

Requested by JOINT COMMITTEE ON WAYS AND MEANS

**PROPOSED AMENDMENTS TO
HOUSE BILL 2600**

1 On page 1 of the printed bill, line 3, delete “137.656,”.

2 Delete lines 6 through 24 and delete pages 2 through 20 and insert:

3 **“SECTION 1. ORS 458.580, 458.581, 458.582 and 458.584 are repealed.**

4 **“SECTION 2. As used in ORS 419B.112 and sections 2 to 5 of this 2017
5 Act:**

6 **“(1) ‘CASA Volunteer Program’ means a program that is approved
7 or sanctioned by a juvenile court, has received accreditation from the
8 National CASA Association and has entered into a contract with the
9 Oregon Department of Administrative Services under section 3 of this
10 2017 Act to recruit, train and supervise volunteers to serve as court
11 appointed special advocates.**

12 **“(2) ‘Court appointed special advocate’ means a person in a CASA
13 Volunteer Program who is appointed by the court to act as a court
14 appointed special advocate pursuant to ORS 419B.112.**

15 **“SECTION 3. (1) The Oregon Department of Administrative Services
16 shall:**

17 **“(a) Contract with all CASA Volunteer Programs in this state to
18 recruit, train and supervise court appointed special advocates. The
19 department may delegate authority to contract under this paragraph
20 to the statewide coordinating entity contracted with under paragraph**

21 **(b) of this subsection.**

1 **“(b) Contract with a nongovernmental entity to serve as the state-**
2 **wide coordinating entity for the provision of court appointed special**
3 **advocate services throughout this state. The nongovernmental entity**
4 **must be a member of the National CASA Association and have a board**
5 **or other membership structure that contains directors from the CASA**
6 **Volunteer Programs in this state. At a minimum, the contract must**
7 **include authority for the statewide coordinating entity to:**

8 **“(A) Contract with CASA Volunteer Programs;**

9 **“(B) Disburse and expend moneys in the Court Appointed Special**
10 **Advocate Fund established in section 5 of this 2017 Act to CASA Vol-**
11 **unteer Programs in this state; and**

12 **“(C) Execute the standards described in paragraph (c) of this sub-**
13 **section.**

14 **“(c) Oversee and monitor CASA Volunteer Program standards, with**
15 **assistance from the statewide coordinating entity contracted with by**
16 **the department under paragraph (b) of this subsection, to recruit,**
17 **train and supervise court appointed special advocates.**

18 **“(d) Disburse and expend moneys in the Court Appointed Special**
19 **Advocate Fund established under section 5 of this 2017 Act for the**
20 **purposes set forth in this section and ORS 419B.112. The department**
21 **may disburse and expend moneys from the fund to the statewide co-**
22 **ordinating entity contracted with pursuant to paragraph (b) of this**
23 **subsection for the purposes set forth in this section and ORS 419B.112.**

24 **“(e) With the assistance of the statewide coordinating entity con-**
25 **tracted with pursuant to paragraph (b) of this subsection, oversee the**
26 **provision of court appointed special advocate services throughout this**
27 **state in a uniform, consistent and cost-efficient manner by ensuring**
28 **that CASA Volunteer Programs:**

29 **“(A) Adopt policies, procedures, standards and guidelines regarding**
30 **the provision of court appointed special advocate services as directed**

1 by the department; and

2 “(B) Develop and provide training and education for court appointed
3 special advocates and employees and other volunteers in CASA Vol-
4 unteer Programs as directed by the department.

5 “(f) Identify statewide outcome or performance measures for CASA
6 Volunteer Programs.

7 “(g) Collect, evaluate and summarize data regarding CASA Volun-
8 teer Programs and court appointed special advocate services in this
9 state.

10 “(h) Adopt rules for carrying out the department’s responsibilities,
11 duties and functions under this section and ORS 419B.112.

12 “(2) The department may:

13 “(a) Delegate to a statewide coordinating entity contracted with
14 under subsection (1)(b) of this section the responsibility to:

15 “(A) Create, supervise and operate CASA Volunteer Programs
16 throughout this state; and

17 “(B) Develop and provide training for court appointed special advo-
18 cates and employees and volunteers of CASA Volunteer Programs.

19 “(b) Consult with public agencies or private nonprofit organizations
20 for the purpose of developing:

21 “(A) An allocation formula for the disbursement of moneys to
22 CASA Volunteer Programs in this state; and

23 “(B) Policies, procedures, standards and guidelines regarding the
24 provision of court appointed special advocate services in this state.

25 “(c) Apply for and receive funds from state, federal and private
26 sources for CASA Volunteer Programs and the provision of court ap-
27 pointed special advocate services in this state.

28 “(3) The statewide coordinating entity with which the department
29 has contracted under subsection (1)(b) of this section, or to which the
30 department has delegated responsibilities under subsection (2)(a) of

1 this section, shall provide biannual reports to the department regard-
2 ing:

3 “(a) The fulfillment of responsibilities that have been contracted for
4 or delegated; and

5 “(b) When applicable to responsibilities contracted for or delegated,
6 the achievement of the objectives in subsection (1)(d) to (g) of this
7 section.

8 “(4) The department shall report annually to committees of the
9 Legislative Assembly related to the provision of court appointed spe-
10 cial advocate services regarding the disbursement of moneys in the
11 Court Appointed Special Advocate Fund established under section 5
12 of this 2017 Act. The report must summarize the extent to which the
13 statewide outcome or performance measures identified by the depart-
14 ment under section 3 of this 2017 Act are being met and include an
15 analysis of the effectiveness of court appointed special advocate ser-
16 vices provided in this state.

17 **“SECTION 4. Each CASA Volunteer Program shall report**
18 **biannually to committees of the Legislative Assembly related to the**
19 **provision of court appointed special advocate services. The statewide**
20 **coordinating entity contracted with by the Oregon Department of Ad-**
21 **ministrative Services under section 3 of this 2017 Act may present the**
22 **biannual reports required under this section on behalf of the CASA**
23 **Volunteer Programs in this state. The report must include each**
24 **program’s status with respect to the statewide outcome or perform-**
25 **ance measures identified by the department under section 3 of this 2017**
26 **Act.**

27 **“SECTION 5. (1) The Court Appointed Special Advocate Fund is**
28 **established within the State Treasury, separate and distinct from the**
29 **General Fund. Interest earned by the Court Appointed Special Advo-**
30 **cate Fund shall be credited to the fund.**

1 **“(2) Moneys in the fund shall consist of:**
2 **“(a) Amounts appropriated or otherwise transferred to the fund by**
3 **the Legislative Assembly;**
4 **“(b) Amounts received from state, federal and private sources;**
5 **“(c) Amounts donated to the fund; and**
6 **“(d) Other amounts deposited in the fund from any source.**
7 **“(3) Moneys in the fund are continuously appropriated to the**
8 **Oregon Department of Administrative Services for the purpose of**
9 **carrying out the provisions of ORS 419B.112 and section 3 of this 2017**
10 **Act.**
11 **“(4) The department may use moneys in the fund to pay the**
12 **department’s administrative costs associated with the fund and with**
13 **carrying out the provisions of ORS 419B.112 and section 3 of this 2017**
14 **Act.**
15 **“SECTION 5a. The Oregon Department of Administrative Services**
16 **shall submit the first report required under section 3 of this 2017 Act**
17 **no later than September 1, 2018.**

