

**PROPOSED AMENDMENTS TO  
HOUSE BILL 2661**

1 On page 1 of the printed bill, line 2, after “ORS” insert “192.660 and”.

2 Delete lines 4 through 31 and delete page 2 and insert:

3 **“SECTION 1.** ORS 336.071 is amended to read:

4 “336.071. (1) All schools are required to instruct and drill students on  
5 emergency procedures so that the students can respond to an emergency  
6 without confusion or panic. The emergency procedures shall include drills  
7 and instruction on:

8 “(a) Fires;

9 “(b) Earthquakes, which shall include tsunami drills and instruction in  
10 schools in a [*coastal*] **tsunami hazard** zone; and

11 “(c) Safety threats.

12 “(2)(a) Drills and instruction on fire emergencies shall include routes and  
13 methods of exiting the school building.

14 “(b) Drills and instruction on earthquake emergencies shall include the  
15 earthquake emergency response procedure known as ‘drop, cover and hold  
16 on.’ A school may drill earthquake emergency response procedures in addi-  
17 tion to ‘drop, cover and hold on’ when the school determines, based on  
18 evaluation of specific engineering and structural issues related to a building,  
19 that ‘drop, cover and hold on’ may not be the most effective earthquake  
20 emergency response procedure to prevent or limit injury or loss of life.

21 “(c) Drills and instruction on tsunami emergencies shall include immedi-  
22 ate evacuation after an earthquake when appropriate or after a tsunami

1 warning to protect students against inundation by tsunamis.

2 “(d) Drills and instruction on safety threats shall include:

3 “(A) **Procedures related to lockdown, lockout, shelter in place and**  
4 **evacuation; and**

5 “(B) **Other** appropriate actions to take when there is a threat to  
6 safety[, *such as lockdown procedures if those procedures are appropriate to the*  
7 *safety threat*].

8 “(3)(a) At least 30 minutes in each school month shall be used to instruct  
9 students on the emergency procedures described in subsection (1) of this  
10 section.

11 “(b) At least two drills on earthquakes shall be conducted each year.

12 “(c) At least two drills on safety threats shall be conducted each year.

13 “(d) In schools in a [*coastal*] **tsunami hazard** zone, at least three drills  
14 on earthquakes and tsunamis shall be conducted each year.

15 “(4) All schools shall maintain all exit doors so that the doors can be  
16 opened from the inside without a key during school hours.

17 “(5) Units of local government and state agencies associated with emer-  
18 gency procedures training and planning shall:

19 “(a) Review emergency procedures proposed by schools; and

20 “(b) Assist schools in the instruction and drilling of students in emer-  
21 gency procedures.

22 “(6) As used in this section, ‘school’ means any:

23 “(a) Kindergarten through grade [*eight*] **12** public or private school; or

24 “(b) Educational institution having an average daily attendance of 50 or  
25 more students.

26 “**SECTION 2.** ORS 192.660 is amended to read:

27 “192.660. (1) ORS 192.610 to 192.690 do not prevent the governing body of  
28 a public body from holding executive session during a regular, special or  
29 emergency meeting, after the presiding officer has identified the authori-  
30 zation under ORS 192.610 to 192.690 for holding the executive session.

1       “(2) The governing body of a public body may hold an executive session:

2       “(a) To consider the employment of a public officer, employee, staff  
3 member or individual agent.

4       “(b) To consider the dismissal or disciplining of, or to hear complaints  
5 or charges brought against, a public officer, employee, staff member or indi-  
6 vidual agent who does not request an open hearing.

7       “(c) To consider matters pertaining to the function of the medical staff  
8 of a public hospital licensed pursuant to ORS 441.015 to 441.063 including,  
9 but not limited to, all clinical committees, executive, credentials, utilization  
10 review, peer review committees and all other matters relating to medical  
11 competency in the hospital.

12       “(d) To conduct deliberations with persons designated by the governing  
13 body to carry on labor negotiations.

14       “(e) To conduct deliberations with persons designated by the governing  
15 body to negotiate real property transactions.

16       “(f) To consider information or records that are exempt by law from  
17 public inspection.

18       “(g) To consider preliminary negotiations involving matters of trade or  
19 commerce in which the governing body is in competition with governing  
20 bodies in other states or nations.

21       “(h) To consult with counsel concerning the legal rights and duties of a  
22 public body with regard to current litigation or litigation likely to be filed.

