

B-Engrossed
House Bill 3231

Ordered by the House June 26
Including House Amendments dated April 24 and June 26

Sponsored by COMMITTEE ON EDUCATION

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.

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

Modifies duties of Youth Development Council. Directs council to submit report, to interim legislative committees, that provides funding allocation plan.

Declares emergency, effective on passage.

A BILL FOR AN ACT

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

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

6 **SECTION 1. (1) The Youth Development Division is established in the Department of**
7 **Education. The purpose of the division is to ensure that services are provided to school-age**
8 **children through youth 20 years of age in a manner that supports educational success, fo-**
9 **cules on crime prevention, reduces high risk behaviors and is integrated, measurable and**
10 **accountable.**

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

13 **SECTION 2. (1) The Governor shall appoint the Youth Development Director, who is re-**
14 **sponsible for the performance of the duties, functions and powers of the Youth Development**
15 **Division.**

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

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

18 **SECTION 2a. The duties, functions and powers of the Youth Development Council relat-**
19 **ing to the administration and enforcement of the Youth Development Council are imposed**
20 **upon, transferred to and vested in the Youth Development Division of the Department of**
21 **Education for the purpose of fulfilling the duties, powers and functions of the Youth Devel-**
22 **opment Division.**

23 **SECTION 2b. (1) The chairperson of the Youth Development Council shall:**

24 **(a) Deliver to the Department of Education all records and property within the jurisdic-**
25 **tion of the chairperson that relate to the duties, functions and powers transferred by section**
26 **2a of this 2013 Act; and**

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 (b) Transfer to the Department of Education those employees engaged primarily in the
2 exercise of the duties, functions and powers transferred by section 2a of this 2013 Act.

3 (2) The Superintendent of Public Instruction shall take possession of the records and
4 property, and shall take charge of the employees and employ them in the exercise of the
5 duties, functions and powers transferred by section 2a of this 2013 Act, without reduction
6 of compensation but subject to change or termination of employment or compensation as
7 provided by law.

8 (3) The Governor shall resolve any dispute between the Youth Development Council and
9 the Department of Education relating to transfers of records, property and employees under
10 this section, and the Governor's decision is final.

11 **SECTION 2c.** (1) The unexpended balances of amounts authorized to be expended by the
12 Youth Development Council for the biennium beginning July 1, 2013, from revenues dedi-
13 cated, continuously appropriated, appropriated or otherwise made available for the purpose
14 of administering and enforcing the duties, functions and powers transferred by section 2a
15 of this 2013 Act are transferred to and are available for expenditure by the Department of
16 Education for the biennium beginning July 1, 2013, for the purpose of administering and en-
17 forcing the duties, functions and powers transferred by section 2a of this 2013 Act.

18 (2) The expenditure classifications, if any, established by Acts authorizing or limiting
19 expenditures by the Youth Development Council remain applicable to expenditures by the
20 Department of Education under this section.

21 **SECTION 2d.** The transfer of duties, functions and powers to the Department of Educa-
22 tion by section 2a of this 2013 Act does not affect any action, proceeding or prosecution in-
23 volving or with respect to such duties, functions and powers begun before and pending at the
24 time of the transfer, except that the Department of Education is substituted for the Youth
25 Development Council in the action, proceeding or prosecution.

26 **SECTION 2e.** (1) Nothing in sections 2a to 2d of this 2013 Act relieves a person of a li-
27 ability, duty or obligation accruing under or with respect to the duties, functions and powers
28 transferred by section 2a of this 2013 Act. The Department of Education may undertake the
29 collection or enforcement of any such liability, duty or obligation.

30 (2) The rights and obligations of the Youth Development Council legally incurred under
31 contracts, leases and business transactions executed, entered into or begun before the op-
32 erative date of section 2a of this 2013 Act accruing under or with respect to the duties,
33 functions and powers transferred by section 2a of this 2013 Act are transferred to the De-
34 partment of Education. For the purpose of succession to these rights and obligations, the
35 Department of Education is a continuation of the Youth Development Council and not a new
36 authority.

37 **SECTION 2f.** Notwithstanding the transfer of duties, functions and powers by section 2a
38 of this 2013 Act, the rules of the Youth Development Council with respect to such duties,
39 functions or powers that are in effect on the operative date of section 2a of this 2013 Act
40 continue in effect until superseded or repealed by rules of the Department of Education.