18
19 **“CONFORMING AMENDMENTS**
20

21 **“SECTION 6. ORS 131A.360 is amended to read:**
22 **“131A.360. (1) The provisions of this section apply only to a forfeiting**
23 **agency other than the state, and apply only to forfeiture proceeds arising out**
24 **of prohibited conduct as defined by ORS 131A.005 (12)(a).**
25 **“(2) If the forfeiting agency is not a county, the forfeiting agency shall**
26 **enter into an agreement, under ORS chapter 190, with the county in which**
27 **the property was seized to provide a portion of the forfeiture proceeds to the**
28 **county.**
29 **“(3) After entry of a judgment of forfeiture, a forfeiting agency shall first**
30 **pay from the forfeiture proceeds the costs incurred by seizing and forfeiting**

1 agencies in investigating and prosecuting the case, including costs, dis-
2 bursements and attorney fees as defined in ORCP 68 A, special expenses such
3 as the provision of currency for undercover law enforcement operations, the
4 cost of disabling a hidden compartment in a motor vehicle and the expenses
5 of maintaining the seized property. The forfeiting agency may not pay ex-
6 penditures made in connection with the ordinary maintenance and operation
7 of a seizing or forfeiting agency under this subsection.

8 “(4) After payment of costs under subsection (3) of this section, the for-
9 feiting agency shall:

10 “(a) Deduct an amount equal to five percent of the forfeiture proceeds and
11 deposit that amount in the Illegal Drug Cleanup Fund established by ORS
12 475.495 for the purposes specified in ORS 475.495 (5) and (6);

13 “(b) Deduct an amount equal to 2.5 percent of the forfeiture proceeds and
14 deposit that amount in the Asset Forfeiture Oversight Account;

15 “(c) Deduct an amount equal to 20 percent of the forfeiture proceeds and
16 deposit that amount in the Oregon Criminal Justice Commission Account
17 established under ORS 137.662 for disbursement to drug court programs as
18 described in ORS 3.450; and

19 “(d) Deduct an amount equal to 10 percent of the forfeiture proceeds and
20 deposit that amount in the Early Learning Division Fund established in ORS
21 326.435 for disbursement to relief nurseries as described in ORS 417.788.

22 “(5) If the forfeiting agency has entered into an agreement with a county
23 under subsection (2) of this section, after paying costs under subsection (3)
24 of this section and making the deductions required by subsection (4) of this
25 section, the forfeiting agency shall pay the county the amounts required by
26 the agreement.

27 “(6) After making all payments and deductions required by subsections (3),
28 (4) and (5) of this section, the forfeiting agency may use the remaining
29 forfeiture proceeds, including amounts received by a county under subsection
30 (5) of this section or by any other public body under an intergovernmental

1 agreement entered into under ORS 131A.355, only for:

2 “(a) The purchase of equipment necessary for the enforcement of laws
3 relating to the unlawful delivery, distribution, manufacture or possession of
4 controlled substances;

5 “(b) Currency for undercover law enforcement operations;

6 “(c) Drug awareness and drug education programs offered in middle
7 schools and high schools;

8 “(d) The expenses of a forfeiting agency in operating joint narcotic oper-
9 ations with other forfeiting agencies pursuant to the terms of an intergov-
10 ernmental agreement, including paying for rental space, utilities and office
11 equipment;

12 “(e) Expenses of a district attorney in criminal prosecutions for unlawful
13 delivery, distribution, manufacture or possession of controlled substances,
14 as determined through intergovernmental agreement between the forfeiting
15 agency and the district attorney;

16 “(f) Drug treatment and programs that support drug treatment; and

17 “(g) A CASA Volunteer Program as defined in [ORS 458.580] **section 2**
18 **of this 2017 Act.**

19 “(7) Notwithstanding subsection (6) of this section, growing equipment
20 and laboratory equipment seized by a forfeiting agency that was used, or
21 intended for use, in the manufacturing of controlled substances may be do-
22 nated to a public school, community college or institution of higher educa-
23 tion.

24 “(8) A forfeiting agency shall sell as much property as may be needed to
25 make the distributions required by this section. Distributions required under
26 subsection (4) of this section must be made once every three months and are
27 due within 20 days of the end of each quarter. No interest shall accrue on
28 amounts that are paid within the period specified by this subsection.

29 **“SECTION 7.** ORS 419A.255, as amended by section 11, chapter 417,
30 Oregon Laws 2013, section 8, chapter 439, Oregon Laws 2013, section 3,

1 chapter 71, Oregon Laws 2014, section 2, chapter 293, Oregon Laws 2015, and
2 section 7, chapter 95, Oregon Laws 2016, is amended to read:

3 “419A.255. (1)(a) The clerk of the court shall maintain a record of each
4 case and a supplemental confidential file for each case, except as otherwise
5 provided in ORS 7.120.

6 “(b) The record of the case shall be withheld from public inspection but
7 is open to inspection by the following:

8 “(A) The judge of the juvenile court and those acting under the judge’s
9 direction;

10 “(B) The child;

11 “(C) The ward;

12 “(D) The youth;

13 “(E) The youth offender;

14 “(F) The parent or guardian of the child, ward, youth or youth offender;

15 “(G) The guardian ad litem for the parent;

16 “(H) A person allowed to intervene in a proceeding involving the child,
17 ward, youth or youth offender;

18 “(I) The court appointed special advocate, and a representative of a CASA
19 Volunteer Program as defined in [ORS 458.580] **section 2 of this 2017 Act**,
20 when reasonably necessary for the appointment or supervision of court ap-
21 pointed special advocates;

22 “(J) The attorneys or prospective appellate attorneys for any of the per-
23 sons listed in subparagraphs (B) to (I) of this paragraph;

24 “(K) The surrogate;

25 “(L) Service providers in the case;

26 “(M) The district attorney or assistant attorney general representing a
27 party in the case;

28 “(N) The juvenile department;

29 “(O) The Department of Human Services;

30 “(P) The Oregon Youth Authority; and

1 “(Q) Any other person or entity allowed by the court pursuant to section
2 9, chapter 95, Oregon Laws 2016.

3 “(c) The following are entitled to copies of the record of the case:

4 “(A) The judge of the juvenile court and those acting under the judge’s
5 direction;

6 “(B) A party to the extent permitted under ORS 419B.875 (2) or 419C.285
7 (2);

8 “(C) A guardian ad litem for a parent to the same extent the parent is
9 permitted to copies under ORS 419B.875 (2) or 419C.285 (2);

10 “(D) Persons listed in paragraph (b)(J) to (P) of this subsection; and

11 “(E) Any other person or entity allowed by the court pursuant to section
12 9, chapter 95, Oregon Laws 2016.

