderly and disabled care services.

3 (c) Literacy education programs.

4 (d) Recycling and other waste reduction services.

5 (3) The Oregon Community Stewardship Corps shall offer employment and
6 educational opportunities of at least three but not more than 12 months'
7 duration for selected participants.

8 (4) Under rules adopted by the State Board of Education, participants who
9 successfully complete any 12-month program under this section shall be eli-
10 gible for \$1,500 in tuition vouchers that can be used at any career school or
11 post-secondary educational institution that is qualified to receive assistance
12 through the Oregon Student Access Commission.

13 (5) All Oregonians who are at least 13 years of age and under 25 years
14 of age are eligible to participate in the program. To ensure that Oregon
15 Community Stewardship Corps participants represent a broad cross section
16 of Oregonians, special emphasis shall be given to recruiting school dropouts
17 and other disadvantaged and at-risk youth, according to criteria established
18 by the Oregon Youth Conservation Corps Advisory Committee.

19 (6) To the extent practicable, the program director shall enlist state and
20 federal agencies, local government, nonprofit organizations and private
21 businesses, and any combination of such entities, to act as sponsors for pro-
22 grams administered under this section. Selection of sponsors shall be based
23 on criteria that include the following:

24 (a) The availability of other resources on a matching basis, including
25 contributions from private sources, other federal, state and local agencies,
26 and moneys available through the federal Workforce Investment Act of 1998
27 (29 U.S.C. 2801 et seq.);

28 (b) The provision of related educational and job training programs to
29 participants, including but not limited to school and college coursework,
30 General Educational Development (GED) tests equivalency training, project-
31 related education and professional training;

1 (c) Assurances that proposed projects will not displace existing employees
2 or duplicate existing private or government programs; and

3 (d) Assurances that proposed projects are devoted to the enhancement of
4 the community and are not based in maintenance activities and that these
5 projects meet an identified need.

6 (7) In consultation with the advisory committee and the [*Commissioner for*
7 *Community College Services*] **Youth Development Director**, the program
8 director shall make grants for programs administered under this section.

9 **SECTION 25.** ORS 418.658, as amended by section 43, chapter 104, Oregon
10 Laws 2012, is amended to read:

11 418.658. (1) The program director of the Oregon Youth Conservation Corps
12 shall establish a separate program known as the Oregon Community
13 Stewardship Corps. In addition to the established purposes of the Oregon
14 Youth Conservation Corps, the purpose of the Oregon Community
15 Stewardship Corps is to promote community service activities throughout the
16 state for a broad cross section of Oregon disadvantaged and at-risk youth
17 through programs that also include appropriate educational and job training
18 opportunities for participants.

19 (2) In addition to projects submitted under ORS 418.660 (1), projects of the
20 Oregon Community Stewardship Corps may include, but shall not be limited
21 to:

22 (a) Child care services.

23 (b) Elderly and disabled care services.

24 (c) Literacy education programs.

25 (d) Recycling and other waste reduction services.

26 (3) The Oregon Community Stewardship Corps shall offer employment and
27 educational opportunities of at least three but not more than 12 months'
28 duration for selected participants.

29 (4) Under rules adopted by the Higher Education Coordinating Commis-
30 sion, participants who successfully complete any 12-month program under
31 this section shall be eligible for \$1,500 in tuition vouchers that can be used

1 at any career school or post-secondary educational institution that is quali-
2 fied to receive assistance through the Oregon Student Access Commission.

3 (5) All Oregonians who are at least 13 years of age and under 25 years
4 of age are eligible to participate in the program. To ensure that Oregon
5 Community Stewardship Corps participants represent a broad cross section
6 of Oregonians, special emphasis shall be given to recruiting school dropouts
7 and other disadvantaged and at-risk youth, according to criteria established
8 by the Oregon Youth Conservation Corps Advisory Committee.

9 (6) To the extent practicable, the program director shall enlist state and
10 federal agencies, local government, nonprofit organizations and private
11 businesses, and any combination of such entities, to act as sponsors for pro-
12 grams administered under this section. Selection of sponsors shall be based
13 on criteria that include the following:

14 (a) The availability of other resources on a matching basis, including
15 contributions from private sources, other federal, state and local agencies,
16 and moneys available through the federal Workforce Investment Act of 1998
17 (29 U.S.C. 2801 et seq.);

18 (b) The provision of related educational and job training programs to
19 participants, including but not limited to school and college coursework,
20 General Educational Development (GED) tests equivalency training, project-
21 related education and professional training;

22 (c) Assurances that proposed projects will not displace existing employees
23 or duplicate existing private or government programs; and

24 (d) Assurances that proposed projects are devoted to the enhancement of
25 the community and are not based in maintenance activities and that these
26 projects meet an identified need.

27 (7) In consultation with the advisory committee and the [*Commissioner for*
28 *Community College Services*] **Youth Development Director**, the program
29 director shall make grants for programs administered under this section.

30 **SECTION 26.** ORS 418.660 is amended to read:

31 418.660. (1) The programs established under ORS 418.650 to 418.663 may

1 include, but shall not be limited to, projects such as:

2 (a) Rangeland conservation, rehabilitation and improvement;

3 (b) Endangered species and other wildlife habitat conservation, rehabili-
4 tation and improvement;

5 (c) Urban revitalization;

6 (d) Historical and cultural site preservation and maintenance;

7 (e) Recreational area development, maintenance, improvement and
8 beautification;

9 (f) Road and trail maintenance and improvement;

10 (g) Soil conservation work, including erosion control;

11 (h) Flood, drought and storm damage assistance and relief;

12 (i) Stream, lake, waterfront harbor and port improvement and pollution
13 control;

14 (j) Fish culture and habitat maintenance and improvement;

15 (k) Insect, disease, rodent and other pestilence control;

16 (L) Improvement of abandoned railroad land and right of way;

17 (m) Land reclamation and improvement, including strip-mined lands, pub-
18 lic landscape work and tree planting programs;

19 (n) Energy conservation projects including assistance in the performance
20 of energy efficiency audits, weatherization and renewable resource enhance-
21 ment;

22 (o) Emergency assistance in times of natural or other disaster; and

23 (p) Recycling projects.

24 (2) In consultation with the Oregon Youth Conservation Corps Advisory
25 Committee and the [*Commissioner for Community College Services*] **Youth**
26 **Development Director**, the program director of the Oregon Youth Conser-
27 vation Corps shall ensure that projects selected under ORS 418.650 to 418.663
28 shall be consistent with all other provisions of applicable state and federal
29 law relating to the management, oversight and administration of affected
30 public lands.

31 **SECTION 27. The unit captions used in this 2013 Act are provided**

1 **only for the convenience of the reader and do not become part of the**
2 **statutory law of this state or express any legislative intent in the**
3 **enactment of this 2013 Act.**

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