41 **SECTION 2g.** Whenever, in any uncodified law or resolution of the Legislative Assembly
42 or in any rule, document, record or proceeding authorized by the Legislative Assembly, in
43 the context of the duties, functions and powers transferred by section 2a of this 2013 Act,
44 reference is made to the administration of the Youth Development Council, or an officer or
45 employee of the Youth Development Council, whose duties, functions or powers are trans-

1 **ferred by section 2a of this 2013 Act, the reference is considered to be a reference to the**
2 **Department of Education or an officer or employee of the Department of Education who by**
3 **this 2013 Act is charged with carrying out such duties, functions and powers.**

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

5 **Sec. 24. (1)** The amendments to section 21 [*of this 2012 Act*], **chapter 37, Oregon Laws 2012,**
6 **by section 23 [*of this 2012 Act*], chapter 37, Oregon Laws 2012,** become operative on [*March 15,*
7 *2016*] **the effective date of this 2013 Act.**

8 **(2) The amendments to section 21, chapter 37, Oregon Laws 2012, by section 5 of this 2013**
9 **Act become operative on March 15, 2016.**

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

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

15 (2) The council is established for the purpose of **assisting the board in** overseeing a unified
16 system that provides services to school-age children through youth 20 years of age in a manner that
17 supports [*academic success, reduces criminal involvement*] **educational success, focuses on crime**
18 **prevention, reduces high risk behaviors** and is integrated, measurable and accountable. **The**
19 **council shall provide direction to the Youth Development Division.**

20 (3) The council consists of no fewer than 15 members who are appointed by the Governor. The
21 Governor shall ensure that membership of the council satisfies any federal requirements for mem-
22 bership of a state advisory committee on juvenile justice.

23 (4) The council shall:

24 [*(a) Prioritize funding for prevention and intervention services related to gang violence and gang*
25 *involvement.*]

26 (a) **Determine the availability of funding to support community-based youth development**
27 **programs, services and initiatives with demonstrated outcomes and strategic objectives es-**
28 **tablished by the council by rule.**

29 (b) **Prioritize funding for services related to:**

30 (A) **The prevention of and intervention in the risk factors that lead to juvenile delin-**
31 **quency and the promotion of protective factors that improve the health and well-being of**
32 **children and youth, as supported by evidence-based program models and other research-**
33 **based models; and**

34 (B) **The prevention of and intervention in gang violence and gang involvement.**

35 (5) **The council may:**

36 (a) **Enter into performance-based intergovernmental agreements with regional and**
37 **county entities, and tribal governments, to contract for the provision of youth development**
38 **programs, services and initiatives that will achieve demonstrated outcomes and strategic**
39 **objectives established by the council by rule.**

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

43 (c) Assess state programs and services related to youth development and training, and identify
44 methods by which programs and services may be coordinated or consolidated.

45 (d) Establish common academic and social indicators to support attainment of goals established

1 by the [council] **board**.

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

4 (f) Ensure implementation of best practices that:

5 (A) Are evidence based;

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

7 (C) Address individual risk factors;

8 (D) Build upon factors that [increase] **improve** the health and well-being of children and youth;
9 and

10 (E) Include tribal best practices.

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

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

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

18 **Sec. 21.** (1) The Youth Development Council is established. [*The council shall function under the*
19 *direction and control of the Oregon Education Investment Board established by section 1, chapter 519,*
20 *Oregon Laws 2011.*]

21 (2) The council is established for the purpose of [*assisting the board in*] overseeing a unified
22 system that provides services to school-age children through youth 20 years of age in a manner that
23 supports educational success, focuses on crime prevention, reduces high risk behaviors and is inte-
24 grated, measurable and accountable. The council shall provide direction to the Youth Development
25 Division.

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

29 (4) The council shall:

30 (a) Determine the availability of funding to support community-based youth development pro-
31 grams, services and initiatives with demonstrated outcomes and strategic objectives established by
32 the council by rule.

33 (b) Prioritize funding for services related to:

34 (A) The prevention of and intervention in the risk factors that lead to juvenile delinquency and
35 the promotion of protective factors that improve the health and well-being of children and youth,
36 as supported by evidence-based program models and other research-based models; and

37 (B) The prevention of and intervention in gang violence and gang involvement.

38 (5) The council may:

39 (a) Enter into performance-based intergovernmental agreements with regional and county enti-
40 ties, and tribal governments, to contract for the provision of youth development programs, services
41 and initiatives that will achieve demonstrated outcomes and strategic objectives established by the
42 council by rule.

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

1 (c) Assess state programs and services related to youth development and training, and identify
2 methods by which programs and services may be coordinated or consolidated.

3 (d) Establish common academic and social indicators to support attainment of goals established
4 by the [board] **council**.

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

7 (f) Ensure implementation of best practices that:

8 (A) Are evidence based;

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

10 (C) Address individual risk factors;

11 (D) Build upon factors that improve the health and well-being of children and youth; and

12 (E) Include tribal best practices.

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

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

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

19 **Sec. 21b.** (1) The Youth Development [*Council*] **Division** Fund is established in the State
20 Treasury, separate and distinct from the General Fund. Interest earned by the Youth Development
21 [*Council*] **Division** Fund shall be credited to the fund.

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

23 (a) Amounts donated to the fund;

24 (b) Moneys transferred to the fund from the federal government, state agencies and local gov-
25 ernments;

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

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

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

29 (3) Moneys in the fund are continuously appropriated to the [*Youth Development Council estab-*
30 *lished in section 21 of this 2012 Act*] **Department of Education** for the purpose of fulfilling the
31 [*council's*] duties, functions and powers **of the Youth Development Division**.