13 “(2)(a) Reports and other material relating to the child, ward, youth or
14 youth offender’s history and prognosis in the record of the case or the sup-
15 plemental confidential file are privileged and, except at the request of the
16 child, ward, youth or youth offender, shall be withheld from public inspection
17 except that inspection is permitted as set forth in subsection (1)(b) of this
18 section and paragraph (b) of this subsection. The offer or admission of re-
19 ports and other material in the record of the case or the supplemental con-
20 fidential file as exhibits in a hearing or trial does not waive or otherwise
21 change the privileged status of the reports and other material, except for
22 purposes of the hearing or trial in which the reports and other material are
23 offered or admitted. Once offered as an exhibit, reports and other material
24 relating to the child, ward, youth or youth offender’s history and prognosis
25 that were maintained in the supplemental confidential file become part of the
26 record of the case but are subject to paragraph (e) of this subsection.

27 “(b) A supplemental confidential file is open to inspection by the follow-
28 ing:

29 “(A) The judge of the juvenile court and those acting under the judge’s
30 direction;

1 “(B) The parent or guardian of the child or ward in a dependency case;

2 “(C) The guardian ad litem for the parent of a child or ward in a de-
3 pendency case;

4 “(D) The parent or guardian of the youth or youth offender in a delin-
5 quency case if the youth or youth offender consents to, or the court author-
6 izes, inspection;

7 “(E) The guardian ad litem for the parent of a youth or youth offender
8 in a delinquency case if the youth or youth offender consents to, or the court
9 authorizes, inspection;

10 “(F) A person allowed to intervene in a proceeding involving the child,
11 ward, youth or youth offender;

12 “(G) The court appointed special advocate, and a representative of a
13 CASA Volunteer Program as defined in [ORS 458.580] **section 2 of this 2017**
14 **Act**, when reasonably necessary for the appointment or supervision of court
15 appointed special advocates;

16 “(H) The surrogate;

17 “(I) Service providers in the case;

18 “(J) The attorneys or prospective appellate attorneys for:

19 “(i) The child;

20 “(ii) The ward;

21 “(iii) The youth;

22 “(iv) The youth offender;

23 “(v) The parent or guardian of the child, ward, youth or youth offender;

24 “(vi) The guardian ad litem for the parent;

25 “(vii) A person allowed to intervene in a proceeding involving the child
26 or ward in a dependency case; or

27 “(viii) The court appointed special advocate and a representative of a
28 CASA Volunteer Program as defined in [ORS 458.580] **section 2 of this 2017**
29 **Act**;

30 “(K) The district attorney or assistant attorney general representing a

1 party in the case;

2 “(L) The juvenile department;

3 “(M) The Department of Human Services;

4 “(N) The Oregon Youth Authority; and

5 “(O) Any other person or entity allowed by the court pursuant to section

6 9, chapter 95, Oregon Laws 2016.

7 “(c) The supplemental confidential file in cases under ORS 419C.005 may

8 be disclosed to the superintendent of the school district in which the youth

9 offender resides or the superintendent’s designee.

10 “(d) The following are entitled to copies of material maintained in the

11 supplemental confidential file:

12 “(A) The judge of the juvenile court and those acting under the judge’s

13 direction;

14 “(B) Service providers in the case;

15 “(C) School superintendents and their designees in cases under ORS

16 419C.005;

17 “(D) Attorneys designated under subsection (2)(b)(J) of this section;

18 “(E) The district attorney or assistant attorney general representing a

19 party in the case;

20 “(F) The juvenile department;

21 “(G) The Department of Human Services;

22 “(H) The Oregon Youth Authority;

23 “(I) The court appointed special advocate, and a representative of a CASA

24 Volunteer Program as defined in [*ORS 458.580*] **section 2 of this 2017 Act**,

25 when reasonably necessary for the appointment or supervision of court ap-

26 pointed special advocates; and

27 “(J) Any other person or entity allowed by the court pursuant to section

28 9, chapter 95, Oregon Laws 2016.

29 “(e) A person that obtains copies of material in the supplemental confi-

30 dential file pursuant to paragraph (d) of this subsection is responsible for

1 preserving the confidentiality of the material in the supplemental confiden-
2 tial file. A service provider, school superintendent or superintendent's
3 designee who obtains copies of such material shall destroy the copies upon
4 the conclusion of involvement in the case.

5 “(3) Except as otherwise provided in subsection (5) of this section, no in-
6 formation appearing in the record of the case or in the supplemental confi-
7 dential file may be disclosed to any person not described in subsections (1)(b)
8 and (2)(b) of this section, respectively, without the consent of the court, ex-
9 cept for purposes of evaluating the child, ward, youth or youth offender's
10 eligibility for special education as provided in ORS chapter 343, and no such
11 information may be used in evidence in any proceeding to establish criminal
12 or civil liability against the child, ward, youth or youth offender, whether
13 such proceeding occurs after the child, ward, youth or youth offender has
14 reached 18 years of age or otherwise, except for the following purposes:

15 “(a) In connection with a presentence investigation after guilt has been
16 admitted or established in a criminal court.

17 “(b) In connection with a proceeding in another juvenile court concerning
18 the child, ward, youth or youth offender or an appeal from the juvenile court.

19 “(4)(a) When a person described in subsection (1)(b)(M), (N), (O) or (P)
20 of this section inspects or obtains copies of reports, materials or documents
21 under this subsection or under subsection (1) or (2) of this section, the person
22 may not use or disclose the reports, materials or documents, except:

23 “(A) As provided in this subsection or under subsection (1) or (2) of this
24 section;

25 “(B) In the juvenile court proceeding for which the reports, materials or
26 documents were sought or disclosed;

27 “(C) With the consent of the court; or

28 “(D) As provided in ORS 419A.253.

29 “(b) Nothing in this section prohibits the district attorney or assistant
30 attorney general representing a party in a juvenile court proceeding, the

1 juvenile department, the Department of Human Services, the Oregon Youth
2 Authority or other parties in the proceeding or their attorneys from dis-
3 closing to each other reports, materials or documents described in sub-
4 sections (1) and (2) of this section if the disclosure is reasonably necessary
5 to perform official duties related to the involvement of the child, ward, youth
6 or youth offender with the juvenile court or the juvenile department. A
7 person to whom reports, materials or documents are disclosed under this
8 subsection is subject to subsection (3) of this section.

9 “(5)(a) Information contained in the supplemental confidential file that,
10 in the professional judgment of the juvenile counselor, caseworker, school
11 superintendent or superintendent’s designee, teacher or detention worker to
12 whom the information in the supplemental confidential file has been pro-
13 vided, indicates a clear and immediate danger to another person or to society
14 shall be disclosed to the appropriate authority and the person who is in
15 danger from the child, ward, youth or youth offender.

