

Requested by Senator BOQUIST

**PROPOSED AMENDMENTS TO
SENATE BILL 851**

1 In line 2 of the printed bill, after “Department;” insert “amending ORS
2 181A.250 and 396.305;”.

3 Delete lines 4 through 8 and insert:

4 **“SECTION 1.** ORS 181A.250 is amended to read:

5 “181A.250. (1) [*No*] **A** law enforcement agency, as defined in ORS
6 181A.010, may **not** collect or maintain information about the political, reli-
7 gious or social views, associations or activities of any individual, group, as-
8 sociation, organization, corporation, business or partnership unless [*such*]
9 **the** information directly relates to an investigation of criminal activities,
10 and there are reasonable grounds to suspect the subject of the information
11 is or may be involved in criminal conduct.

12 **“(2) Notwithstanding subsection (1) of this section, to the extent**
13 **allowed by federal law, the Oregon Military Department may receive**
14 **information described in subsection (1) of this section from an agency**
15 **of the federal government, and the department may provide to a law**
16 **enforcement agency, and a law enforcement agency may receive and**
17 **maintain, the information for the purpose of preventing terrorism.**
18 **Information received, provided or received and maintained under this**
19 **subsection may not be used for purposes of prosecution.**

20 **“SECTION 2.** ORS 396.305 is amended to read:

21 “396.305. (1) The Oregon Military Department is established. The de-

1 partment, under the direction of the Governor, shall be responsible as pro-
2 vided in this chapter and ORS chapters 398 and 399 for the supervision of
3 the military affairs of the state.

4 “(2) The military department shall prepare and promulgate necessary
5 regulations for the organization, governance, armament, equipment, training
6 and compensation of the militia of the state in conformity with the pro-
7 visions of this chapter, ORS chapters 398 and 399 and the laws of the United
8 States. Regulations so made shall be subject to the approval of the Governor.

9 “(3) The military department shall make such changes in the military
10 organization of the Oregon National Guard as are necessary from time to
11 time to conform to the requirements of the laws of the United States and the
12 directives of the National Guard Bureau.

13 “(4) The military department shall fix the location of the units and
14 headquarters of the Oregon National Guard, and shall, subject to the ap-
15 proval of the National Guard Bureau, transfer, attach, consolidate or inac-
16 tivate any organization or unit when in its judgment the efficiency of the
17 present organization will be increased thereby.

18 “(5) The military department shall have the power to establish awards and
19 decorations and to approve the design therefor.

20 **“(6) The military department shall accept and manage threat-**
21 **related information, including but not limited to redirecting received**
22 **threat-related information to appropriate law enforcement agencies.”.**

23 In line 9, delete “2” and insert “3”.

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