32 (4) The [*council*] **department** may establish accounts and subaccounts within the fund when the
33 [*council*] **department** determines that accounts or subaccounts are necessary or desirable and may
34 credit any interest or income derived from moneys in the fund to any account or subaccount in the
35 fund.

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

39 **(2) For the purpose of harmonizing and clarifying statutory law, the Legislative Counsel**
40 **may substitute for words designating the “Youth Development Council Fund,” wherever they**
41 **occur in statutory law, other words designating the “Youth Development Division Fund.”**

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

44 181.715. (1) The Department of State Police or another criminal justice agency designated by the
45 Director of the Oregon Department of Administrative Services shall operate a Criminal Justice In-

1 formation Standards program that coordinates information among state criminal justice agencies.

2 The program shall:

3 (a) Ensure that in developing new information systems, data can be retrieved to support evalu-
4 ation of criminal justice planning and programs, including, but not limited to, the ability of the
5 programs to reduce future criminal conduct;

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

7 (c) Establish methods and standards for data interchange and information access between crim-
8 inal justice information systems, in compliance with the technology standards and policies of the
9 Oregon Department of Administrative Services;

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

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

12 (2) The program shall develop a plan to accelerate data sharing and information integration
13 among criminal justice agencies. The plan shall include, but is not limited to, priorities, timelines,
14 development costs, resources needed, the projected ongoing cost of support, critical success factors
15 and any known barriers to accomplishing the plan. Representatives of criminal justice agencies and
16 public safety agencies, including but not limited to local law enforcement agencies, courts of crimi-
17 nal jurisdiction, district attorneys, city attorneys with criminal prosecutive functions, public
18 defender organizations established under ORS chapter 151, community corrections directors, jail
19 managers and county juvenile departments, shall be invited to participate in the planning process.
20 The program shall present the plan to the Director of the Oregon Department of Administrative
21 Services no later than May 30 of each even-numbered year for development of the Governor's budget
22 report. The program shall submit the plan to the Joint Legislative Committee on Information Man-
23 agement and Technology no later than December 31 of each even-numbered year.

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

26 (a) The Judicial Department;

27 (b) The Attorney General;

28 (c) The Department of Corrections;

29 (d) The Department of State Police;

30 (e) Any other state agency with law enforcement authority designated by order of the Governor;

31 (f) The Department of Transportation;

32 (g) The State Board of Parole and Post-Prison Supervision;

33 (h) The Department of Public Safety Standards and Training;

34 (i) The State Department of Fish and Wildlife;

35 (j) The Oregon Liquor Control Commission;

36 (k) The Oregon Youth Authority;

37 (L) The Youth Development [*Council*] **Division**; and

38 (m) A university that has established a police department under ORS 352.383.

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

41 181.725. (1) There is established a Criminal Justice Information Standards Advisory Board to
42 advise the Department of State Police or the criminal justice agency designated by the Director of
43 the Oregon Department of Administrative Services under ORS 181.715 (1) about the department's
44 or the agency's duties under ORS 181.715. The board consists of the following members:

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

- 1 (b) The Director of the Department of Corrections or the director's designee;
- 2 (c) The Superintendent of State Police or the superintendent's designee;
- 3 (d) The executive director of the Oregon Criminal Justice Commission or the executive
- 4 director's designee;
- 5 (e) The Director of Transportation or the director's designee;
- 6 (f) The chairperson of the State Board of Parole and Post-Prison Supervision or the
- 7 chairperson's designee;
- 8 (g) The Director of the Department of Public Safety Standards and Training or the director's
- 9 designee;
- 10 (h) A chief of police designated by the Oregon Association Chiefs of Police;
- 11 (i) A sheriff designated by the Oregon State Sheriffs' Association;
- 12 (j) A jail manager designated by the Oregon Sheriff's Jail Command Council;
- 13 (k) A county juvenile department director designated by the Oregon Juvenile Department
- 14 Directors' Association;
- 15 (L) A community corrections agency director designated by the Oregon Association of Commu-
- 16 nity Corrections Directors;
- 17 (m) A district attorney designated by the Oregon District Attorneys Association;
- 18 (n) The administrator of the Enterprise Information Strategy and Policy Division of the Oregon
- 19 Department of Administrative Services or the administrator's designee;
- 20 (o) The Director of the Oregon Youth Authority or the director's designee;
- 21 (p) The State Fish and Wildlife Director or the director's designee;
- 22 (q) The administrator of the Oregon Liquor Control Commission or the administrator's designee;
- 23 and
- 24 *[(r) The chairperson of the Youth Development Council or the chairperson's designee.]*
- 25 **(r) The Youth Development Director or the director's designee.**
- 26 (2) The board shall meet at such times and places as the board deems necessary.
- 27 (3) The members of the board are not entitled to compensation but are entitled to expenses as
- 28 provided in ORS 292.495.