16 “(b) A person that discloses information under paragraph (a) of this sub-
17 section has immunity from any liability, civil or criminal, that might other-
18 wise be incurred or imposed for making the disclosure.

19 “(c) Nothing in this subsection affects the provisions of ORS 146.750,
20 146.760, 419B.035, 419B.040 and 419B.045. The disclosure of information under
21 this subsection does not make the information admissible in any court or
22 administrative proceeding if it is not otherwise admissible.

23 “(6) Notwithstanding any other provision of law, and subject to sub-
24 section (8) of this section, the following are not confidential and not exempt
25 from disclosure:

26 “(a) The name and date of birth of the youth or youth offender;

27 “(b) The basis for the juvenile court’s jurisdiction over the youth or youth
28 offender;

29 “(c) The date, time and place of any juvenile court proceeding in which
30 the youth or youth offender is involved;

1 “(d) The act alleged in the petition that if committed by an adult would
2 constitute a crime if jurisdiction is based on ORS 419C.005;

3 “(e) That portion of the juvenile court order providing for the legal dis-
4 position of the youth or youth offender when jurisdiction is based on ORS
5 419C.005;

6 “(f) The names and addresses of the youth or youth offender’s parents or
7 guardians; and

8 “(g) The register described in ORS 7.020 when jurisdiction is based on
9 ORS 419C.005.

10 “(7) Notwithstanding any other provision of law, and subject to sub-
11 section (8) of this section, when a youth has been taken into custody under
12 ORS 419C.080, the following information shall be disclosed unless, and only
13 for so long as, there is a clear need to delay disclosure in the course of a
14 specific investigation, including the need to protect the complaining party
15 or the victim:

16 “(a) The youth’s name and age and whether the youth is employed or in
17 school;

18 “(b) The youth offense for which the youth was taken into custody;

19 “(c) The name and age of the adult complaining party and the adult vic-
20 tim, unless the disclosure of such information is otherwise prohibited or re-
21 stricted;

22 “(d) The identity of the investigating and arresting agency; and

23 “(e) The time and place that the youth was taken into custody and
24 whether there was resistance, pursuit or a weapon used in taking the youth
25 into custody.

26 “(8) Except as provided in ORS 419A.300 and unless otherwise directed
27 by the court, only the juvenile court, the county juvenile department and the
28 Oregon Youth Authority may disclose the information under subsections (6)
29 and (7) of this section if the information is subject to disclosure. The youth
30 authority may disclose only information relating to youth offenders commit-

1 ted to the youth authority by order of the juvenile court if the information
2 is subject to disclosure under subsection (6) or (7) of this section.

3 “(9) Nothing in this section limits access to any juvenile court records
4 by an appellate court reviewing a juvenile court order or judgment. Appel-
5 late court rules may establish procedures for appellate court access to juve-
6 nile records.

7 “(10) Nothing in this section prohibits the court from providing to the
8 administrator as defined in ORS 25.010 the date of entry of a judgment ter-
9 minating parental rights or the date of entry of a judgment terminating
10 wardship following entry of a judgment of adoption together with the names
11 and dates of birth of the parents and children subject to the judgment.

12 “(11) In addition to any other provision in this section, the Judicial De-
13 partment may permit county or statewide access to juvenile court records
14 or information by county juvenile departments, the Department of Human
15 Services, the Oregon Youth Authority, district attorney offices, the office of
16 the Attorney General, the office of public defense services, prospective ap-
17 pellate attorneys or public defense providers subject to the following re-
18 strictions:

19 “(a) A prospective appellate attorney or public defense provider granted
20 access under this subsection must agree, pursuant to a written agreement
21 with the Judicial Department, to access:

22 “(A) Party information only for purposes of conflicts screening proce-
23 dures; and

24 “(B) Other records or information about a client only as reasonably nec-
25 essary for the representation of that client in any juvenile case in which the
26 client is a party, subject to applicable state and federal confidentiality laws.

27 “(b) Any other person or entity granted access under this subsection must
28 agree, pursuant to a written agreement with the department, to access re-
29 cords or information only as authorized and allowed by this section, subject
30 to applicable state and federal confidentiality laws.

1 “(c) The State Court Administrator shall prescribe standards and proce-
2 dures to implement the provisions of this subsection.

3 “(d) Any person or entity granted access to juvenile court records or in-
4 formation under this subsection must preserve the confidentiality of that
5 information as required under this section.

6 “(12) A petition filed under ORS 419B.851 alleging that a child who is a
7 foreign national is within the jurisdiction of the court, or a motion request-
8 ing an implementation plan other than return of a ward to the ward’s parent,
9 is subject to disclosure to the consulate for the child or ward’s country as
10 provided under ORS 419B.851 (3).

11 “(13) Nothing in this section prohibits a guardian appointed under ORS
12 419B.365 or 419B.366 from disclosing or providing copies of letters of
13 guardianship when so required to fulfill the duties of a guardian.

14 “(14) The court shall cooperate in the sharing of information with a court
15 in another state to facilitate an interstate placement of a child or ward.

16 “(15) Nothing in this section prohibits the Chief Justice of the Supreme
17 Court, the Chief Judge of the Court of Appeals or a presiding judge from
18 permitting access to juvenile court records, including the record of the case
19 and the supplemental confidential file in a juvenile court proceeding, or au-
20 dio or video recordings of a juvenile court proceeding, by researchers or
21 evaluators for the purposes of developing statistics and performing analyses
22 or audits on the effectiveness, cost and other areas of public interest re-
23 garding juvenile court programs and activities in accordance with child
24 welfare and juvenile justice state plans and programs related to Title IV-B
25 and IV-E of the Social Security Act and to the Child Abuse Prevention and
26 Treatment Act (42 U.S.C. 5101 et seq). The Chief Justice shall, by rule or
27 order, establish standards and guidelines for the release of juvenile court
28 information for research and evaluation purposes to ensure confidentiality
29 consistent with state and federal law and to promote consistent statewide
30 application of this subsection. Statistics and analyses released by research-

1 ers and evaluators under this subsection may not contain any information
2 that identifies any individual person involved in a juvenile court proceeding.

3 “(16) Subject to subsection (11) of this section, the office of public defense
4 services shall be permitted access to juvenile court records for the purposes
5 of performing the office’s duties as set forth in ORS 151.219 to audit or in-
6 vestigate attorney appointment or representation of a party in a juvenile
7 court proceeding in order to ensure adequate representation of parties in
8 juvenile court proceedings consistent with the child welfare state plan re-
9 lated to Title IV-E of the Social Security Act.

10 “(17) Subject to subsection (11) of this section, the Oregon State Bar shall
11 be permitted access to juvenile court records maintained in the record of the
12 case for the purpose of performing the bar’s duties as set forth in ORS 9.005
13 to 9.757 to investigate attorney representation of a party in a juvenile court
14 proceeding and in order to ensure adequate representation of parties in ju-
15 venile court proceedings consistent with the child welfare state plan related
16 to Title IV-E of the Social Security Act.