23       “(i) To review and evaluate the employment-related performance of the  
24 chief executive officer of any public body, a public officer, employee or staff  
25 member who does not request an open hearing.

26       “(j) To carry on negotiations under ORS chapter 293 with private persons  
27 or businesses regarding proposed acquisition, exchange or liquidation of  
28 public investments.

29       **“(k) To consider matters relating to school safety or a plan that**  
30 **responds to safety threats made toward a school.**

1        “[*k*] (L) If the governing body is a health professional regulatory board,  
2 to consider information obtained as part of an investigation of licensee or  
3 applicant conduct.

4        “[*L*] (m) If the governing body is the State Landscape Architect Board,  
5 or an advisory committee to the board, to consider information obtained as  
6 part of an investigation of registrant or applicant conduct.

7        “[*m*] (n) To discuss information about review or approval of programs  
8 relating to the security of any of the following:

9        “(A) A nuclear-powered thermal power plant or nuclear installation.

10       “(B) Transportation of radioactive material derived from or destined for  
11 a nuclear-fueled thermal power plant or nuclear installation.

12       “(C) Generation, storage or conveyance of:

13       “(i) Electricity;

14       “(ii) Gas in liquefied or gaseous form;

15       “(iii) Hazardous substances as defined in ORS 453.005 (7)(a), (b) and (d);

16       “(iv) Petroleum products;

17       “(v) Sewage; or

18       “(vi) Water.

19       “(D) Telecommunication systems, including cellular, wireless or radio  
20 systems.

21       “(E) Data transmissions by whatever means provided.

22       “(3) Labor negotiations shall be conducted in open meetings unless  
23 negotiators for both sides request that negotiations be conducted in execu-  
24 tive session. Labor negotiations conducted in executive session are not sub-  
25 ject to the notification requirements of ORS 192.640.

26       “(4) Representatives of the news media shall be allowed to attend execu-  
27 tive sessions other than those held under subsection (2)(d) of this section  
28 relating to labor negotiations or executive session held pursuant to ORS  
29 332.061 (2) but the governing body may require that specified information be  
30 undisclosed.

1 “(5) When a governing body convenes an executive session under sub-  
2 section (2)(h) of this section relating to conferring with counsel on current  
3 litigation or litigation likely to be filed, the governing body shall bar any  
4 member of the news media from attending the executive session if the mem-  
5 ber of the news media is a party to the litigation or is an employee, agent  
6 or contractor of a news media organization that is a party to the litigation.

7 “(6) No executive session may be held for the purpose of taking any final  
8 action or making any final decision.

9 “(7) The exception granted by subsection (2)(a) of this section does not  
10 apply to:

11 “(a) The filling of a vacancy in an elective office.

12 “(b) The filling of a vacancy on any public committee, commission or  
13 other advisory group.

14 “(c) The consideration of general employment policies.

15 “(d) The employment of the chief executive officer, other public officers,  
16 employees and staff members of a public body unless:

17 “(A) The public body has advertised the vacancy;

18 “(B) The public body has adopted regular hiring procedures;

19 “(C) In the case of an officer, the public has had the opportunity to  
20 comment on the employment of the officer; and

21 “(D) In the case of a chief executive officer, the governing body has  
22 adopted hiring standards, criteria and policy directives in meetings open to  
23 the public in which the public has had the opportunity to comment on the  
24 standards, criteria and policy directives.

25 “(8) A governing body may not use an executive session for purposes of  
26 evaluating a chief executive officer or other officer, employee or staff mem-  
27 ber to conduct a general evaluation of an agency goal, objective or operation  
28 or any directive to personnel concerning agency goals, objectives, operations  
29 or programs.

30 “(9) Notwithstanding subsections (2) and (6) of this section and ORS

1 192.650:

2 “(a) ORS 676.175 governs the public disclosure of minutes, transcripts or  
3 recordings relating to the substance and disposition of licensee or applicant  
4 conduct investigated by a health professional regulatory board.

5 “(b) ORS 671.338 governs the public disclosure of minutes, transcripts or  
6 recordings relating to the substance and disposition of registrant or appli-  
7 cant conduct investigated by the State Landscape Architect Board or an ad-  
8 visory committee to the board.

9 **“SECTION 3. This 2015 Act being necessary for the immediate  
10 preservation of the public peace, health and safety, an emergency is  
11 declared to exist, and this 2015 Act takes effect July 1, 2015.”.**

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