29 **SECTION 10.** ORS 182.515, as amended by section 37, chapter 37, Oregon Laws 2012, is

30 amended to read:

31 182.515. As used in this section and ORS 182.525:

- 32 (1) "Agency" means:
- 33 (a) The Department of Corrections;
- 34 (b) The Oregon Youth Authority;
- 35 (c) The Youth Development [*Council*] **Division**; and
- 36 (d) That part of the Oregon Health Authority that deals with mental health and addiction issues.
- 37 (2) "Cost effective" means that cost savings realized over a reasonable period of time are
- 38 greater than costs.
- 39 (3) "Evidence-based program" means a program that:
- 40 (a) Incorporates significant and relevant practices based on scientifically based research; and
- 41 (b) Is cost effective.
- 42 (4)(a) "Program" means a treatment or intervention program or service that is intended to:
- 43 (A) Reduce the propensity of a person to commit crimes;
- 44 (B) Improve the mental health of a person with the result of reducing the likelihood that the
- 45 person will commit a crime or need emergency mental health services; or

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

3 (b) "Program" does not include:

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

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

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

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

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

11 (c) Relying on measurements or observational methods that provide reliable and valid data
12 across evaluators and observers, across multiple measurements and observations and across studies
13 by the same or different investigators.

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

16 417.799. (1) The Department of Human Services is responsible for coordinating statewide plan-
17 ning for delivery of services to runaway and homeless youth and their families.

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

21 (3) The department may work with the Youth Development [*Council*] **Division**, the Employment
22 Department, the Housing and Community Services Department, the Department of Community Col-
23 leges and Workforce Development, the Department of Education and the Oregon Youth Authority
24 to develop a comprehensive and coordinated approach for services and support for runaway and
25 homeless youth and their families.

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

29 (5) The department may enter into and renew contracts with providers for the provision of ser-
30 vices to runaway and homeless youth and their families.

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

33 417.845. (1) The Juvenile Crime Prevention Advisory Committee is created within the Youth
34 Development [*Council*] **Division**.

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

36 (a) The Director of the Oregon Youth Authority or a designee of the director;

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

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

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

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

43 (e) The Superintendent of Public Instruction or a designee of the superintendent;

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

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

1 (h) One designee of the Governor;

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

4 (j) One member appointed by the Speaker of the House of Representatives, who shall be a
5 member of the House of Representatives and who shall be a nonvoting, advisory member; and

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

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

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

13 (A) A county commissioner;

14 (B) A local juvenile director;

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

16 (D) Two law enforcement officials;

17 (E) A county mental health director;

18 (F) An alcohol and drug abuse professional;

19 (G) A school superintendent;

20 (H) A private youth service provider; and

21 (I) An elected city official;

22 (b) A researcher;

23 (c) A citizen member; and

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

25 (4) Each member of the committee appointed by the Governor under subsection (3) of this sec-
26 tion shall serve a term of four years. Members appointed by the Governor shall serve at the pleasure
27 of the Governor. A vacancy in the office of any member appointed by the Governor under subsection
28 (3) of this section shall be filled by the Governor by appointment for the unexpired term.

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

31 (6) The committee shall meet at times, places and intervals deemed advisable by a majority of
32 the members.

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

34 (8) Members of the committee who are members of the Legislative Assembly are entitled to
35 compensation and reimbursement of expenses as provided in ORS 171.072.

36 (9) Members of the committee who are not members of the Legislative Assembly are not entitled
37 to compensation, but may be reimbursed for actual and necessary travel and other expenses incurred
38 by them in the performance of their official duties in the manner and amounts provided for in ORS
39 292.495. Claims for expenses shall be paid out of funds appropriated [*to the Youth Development*
40 *Council*] for purposes of the committee.

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

43 417.857. (1) Deschutes County may place greater emphasis on early intervention and work with
44 younger children than required by the Juvenile Crime Prevention Advisory Committee if the county
45 has been granted a waiver pursuant to this section.

1 (2) The Juvenile Crime Prevention Advisory Committee shall develop an objective process, re-
2 view criteria and timetable for consideration of a waiver request. A waiver granted under this sec-
3 tion applies to the requirements for basic services grants described in ORS 417.850 (8) and high-risk
4 juvenile crime prevention resources managed by the Youth Development [Council] **Division**. The
5 waiver shall be consistent with the goals of ORS 417.705 to 417.800, 417.850 and 417.855.

6 (3) Any documentation required for a waiver under this section shall be obtained to the greatest
7 extent possible from material contained in the county's juvenile crime prevention plan and from
8 material as determined through biennial intergovernmental agreements. The Juvenile Crime Pre-
9 vention Advisory Committee may ask the county to submit additional information regarding how the
10 county intends to use crime prevention funds under the waiver.