17 “(18)(a) A child, ward, youth or youth offender, or the parent or guardian
18 of a child, ward, youth or youth offender who is a party to the juvenile court
19 proceeding, who is entitled to inspect or copy the record of the case under
20 subsection (1)(b) and (c) of this section maintains the right to inspect or copy
21 the record of the case after jurisdiction of the court over the child, ward,
22 youth or youth offender terminates and after the child, ward, youth or youth
23 offender has reached the age of majority.

24 “(b) Notwithstanding ORS 419B.524, a parent of a child, ward, youth or
25 youth offender whose parental rights have been terminated maintains the
26 right that existed under subsection (1)(b) and (c) of this section to inspect
27 or copy the record of the case as the record of the case existed up until the
28 time of entry of the judgment terminating the parent’s parental rights and
29 may obtain a copy of the judgment terminating the parent’s parental rights.

30 “(19) When inspection or copying of the record of the case or of the sup-

1 plemental confidential file is allowed pursuant to this section, and unless
2 otherwise required by law, the court that maintains the record of the case
3 or the supplemental confidential file is not required to redact the names of,
4 or information about, siblings or other persons contained in the record of the
5 case or the supplemental confidential file.

6 **“SECTION 8.** ORS 419A.004, as amended by section 46, chapter 106,
7 Oregon Laws 2016, is amended to read:

8 “419A.004. As used in this chapter and ORS chapters 419B and 419C, un-
9 less the context requires otherwise:

10 “(1) ‘Age-appropriate or developmentally appropriate activities’ means:

11 “(a) Activities or items that are generally accepted as suitable for chil-
12 dren of the same chronological age or level of maturity or that are deter-
13 mined to be developmentally appropriate for a child, based on the
14 development of cognitive, emotional, physical and behavioral capacities that
15 are typical for an age or age group; and

16 “(b) In the case of a specific child, activities or items that are suitable
17 for the child based on the developmental stages attained by the child with
18 respect to the cognitive, emotional, physical and behavioral capacities of the
19 child.

20 “(2) ‘Another planned permanent living arrangement’ means an out-of-
21 home placement for a ward 16 years of age or older that is consistent with
22 the case plan and in the best interests of the ward other than placement:

23 “(a) By adoption;

24 “(b) With a legal guardian; or

25 “(c) With a fit and willing relative.

26 “(3) ‘CASA Volunteer Program’ means a program that is approved or
27 sanctioned by a juvenile court, has received accreditation from the National
28 CASA Association and has entered into a contract with the Oregon [*Volun-*
29 *teers Commission for Voluntary Action and Service under ORS 458.581*] **De-**
30 **partment of Administrative Services under section 3 of this 2017 Act**

1 to recruit, train and supervise volunteers to serve as court appointed special
2 advocates.

3 “(4) ‘Child care center’ means a residential facility for wards or youth
4 offenders that is licensed, certified or otherwise authorized as a child-caring
5 agency as that term is defined in ORS 418.205.

6 “(5) ‘Community service’ has the meaning given that term in ORS 137.126.

7 “(6) ‘Conflict of interest’ means a person appointed to a local citizen re-
8 view board who has a personal or pecuniary interest in a case being reviewed
9 by that board.

10 “(7) ‘Counselor’ means a juvenile department counselor or a county juve-
11 nile probation officer.

12 “(8) ‘Court’ means the juvenile court.

13 “(9) ‘Court appointed special advocate’ means a person in a CASA Vol-
14 unteer Program who is appointed by the court to act as a court appointed
15 special advocate pursuant to ORS 419B.112.

16 “(10) ‘Court facility’ has the meaning given that term in ORS 166.360.

17 “(11) ‘Current caretaker’ means a foster parent who:

18 “(a) Is currently caring for a ward who is in the legal custody of the
19 Department of Human Services and who has a permanency plan or concur-
20 rent permanent plan of adoption; and

21 “(b) Who has cared for the ward, or at least one sibling of the ward, for
22 at least the immediately prior 12 consecutive months or for one-half of the
23 ward’s or sibling’s life where the ward or sibling is younger than two years
24 of age.

25 “(12) ‘Department’ means the Department of Human Services.

26 “(13) ‘Detention’ or ‘detention facility’ means a facility established under
27 ORS 419A.010 to 419A.020 and 419A.050 to 419A.063 for the detention of
28 children, wards, youths or youth offenders pursuant to a judicial commitment
29 or order.

30 “(14) ‘Director’ means the director of a juvenile department established

1 under ORS 419A.010 to 419A.020 and 419A.050 to 419A.063.

2 “(15) ‘Guardian’ means guardian of the person and not guardian of the
3 estate.

4 “(16) ‘Indian child’ means any unmarried person less than 18 years of age
5 who is:

6 “(a) A member of an Indian tribe; or

7 “(b) Eligible for membership in an Indian tribe and is the biological child
8 of a member of an Indian tribe.

9 “(17) ‘Juvenile court’ means the court having jurisdiction of juvenile
10 matters in the several counties of this state.

11 “(18) ‘Local citizen review board’ means the board specified by ORS
12 419A.090 and 419A.092.

13 “(19) ‘Parent’ means the biological or adoptive mother and the legal fa-
14 ther of the child, ward, youth or youth offender. As used in this subsection,
15 ‘legal father’ means:

16 “(a) A man who has adopted the child, ward, youth or youth offender or
17 whose paternity has been established or declared under ORS 109.070 or
18 416.400 to 416.465 or by a juvenile court; and

19 “(b) In cases in which the Indian Child Welfare Act applies, a man who
20 is a father under applicable tribal law.

21 “(20) ‘Permanent foster care’ means an out-of-home placement in which
22 there is a long-term contractual foster care agreement between the foster
23 parents and the department that is approved by the juvenile court and in
24 which the foster parents commit to raise a ward in substitute care or youth
25 offender until the age of majority.

26 “(21) ‘Public building’ has the meaning given that term in ORS 166.360.

27 “(22) ‘Reasonable and prudent parent standard’ means the standard,
28 characterized by careful and sensible parental decisions that maintain the
29 health, safety and best interests of a child or ward while encouraging the
30 emotional and developmental growth of the child or ward, that a substitute

1 care provider shall use when determining whether to allow a child or ward
2 in substitute care to participate in extracurricular, enrichment, cultural and
3 social activities.

4 “(23) ‘Reasonable time’ means a period of time that is reasonable given
5 a child or ward’s emotional and developmental needs and ability to form and
6 maintain lasting attachments.

7 “(24) ‘Records’ means any information in written form, pictures, photo-
8 graphs, charts, graphs, recordings or documents pertaining to a case.

9 “(25) ‘Resides’ or ‘residence,’ when used in reference to the residence of
10 a child, ward, youth or youth offender, means the place where the child,
11 ward, youth or youth offender is actually living or the jurisdiction in which
12 wardship or jurisdiction has been established.

13 “(26) ‘Restitution’ has the meaning given that term in ORS 137.103.

14 “(27) ‘Serious physical injury’ means:

15 “(a) A serious physical injury as defined in ORS 161.015; or

16 “(b) A physical injury that:

17 “(A) Has a permanent or protracted significant effect on a child’s daily
18 activities;

19 “(B) Results in substantial and recurring pain; or

20 “(C) In the case of a child under 10 years of age, is a broken bone.

21 “(28) ‘Shelter care’ means a home or other facility suitable for the safe-
22 keeping of a child, ward, youth or youth offender who is taken into tempo-
23 rary custody pending investigation and disposition.

24 “(29) ‘Short-term detention facility’ means a facility established under
25 ORS 419A.050 (3) for holding children, youths and youth offenders pending
26 further placement.

27 “(30) ‘Sibling’ means one of two or more children or wards related:

28 “(a) By blood or adoption through a common legal parent; or

29 “(b) Through the marriage of the children’s or wards’ legal or biological
30 parents.

1 “(31) ‘Substitute care’ means an out-of-home placement directly supervised
2 by the department or other agency, including placement in a foster family
3 home, group home, child-caring agency as defined in ORS 418.205 or other
4 child caring institution or facility. ‘Substitute care’ does not include care in:

5 “(a) A detention facility, forestry camp or youth correction facility;

6 “(b) A family home that the court has approved as a ward’s permanent
7 placement, when a child-caring agency as defined in ORS 418.205 has been
8 appointed guardian of the ward and when the ward’s care is entirely pri-
9 vately financed; or

10 “(c) In-home placement subject to conditions or limitations.

11 “(32) ‘Surrogate’ means a person appointed by the court to protect the
12 right of the child, ward, youth or youth offender to receive procedural safe-
13 guards with respect to the provision of free appropriate public education.

14 “(33) ‘Tribal court’ means a court with jurisdiction over child custody
15 proceedings and that is either a Court of Indian Offenses, a court established
16 and operated under the code of custom of an Indian tribe or any other ad-
17 ministrative body of a tribe that is vested with authority over child custody
18 proceedings.

19 “(34) ‘Victim’ means any person determined by the district attorney, the
20 juvenile department or the court to have suffered direct financial, psycho-
21 logical or physical harm as a result of the act that has brought the youth
22 or youth offender before the juvenile court. When the victim is a minor,
23 ‘victim’ includes the legal guardian of the minor. The youth or youth
24 offender may not be considered the victim. When the victim of the crime
25 cannot be determined, the people of Oregon, as represented by the district
26 attorney, are considered the victims.

27 “(35) ‘Violent felony’ means any offense that, if committed by an adult,
28 would constitute a felony and:

29 “(a) Involves actual or threatened serious physical injury to a victim; or

30 “(b) Is a sexual offense. As used in this paragraph, ‘sexual offense’ has

1 the meaning given the term ‘sex crime’ in ORS 163A.005.

2 “(36) ‘Ward’ means a person within the jurisdiction of the juvenile court
3 under ORS 419B.100.

4 “(37) ‘Young person’ means a person who has been found responsible ex-
5 cept for insanity under ORS 419C.411 and placed under the jurisdiction of
6 the Psychiatric Security Review Board.

7 “(38) ‘Youth’ means a person under 18 years of age who is alleged to have
8 committed an act that is a violation, or, if done by an adult would constitute
9 a violation, of a law or ordinance of the United States or a state, county or
10 city.

11 “(39) ‘Youth care center’ has the meaning given that term in ORS 420.855.

12 “(40) ‘Youth offender’ means a person who has been found to be within
13 the jurisdiction of the juvenile court under ORS 419C.005 for an act com-
14 mitted when the person was under 18 years of age.

15 **“SECTION 9.** ORS 419B.112 is amended to read:

16 “419B.112. (1) In every case under ORS chapter 419B, the court shall ap-
17 point a court appointed special advocate. The court appointed special advo-
18 cate is deemed a party in these proceedings and may be represented by
19 counsel, file pleadings and request hearings and may subpoena, examine and
20 cross-examine witnesses. If the court appointed special advocate is repres-
21 ented by counsel, counsel shall be paid from funds in the Court Appointed
22 Special Advocate Fund established under [ORS 458.584] **section 5 of this**
23 **2017 Act.** Counsel representing a court appointed special advocate may not
24 be paid from moneys in the Public Defense Services Account established by
25 ORS 151.225, from moneys appropriated to the Public Defense Services Com-
26 mission or from Judicial Department operating funds.

27 “(2) Subject to the direction of the court, the duties of the court appointed
28 special advocate are to:

29 “(a) Investigate all relevant information about the case;

30 “(b) Advocate for the child or ward, ensuring that all relevant facts are

1 brought before the court;

2 “(c) Facilitate and negotiate to ensure that the court, the Department of
3 Human Services, if applicable, and the child or ward’s attorney, if any, fulfill
4 their obligations to the child or ward in a timely fashion; and

5 “(d) Monitor all court orders to ensure compliance and to bring to the
6 court’s attention any change in circumstances that may require a modifica-
7 tion of an order of the court.

8 “(3) If a juvenile court does not have a sufficient number of qualified
9 court appointed special advocates available to it, the court may, in fulfill-
10 ment of the requirements of this section, appoint a juvenile department em-
11 ployee or other suitable person to represent the child or ward’s interest in
12 court pursuant to ORS 419A.012 or 419B.195.

13 “(4) Any person appointed as a court appointed special advocate in any
14 judicial proceeding on behalf of the child or ward is immune from any li-
15 ability for defamation or statements made in good faith by that person, orally
16 or in writing, in the course of the case review or judicial proceeding.

17 “(5) Any person appointed as a court appointed special advocate, CASA
18 Volunteer Program director, CASA Volunteer Program employee or member
19 of the board of directors or trustees of any CASA Volunteer Program is im-
20 mune from any liability for acts or omissions or errors in judgment made in
21 good faith in the course or scope of that person’s duties or employment as
22 part of a CASA Volunteer Program.

23 “(6) Whenever the court appoints a court appointed special advocate or
24 other person under subsections (1) to (3) of this section to represent the child
25 or ward, the court may require a parent, if able, or guardian of the estate,
26 if the estate is able, to pay, in whole or in part, the reasonable costs of court
27 appointed special advocate services, including reasonable attorney fees. The
28 court’s order of payment is enforceable in the same manner as an order of
29 support under ORS 419B.408.

30 “(7) Upon presentation of the order of appointment by the court appointed

1 special advocate, any agency, hospital, school organization, division, office
2 or department of the state, doctor, nurse or other health care provider, psy-
3 chologist, psychiatrist, police department or mental health clinic shall permit
4 the court appointed special advocate to inspect and copy, and may consult
5 with the court appointed special advocate regarding, any records relating to
6 the child or ward involved in the case, without the consent of the child, ward
7 or parents.