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

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

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

16 (c) The amount and allocation of expenditures from all funding sources for juvenile crime pre-
17 vention, including prevention and early intervention strategies, and how the requested waiver ad-
18 dresses the needs and priorities for the target population described in ORS 417.855 and for the
19 target population described in the waiver;

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

21 (e) Investments in evidence-based crime prevention programs and practices;

22 (f) Support of the local public safety coordinating council, local commission on children and
23 families and the board of county commissioners;

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

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

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

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

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

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

34 417.857. (1) Deschutes County may place greater emphasis on early intervention and work with
35 younger children than required by the Youth Development Council if the county has been granted
36 a waiver pursuant to this section.

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

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

1 use crime prevention funds under the waiver.

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

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

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

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

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

12 (e) Investments in evidence-based crime prevention programs and practices;

13 (f) Support of the local public safety coordinating council, local commission on children and
14 families and the board of county commissioners;

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

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

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

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

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

23 **SECTION 15.** ORS 417.857, as amended by sections 56, 97 and 110b, chapter 37, Oregon Laws
24 2012, is amended to read:

25 417.857. (1) Deschutes County may place greater emphasis on early intervention and work with
26 younger children than required by the Youth Development Council if the county has been granted
27 a waiver pursuant to this section.

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

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

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

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

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

43 (c) The amount and allocation of expenditures from all funding sources for juvenile crime pre-
44 vention, including prevention and early intervention strategies, and how the requested waiver ad-
45 dresses the needs and priorities for the target population described in ORS 417.855 and for the

1 target population described in the waiver;

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

3 (e) Investments in evidence-based crime prevention programs and practices;

4 (f) Support of the local public safety coordinating council and the board of county commission-
5 ers;

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

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

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

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

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

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

16 418.975. As used in ORS 418.975 to 418.985:

17 (1) "Cultural competence" means accepting and respecting diversity and differences in a con-
18 tinuous process of self-assessment and reflection on one's personal and organizational perceptions
19 of the dynamics of culture.

20 (2) "Family" includes, with respect to a youth:

21 (a) A biological or legal parent;

22 (b) A sibling;

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

24 (d) A foster parent;

25 (e) A legal guardian;

26 (f) A caregiver;

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

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

30 (3) "Family-run organization" means a private nonprofit entity organized for the purpose of
31 serving families with a youth who has a serious emotional disorder. The entity must:

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

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

35 (4) "Identified population" means youth who have or are at risk of developing emotional, be-
36 havioral or substance use related needs, and who are involved with two or more systems of care.

37 (5) "Partner agency" includes the Department of Education, Oregon Youth Authority, Depart-
38 ment of Human Services, Early Learning Council, Youth Development [Council] **Division**, Oregon
39 Health Authority and other appropriate agencies involved in the system of care.

40 (6) "Services and supports" means public, private and community resources that assist youth in
41 the achievement of positive outcomes.

42 (7) "System of care" means a coordinated network of services including education, child welfare,
43 public health, primary care, pediatric care, juvenile justice, mental health treatment, substance use
44 treatment, developmental disability services and any other services and supports to the identified
45 population that integrates care planning and management across multiple levels, that is culturally

1 and linguistically competent, that is designed to build meaningful partnerships with families and
2 youth in the delivery and management of services and the development of policy and that has a
3 supportive policy and management infrastructure.

4 (8) "Wraparound" means a definable, team-based planning process involving a youth and the
5 youth's family that results in a unique set of community services and services and supports indi-
6 vidualized for that youth and family to achieve a set of positive outcomes.

7 (9) "Youth" means an individual 18 years of age or younger.

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

10 419B.005. As used in ORS 419B.005 to 419B.050, unless the context requires otherwise:

11 (1)(a) "Abuse" means:

12 (A) Any assault, as defined in ORS chapter 163, of a child and any physical injury to a child
13 which has been caused by other than accidental means, including any injury which appears to be
14 at variance with the explanation given of the injury.

15 (B) Any mental injury to a child, which shall include only observable and substantial impairment
16 of the child's mental or psychological ability to function caused by cruelty to the child, with due
17 regard to the culture of the child.

18 (C) Rape of a child, which includes but is not limited to rape, sodomy, unlawful sexual pene-
19 tration and incest, as those acts are described in ORS chapter 163.