8 “(8) All records and information acquired or reviewed by a court ap-
9 pointed special advocate during the course of official duties are deemed
10 confidential under ORS 419A.255.

11 “(9) For the purposes of a Child Abuse Prevention and Treatment Act (42
12 U.S.C. 5101 et seq.) grant to this state under P.L. 93-247, or any related state
13 or federal legislation, a court appointed special advocate or other person
14 appointed pursuant to subsections (1) to (3) of this section is deemed a
15 guardian ad litem to represent the interests of the child or ward in pro-
16 ceedings before the court.

17 **“SECTION 10.** ORS 458.558 is amended to read:

18 “458.558. (1) The members of the Oregon Volunteers Commission for Vol-
19 untary Action and Service must be citizens of this state who have a proven
20 commitment to community service and who have a demonstrated interest in
21 fostering and nurturing citizen involvement as a strategy for strengthening
22 communities and promoting the ethic of service in all sectors of this state.

23 “(2) The Governor shall appoint as members of the commission at least
24 one of each of the following:

25 “(a) An individual with experience in educational, training and develop-
26 ment needs of youth, particularly disadvantaged youth.

27 “(b) An individual with experience in promoting involvement of older
28 adults in service and volunteerism.

29 “(c) A representative of community-based agencies or organizations within
30 this state.

1 “(d) The Deputy Superintendent of Public Instruction or designee.
2 “(e) A representative of local governments in this state.
3 “(f) A representative of local labor unions in this state.
4 “(g) A representative of business.
5 “(h) A person at least 16, but not more than 25, years of age who is a
6 participant or supervisor in a national service program.
7 “(i) A representative of a national service program described in 42 U.S.C.
8 12572(a).
9 “(3) In addition to appointing members under subsection (2) of this sec-
10 tion, the Governor may appoint as members individuals from the following
11 groups:
12 “(a) Educators.
13 “(b) Experts in the delivery of human, educational, environmental or
14 public safety services to communities and individuals.
15 “(c) Members of Native American tribes.
16 “(d) At-risk youths who are out of school.
17 “(e) Entities that receive assistance under the Domestic Volunteer Service
18 Act of 1973 (42 U.S.C. 4950 et seq.).
19 “[*f*] A director or representative of a CASA Volunteer Program.]
20 “[*g*] A court appointed special advocate.]
21 “(4) In making appointments of members described in subsections (2) and
22 (3) of this section, the Governor shall ensure that:
23 “(a) No more than 50 percent of the appointed members are from the same
24 political party; and
25 “(b) No more than 25 percent of the appointed members are state em-
26 ployees.
27 **“SECTION 11.** ORS 458.568 is amended to read:
28 “458.568. The Oregon Volunteers Commission for Voluntary Action and
29 Service shall:
30 “(1) Develop programs and provide oversight and administration of pro-

1 grams granted to this state by the Corporation for National and Community
2 Service under the National and Community Service Trust Act of 1993, as
3 amended, (P.L. 103-82).

4 “(2) Prepare state applications to the Corporation for National and Com-
5 munity Service for financial assistance for state-based service programs.

6 “(3) Develop a statewide plan that is designed to meet or exceed the
7 Oregon benchmark on volunteerism.

8 “(4) Develop projects, training methods, curriculum materials and other
9 materials and activities related to state service programs that receive as-
10 sistance directly from the Corporation for National and Community Service.

11 “(5) To engage citizens in service and to strengthen communities, create
12 statewide access for all Oregon citizens to a variety of volunteer opportu-
13 nities by:

14 “(a) Evaluating the status of volunteerism in the public, private and
15 nonprofit sectors of this state;

16 “(b) Examining methods to strengthen the capacity of volunteer organ-
17 izations to support citizen involvement; and

18 “(c) Educating all citizens about the importance of citizen involvement
19 and voluntary action.

20 “(6) Encourage youth and young adults to engage in their communities
21 through voluntary action by:

22 “(a) Assisting efforts to inform young Oregonians about opportunities for
23 involvement in the public, private and nonprofit sectors;

24 “(b) Promoting the value of service learning as an educational strategy
25 in the kindergarten through higher educational systems; and

26 “(c) Collaborating with groups to advocate for youth voice in the public,
27 private and nonprofit governing structures.

28 “(7) Promote recognition of volunteerism and service into the daily oper-
29 ation of public, private and nonprofit sectors throughout the state by:

30 “(a) Promoting a statewide volunteer recognition plan open to all sectors;

1 and

2 “(b) Assisting efforts by Oregon communities to encourage citizen in-
3 volvement in volunteerism.

4 “[~~(8)~~ *Implement the provisions of ORS 419B.112 and 458.581.*]

5 “[~~(9)~~] **(8)** Biennially submit a report to the Governor and the Legislative
6 Assembly as provided under ORS 192.230 to 192.245:

7 “(a) Detailing commission activities during the preceding two-year period;

8 “(b) Reviewing and summarizing, to the extent the commission deems
9 relevant, the content of reports accepted by the commission on behalf of the
10 Governor;

11 “(c) Assessing the state of volunteerism in Oregon; and

12 “(d) Containing specific recommendations for any additional legislation
13 the commission deems necessary to carry out the purpose of the Oregon
14 Volunteer and Community Service Act or to improve the effectiveness or ef-
15 ficiency of the commission.

16

17 **“TRANSFER OF AUTHORITY FROM**
18 **OREGON VOLUNTEERS COMMISSION**
19 **FOR VOLUNTARY ACTION AND SERVICE**
20 **TO OREGON DEPARTMENT OF ADMINISTRATIVE SERVICES**

21

22 **“SECTION 12. All the duties, functions and powers of the Oregon**
23 **Volunteers Commission for Voluntary Action and Service relating to**
24 **the creation, supervision and operation of CASA Volunteer Programs**
25 **under ORS 458.581 as that statute was in effect before the effective**
26 **date of this 2017 Act, are imposed upon, transferred to and vested in**
27 **the Oregon Department of Administrative Services.**

28

29 **“RECORDS AND PROPERTY**

30

1 **“SECTION 13. The director of the Oregon Volunteers Commission**
2 **for Voluntary Action and Service shall deliver to the Director of the**
3 **Oregon Department of Administrative Services all records and prop-**
4 **erty within the jurisdiction of the director of the Oregon Volunteers**
5 **Commission for Voluntary Action and Service that relate to the du-**
6 **ties, functions and powers transferred by section 12 of this 2017 Act,**
7 **and the Director of the Oregon Department of Administrative Services**
8 **shall take possession of the records and property transferred under**
9 **this section.**

10
11 **“UNEXPENDED REVENUES**

12
13 **“SECTION 14. (1) The unexpended balances of amounts authorized**
14 **to be expended by the Oregon Volunteers Commission for Voluntary**
15 **Action and Service for the biennium beginning July 1, 2017, from rev-**
16 **enues dedicated, continuously appropriated, appropriated or otherwise**
17 **made available for the purpose of administering and enforcing the**
18 **duties, functions and powers transferred by section 12 of this 2017 Act**
19 **are transferred to and are available for expenditure by the Oregon**
20 **Department of Administrative Services for the biennium beginning**
21 **July 1, 2017, for the purpose of administering and enforcing the duties,**
22 **functions and powers transferred by section 12 of this 2017 Act and**
23 **under section 3 of this 2017 Act.**

24 **“(2) Any balance in the Court Appointed Special Advocate Fund**
25 **established under ORS 458.584 as that statute was in effect before the**
26 **effective date of this 2017 Act that exists in the fund on the effective**
27 **date of this 2017 Act is transferred to the Court Appointed Special**
28 **Advocate Fund established under section 5 of this 2017 Act.**

29 **“(3) The expenditure classifications, if any, established by Acts au-**
30 **thorizing or limiting expenditures by the Oregon Volunteers Commis-**

1 sion for Voluntary Action and Service remain applicable to
2 expenditures by the Oregon Department of Administrative Services
3 under this section.

4
5 **“ACTIONS, PROCEEDINGS, PROSECUTIONS**

6
7 **“SECTION 15. The transfer of duties, functions and powers to the**
8 **Oregon Department of Administrative Services by section 12 of this**
9 **2017 Act does not affect any action, proceeding or prosecution involv-**
10 **ing or with respect to such duties, functions and powers begun before**
11 **and pending at the time of the transfer, except that the Oregon De-**
12 **partment of Administrative Services is substituted for the Oregon**
13 **Volunteers Commission for Voluntary Action and Service in the**
14 **action, proceeding or prosecution.**

15
16 **“LIABILITIES, DUTIES, OBLIGATIONS**

17
18 **“SECTION 16. (1) Nothing in sections 12 to 18 of this 2017 Act re-**
19 **lieves a person of a liability, duty or obligation accruing under or with**
20 **respect to the duties, functions and powers transferred by section 12**
21 **of this 2017 Act. The Oregon Department of Administrative Services**
22 **may undertake the collection or enforcement of any such liability,**
23 **duty or obligation.**

24 **“(2) The rights and obligations of the Oregon Volunteers Commis-**
25 **sion for Voluntary Action and Service legally incurred under con-**
26 **tracts, leases and business transactions executed, entered into or**
27 **begun before the effective date of this 2017 Act and accruing under or**
28 **with respect to the duties, functions and powers transferred by section**
29 **12 of this 2017 Act are transferred to the Oregon Department of Ad-**
30 **ministrative Services. For the purpose of succession to these rights**

1 and obligations, the Oregon Department of Administrative Services is
2 a continuation of the Oregon Volunteers Commission for Voluntary
3 Action and Service and not a new authority.

4
5 **“RULES**

6
7 **“SECTION 17. Notwithstanding the transfer of duties, functions and
8 powers by section 12 of this 2017 Act, the rules of the Oregon Volun-
9 teers Commission for Voluntary Action and Service with respect to
10 such duties, functions or powers that are in effect on the effective date
11 of this 2017 Act continue in effect until superseded or repealed by rules
12 of the Oregon Department of Administrative Services. References in
13 such rules of the Oregon Volunteers Commission for Voluntary Action
14 and Service to the Oregon Volunteers Commission for Voluntary
15 Action and Service or an officer or employee of the Oregon Volunteers
16 Commission for Voluntary Action and Service are considered to be
17 references to the Oregon Department of Administrative Services or an
18 officer or employee of the Oregon Department of Administrative Ser-
19 vices.**

20 **“SECTION 18. Whenever, in any uncodified law or resolution of the
21 Legislative Assembly or in any rule, document, record or proceeding
22 authorized by the Legislative Assembly, in the context of the duties,
23 functions and powers transferred by section 12 of this 2017 Act, refer-
24 ence is made to the Oregon Volunteers Commission for Voluntary
25 Action and Service or an officer or employee of the Oregon Volunteers
26 Commission for Voluntary Action and Service whose duties, functions
27 or powers are transferred by section 12 of this 2017 Act, the reference
28 is considered to be a reference to the Oregon Department of Adminis-
29 trative Services or an officer or employee of the Oregon Department
30 of Administrative Services who by this 2017 Act is charged with car-**

1 **rying out such duties, functions and powers.**

2
3 **“FINANCIAL PROVISIONS**

4
5 **“SECTION 18a. (1) Notwithstanding any other provision of law, the**
6 **General Fund appropriation made to the Housing and Community**
7 **Services Department by section 1, chapter ____, Oregon Laws 2017**
8 **(Enrolled House Bill 5012), for the biennium beginning July 1, 2017, is**
9 **decreased by \$2,501,299 for the purpose of the transfer of duties, func-**
10 **tions and powers to the Oregon Department of Administrative Services**
11 **by section 12 of this 2017 Act.**

12 **“(2) Notwithstanding any other law limiting expenditures, the limi-**
13 **tation on expenditures established by section 2, chapter __, Oregon**
14 **Laws 2017 (Enrolled House Bill 5012), for the biennium beginning July**
15 **1, 2017, as the maximum limit for payment of expenses for operations,**
16 **from fees, moneys or other revenues, including Miscellaneous Receipts**
17 **and federal funds from the United States Department of Housing and**
18 **Urban Development for contract services, but excluding lottery funds**
19 **and federal funds not described in this section, collected or received**
20 **by the Housing and Community Services Department, is decreased by**
21 **\$2,231,252.**

22 **“SECTION 18b. (1) In addition to and not in lieu of any other ap-**
23 **propriation, there is appropriated to the Oregon Department of Ad-**
24 **ministrative Services, for the biennium beginning July 1, 2017, out of**
25 **the General Fund, the amount of \$2,501,299, which may be expended**
26 **for the purpose of administering and enforcing the duties, functions**
27 **and powers transferred by section 12 of this 2017 Act.**

28 **“(2) Notwithstanding any other law limiting expenditures, the**
29 **amount of \$2,231,252 is established for the biennium beginning July 1,**
30 **2017, as the maximum limit for payment of expenses from fees, moneys**

1 or other revenues, including Miscellaneous Receipts, but excluding
2 lottery funds and federal funds, collected or received by the Oregon
3 Department of Administrative Services for special payments for CASA
4 Volunteer Programs.

5

6

“CAPTIONS

7

8 **“SECTION 19. The unit captions used in this 2017 Act are provided**
9 **only for the convenience of the reader and do not become part of the**
10 **statutory law of this state or express any legislative intent in the**
11 **enactment of this 2017 Act.**

12

13

“EMERGENCY CLAUSE

14

15 **“SECTION 20. This 2017 Act being necessary for the immediate**
16 **preservation of the public peace, health and safety, an emergency is**
17 **declared to exist, and this 2017 Act takes effect on July 1, 2017.”.**

18