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

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

22 (i) Contributing to the sexual delinquency of a minor, as defined in ORS chapter 163, and any
23 other conduct which allows, employs, authorizes, permits, induces or encourages a child to engage
24 in the performing for people to observe or the photographing, filming, tape recording or other ex-
25 hibition which, in whole or in part, depicts sexual conduct or contact, as defined in ORS 167.002 or
26 described in ORS 163.665 and 163.670, sexual abuse involving a child or rape of a child, but not in-
27 cluding any conduct which is part of any investigation conducted pursuant to ORS 419B.020 or
28 which is designed to serve educational or other legitimate purposes; and

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

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

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

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

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

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

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

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

44 (3) "Higher education institution" means:

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

- 1 (b) A public university listed in ORS 352.002;
2 (c) The Oregon Health and Science University; and
3 (d) A private institution of higher education located in Oregon.
4 (4) “Law enforcement agency” means:
5 (a) A city or municipal police department.
6 (b) A county sheriff’s office.
7 (c) The Oregon State Police.
8 (d) A police department established by a university under ORS 352.383.
9 (e) A county juvenile department.
10 (5) “Public or private official” means:
11 (a) Physician, osteopathic physician, physician assistant, naturopathic physician, podiatric phy-
12 sician and surgeon, including any intern or resident.
13 (b) Dentist.
14 (c) School employee, including an employee of a higher education institution.
15 (d) Licensed practical nurse, registered nurse, nurse practitioner, nurse’s aide, home health aide
16 or employee of an in-home health service.
17 (e) Employee of the Department of Human Services, Oregon Health Authority, Early Learning
18 Council, Youth Development [*Council*] **Division**, Child Care Division of the Employment Department,
19 the Oregon Youth Authority, a county health department, a community mental health program, a
20 community developmental disabilities program, a county juvenile department, a licensed child-caring
21 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.
32 (p) Firefighter or emergency medical services provider.
33 (q) A court appointed special advocate, as defined in ORS 419A.004.
34 (r) A child care provider registered or certified under ORS 657A.030 and 657A.250 to 657A.450.
35 (s) Member of the Legislative Assembly.
36 (t) Physical, speech or occupational therapist.
37 (u) Audiologist.
38 (v) Speech-language pathologist.
39 (w) Employee of the Teacher Standards and Practices Commission directly involved in investi-
40 gations or discipline by the commission.
41 (x) Pharmacist.
42 (y) An operator of a preschool recorded program under ORS 657A.255.
43 (z) An operator of a school-age recorded program under ORS 657A.257.
44 (aa) Employee of a private agency or organization facilitating the provision of respite services,
45 as defined in ORS 418.205, for parents pursuant to a properly executed power of attorney under ORS

1 109.056.

2 (bb) Employee of a public or private organization providing child-related services or activities:

3 (A) Including but not limited to youth groups or centers, scout groups or camps, summer or day
4 camps, survival camps or groups, centers or camps that are operated under the guidance, super-
5 vision or auspices of religious, public or private educational systems or community service organ-
6 izations; and

7 (B) Excluding community-based, nonprofit organizations whose primary purpose is to provide
8 confidential, direct services to victims of domestic violence, sexual assault, stalking or human traf-
9 ficking.

10 (cc) A coach, assistant coach or trainer of an amateur, semiprofessional or professional athlete,
11 if compensated and if the athlete is a child.

12 **SECTION 18.** ORS 430.241, as amended by section 62, chapter 37, Oregon Laws 2012, is
13 amended to read:

14 430.241. (1) As used in this section and ORS 430.242:

15 (a) "Local government" means a local government as defined in ORS 174.116 that receives state
16 or federal funding for programs that provide alcohol or drug prevention or treatment services.

17 (b) "Participating state agency" means the Youth Development [*Council*] **Division**, the Depart-
18 ment of Corrections, the Department of Human Services, the Oregon Health Authority, the Depart-
19 ment of Education, the Oregon Criminal Justice Commission, the Oregon State Police, the Oregon
20 Youth Authority or any other state agency that is approved by the Alcohol and Drug Policy Com-
21 mission to license, contract for, provide or coordinate alcohol or drug prevention or treatment ser-
22 vices.

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

25 (2) There is created the Alcohol and Drug Policy Commission, which is charged with planning,
26 evaluating and coordinating policies for the funding and effective delivery of alcohol and drug pre-
27 vention and treatment services.

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

29 (a) Sixteen members appointed by the Governor, subject to confirmation by the Senate in the
30 manner prescribed in ORS 171.562 and 171.565, including:

31 (A) An elected district attorney;

32 (B) An elected county sheriff;

33 (C) A county commissioner;

34 (D) A representative of an Indian tribe;

35 (E) A provider;

36 (F) A chief of police;

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

38 (H) A criminal defense attorney;

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

40 (J) A representative of hospitals;

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

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

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

45 (N) A representative of the business community;

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

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

4 (b) Two members of the Legislative Assembly appointed to the commission as nonvoting mem-
5 bers of the commission, acting in an advisory capacity only and including:

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

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

10 (c) The following voting ex officio members:

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

12 (B) The Attorney General;

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

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

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

16 (F) The Director of Human Services;

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

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

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

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

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

23 (4) The Alcohol and Drug Policy Commission shall select one of its members as chairperson and
24 another as vice chairperson, for such terms and with duties and powers necessary for the perform-
25 ance of the functions of such offices as the commission determines.

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

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

29 (7) The commission may establish a steering committee and subcommittees. These committees
30 may be continuing or temporary.

31 (8) The term of office of each commission member appointed by the Governor is four years, but
32 a member serves at the pleasure of the Governor. If there is a vacancy for any cause, the Governor
33 shall make an appointment to become immediately effective.

34 (9) The Oregon Health Authority shall provide staff support to the commission. Subject to
35 available funding, the commission may contract with a public or private entity to provide staff sup-
36 port.

37 (10) Members of the commission who are not members of the Legislative Assembly are entitled
38 to compensation and expenses incurred by them in the performance of their official duties in the
39 manner and amounts provided for in ORS 292.495. Claims for compensation and expenses shall be
40 paid out of funds appropriated to the Oregon Health Authority or funds appropriated to the com-
41 mission for purposes of the commission.

42 (11) The commission shall establish a budget advisory committee composed of the individuals
43 listed in subsection (3)(a)(C), (c)(B) to (I) and (d) of this section. The individual described in sub-
44 section (3)(d) of this section is a nonvoting member of the committee. The committee shall recom-
45 mend budget policy priorities to the commission:

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

3 (b) That identify additional funding from federal and private sources for alcohol and drug pre-
4 vention and treatment services; and

5 (c) For authorizing a suspension of the payment of state funds, or funds administered by this
6 state, to programs that do not comply with the commission's rules or the budget priority policy or
7 that do not provide effective prevention or treatment services.

8 (12)(a) The Governor shall appoint a Director of the Alcohol and Drug Policy Commission who
9 shall serve at the pleasure of the Governor and be responsible for the dissemination and implemen-
10 tation of the commission's policies and the performance of the duties, functions and powers of the
11 commission that are delegated to the director by the commission.

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

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

16 430.242. (1) The Alcohol and Drug Policy Commission established under ORS 430.241 shall:

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

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

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

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

31 (a) Improve client care;

32 (b) Improve and ensure the fidelity of evidence-based treatment practices;

33 (c) Improve alcohol and drug prevention and treatment programs;

34 (d) Ensure the accountability of publicly funded programs;

35 (e) Establish high-level, statewide performance measures for Oregon's alcohol and drug pre-
36 vention and treatment programs; and

37 (f) Advance the science of alcohol and drug prevention and treatment.

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

39 (a) Include protocols and procedures to improve data collection, sharing and analysis and the
40 interoperability of data and information systems;

41 (b) Include safeguards for protecting the confidentiality of information consistent with state and
42 federal privacy and security requirements;

43 (c) Include safeguards for protecting trade secret information of providers;

44 (d) Include a review of the data collection, sharing and analysis functions of participating state
45 agencies with respect to alcohol and drug prevention and treatment programs to identify duplicative,

1 inefficient, wasteful or unnecessary functions and include recommendations for improvements to the
2 functions described in this paragraph; and

3 (e) Be published no later than six months after the appointment, under ORS 430.241, of the first
4 Director of the Alcohol and Drug Policy Commission and shall be revised as frequently as the
5 commission determines is appropriate.

6 (4) Consistent with the plan established under subsection (2) of this section, the commission may:

7 (a) Designate a statewide data repository for data related to alcohol and drug prevention and
8 treatment services and require participating state agencies, local governments and providers to
9 furnish data to the designated statewide data repository in the form and manner prescribed by the
10 commission.

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

13 (c) Furnish data to participating state agencies, local governments, providers and the Judicial
14 Department.

15 (d) Direct the unit within the Oregon Health Authority that conducts analyses and evaluations
16 of alcohol and drug prevention and treatment programs to:

17 (A) Modify systems and business processes to conform to the plan established under subsection
18 (2) of this section; and

19 (B) Change or stop data collection, data sharing or data analysis functions that are duplicative,
20 inefficient, wasteful or unnecessary.

21 (5) All participating state agencies shall:

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

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

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

29 (d) Coordinate with research entities to obtain current information about issues related to al-
30cohol and drug use and to encourage research to evaluate and refine prevention and treatment ef-
31forts.

32 (e) Educate the general public about issues related to alcohol and drug use and the effectiveness
33 of evidence-based prevention and treatment services, to increase public awareness and the allocation
34 of resources.

35 (f) Promote a treatment delivery infrastructure that will meet anticipated increases in demand
36 for services, ensure a skilled addictions treatment workforce and provide effective treatment as-
37sessment mechanisms.

38 (g) Assess funding priorities and explore opportunities for additional federal resources for alco-
39hol and drug prevention and treatment services.

40 (h) Solicit from agencies, associations, individuals and all political subdivisions of this state
41 program proposals that address identified priorities.

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

44 (6) The commission may:

45 (a) Establish up to 10 pilot programs, located in diverse Oregon communities including at least

1 one tribe, to:

2 (A) Phase in the long-term strategic prevention and treatment plan developed under subsection
3 (1)(a) of this section; and

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

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

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

10 (d) Award grants from funds appropriated to the commission by the Legislative Assembly, or
11 from funds otherwise available from any other source, for the purpose of carrying out the duties of
12 the commission.

13 (7) No later than six months after the appointment of the first Director of the Alcohol and Drug
14 Policy Commission, the director shall develop a science-based model alcohol and drug prevention
15 program for use in conjunction with the pilot programs, if any, established under subsection (6) of
16 this section and as otherwise directed by the commission. The director shall develop the model
17 program in consultation with:

18 (a) The Oregon Health Authority;

19 (b) The Department of Human Services;

20 (c) The Department of Education;

21 (d) The Oregon Liquor Control Commission;

22 (e) The Youth Development [*Council*] **Division**;

23 (f) Organizations that represent or advocate on behalf of consumers of alcohol and drug pre-
24 vention and treatment programs; and

25 (g) Behavioral scientists.

26 (8) The commission and participating state agencies shall enter into interagency agreements to:

27 (a) Provide staff and financial resources to assist the commission in carrying out its duties;

28 (b) Share computer systems and technologies between participating state agencies' staff;

29 (c) Collect and analyze data related to the performance of alcohol and drug prevention and
30 treatment programs; and

31 (d) Investigate the impacts of drug and alcohol abuse on Oregonians.

32 (9) The commission may adopt rules to carry out its duties under this section.

33 **SECTION 20.** ORS 609.652, as amended by section 66, chapter 37, Oregon Laws 2012, and sec-
34 tion 15, chapter 67, Oregon Laws 2012, is amended to read:

35 609.652. As used in ORS 609.654:

36 (1)(a) "Aggravated animal abuse" means any animal abuse as described in ORS 167.322.

37 (b) "Aggravated animal abuse" does not include:

38 (A) Good animal husbandry, as defined in ORS 167.310; or

39 (B) Any exemption listed in ORS 167.335.

40 (2) "Law enforcement agency" means:

41 (a) Any city or municipal police department.

42 (b) A police department established by a university under ORS 352.383.

43 (c) Any county sheriff's office.

44 (d) The Oregon State Police.

45 (e) A law enforcement division of a county or municipal animal control agency that employs

1 sworn officers.

2 (f) A humane investigation agency as defined in section 1, chapter 67, Oregon Laws 2012, that
3 employs humane special agents commissioned under 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 Authority, Early Learn-
10 ing Council, Youth Development [*Council*] **Division**, Child Care Division of the Employment De-
11 partment, the Oregon Youth Authority, a county health department, a community mental health
12 program, a community developmental disabilities program, a county juvenile department, a licensed
13 child-caring agency or an alcohol and drug treatment program.

14 (f) A peace officer.

15 (g) A psychologist.

16 (h) A member of the clergy.

17 (i) A regulated social worker.

18 (j) An optometrist.

19 (k) A chiropractor.

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

21 (m) An attorney.

22 (n) A naturopathic physician.

23 (o) A licensed professional counselor.

24 (p) A licensed marriage and family therapist.

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

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

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

28 (t) A member of the Legislative Assembly.

29 **SECTION 21.** ORS 657A.490, as amended by section 67, chapter 37, Oregon Laws 2012, is
30 amended to read:

31 657A.490. If the Department of Education is able to find adequate funding under ORS 657A.493,
32 the department, in partnership with organizations including, but not limited to, the Institute on Vi-
33 olence and Destructive Behavior at the University of Oregon, the Child Care Division of the Em-
34 ployment Department, the Early Learning Council, the Youth Development [*Council*] **Division** and
35 the Oregon Center for Career Development in Childhood Care and Education:

36 (1) Shall establish, in coordination with existing training systems, a statewide child care pro-
37 vider training program that will educate child care providers on:

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

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

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

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

42 (c) Appropriate referrals for intervention for the behaviors identified under paragraph (b) of this
43 subsection.

44 (2) Shall establish an application process for child care providers who wish to attend the pro-
45 gram and may charge child care providers a fee for attending the program.

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

2 **SECTION 22.** Sections 2a to 2g and 7 of this 2013 Act and the amendments to ORS 181.715,
3 181.725, 182.515, 417.799, 417.845, 417.857, 418.975, 419B.005, 430.241, 430.242, 609.652 and
4 657A.490 and sections 21 and 21b, chapter 37, Oregon Laws 2012, by sections 4, 6 and 8 to 21
5 of this 2013 Act become operative on July 1, 2013.

6 **SECTION 23.** The Youth Development Council shall submit a report to the appropriate
7 interim legislative committees on or before January 1, 2014. The report must provide a
8 funding allocation plan that can be implemented no later than July 1, 2014, and that is for:

9 (1) All services provided by the council;

10 (2) Juvenile crime prevention programs; and

11 (3) New investments in youth development programs and services that align with and
12 support goals established by the Oregon Education Investment Board.

13 **SECTION 24.** This 2013 Act being necessary for the immediate preservation of the public
14 peace, health and safety, an emergency is declared to exist, and this 2013 Act takes effect
15 on its passage.

16