

House Bill 2631

Sponsored by Representative BARKER; Representatives BOQUIST, BRUUN, BUCKLEY, CAMERON, ESQUIVEL, MINNIS, NELSON, SCHAUFLE, P SMITH, WHISNANT, Senators ATKINSON, AVAKIAN, DEVLIN, FERRIOLI, G GEORGE, STARR, WALKER (at the request of Mac MacDonald, United Veterans Groups of Oregon)

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 **as introduced**.

Allows State Parks and Recreation Commission to acquire property rights or interests necessary to develop memorials in honor of veterans and war memorials.

Allows commission to construct and maintain memorials in honor of veterans and war memorials.

A BILL FOR AN ACT

1
2 Relating to State Parks and Recreation Commission; amending ORS 390.121.

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

4 **SECTION 1.** ORS 390.121 is amended to read:

5 390.121. In carrying out its responsibilities, the State Parks and Recreation Commission may:

6 (1) Acquire by purchase, agreement, donation or by exercise of eminent domain, real property
7 or any right or interest therein deemed necessary for the operation and development of state parks,
8 roads, trails, campgrounds, picnic areas, **memorials in honor of veterans, war memorials**, boat
9 ramps, nature study areas, waysides, relaxation areas, visitor and interpretive centers, department
10 management facilities, such as shops, equipment sheds, office buildings, park ranger residences or
11 other real property or any right or interest because of its natural, scenic, cultural, historic or rec-
12 reational value, or any other places of attraction and scenic or historic value which in the judgment
13 of the State Parks and Recreation Department will contribute to the general welfare, enjoyment and
14 pleasure of the public.

15 (2) Construct, improve, develop, manage, operate and maintain facilities and areas, including but
16 not limited to roads, trails, campgrounds, picnic areas, **memorials in honor of veterans, war**
17 **memorials**, boat ramps and nature study areas named in subsection (1) of this section.

18 (3) Sell, lease, exchange or otherwise dispose or permit use of real or personal property, in-
19 cluding equipment and materials acquired by the department, if in the opinion of the department it
20 is no longer needed, required or useful for department purposes, except that:

21 (a) Real property may be leased when such real property will not be needed for department
22 purposes during the leasing period.

23 (b) Real property used for park purposes may be donated to the United States Department of
24 Interior for the purpose of establishing a national monument when in the judgment of the depart-
25 ment such disposition would best serve the interests of this state.

26 (c) Proceeds from the sale of all surplus or unsuitable lands held for park purposes shall be de-
27 posited in the Parks Donation Trust Fund for use for park land acquisition or development. Pro-
28 ceeds from the sale of other property shall be paid by the department to the State Treasurer for

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 credit to the State Parks and Recreation Department Fund, and any interest from this fund shall
 2 be credited to this fund.

3 (d)(A) Before offering forest products for sale, the department shall cause the forest products to
 4 be appraised.

5 (B) If the appraised value of the forest products exceeds \$15,000, the department shall offer them
 6 for sale by competitive bid. Prior to such bid offering, the department shall give notice not less than
 7 once a week for three consecutive weeks by publication in one or more newspapers of general cir-
 8 culation in the county in which the forest products are located and by such other media of com-
 9 munication as the department deems advisable. The minimum bid price and a brief statement of the
 10 terms and conditions of the sale shall be in the notice.

11 (C) The notice and competitive bidding under subparagraph (B) of this paragraph shall not be
 12 required if the State Parks and Recreation Director declares an emergency to exist that requires the
 13 immediate removal of the timber. If an emergency has been so declared:

14 (i) The timber, regardless of value, may be sold by a negotiated price; and

15 (ii) The director shall make available for public inspection a written statement giving the rea-
 16 sons for declaring the emergency.

17 (e) In the case of real property acquired by eminent domain, the prior owner of real property
 18 for which sale, lease, exchange or other disposal is proposed must be given the first opportunity to
 19 reacquire the property in accordance with ORS chapter 35.

20 (4) Enter into contracts deemed necessary for the construction, maintenance, operation, im-
 21 provement or betterment of parks or for the accomplishment of the purposes of chapter 904, Oregon
 22 Laws 1989. All contracts executed by the department shall be made in the name of this state, by and
 23 through the department.

24 (5) In carrying out its duties, functions and powers under this chapter, publish guides and other
 25 materials relating to recreational opportunities in this state or to any program or function admin-
 26 istered by the department. The department may arrange for the sale of such publications. The price
 27 of such publications shall include the cost of publishing and distributing the materials. All moneys
 28 received by the department from the sale of publications shall be deposited in the State Parks and
 29 Recreation Department Fund. The department may contract for the publication of the materials de-
 30 scribed in this subsection, including the research, design and writing of the materials. The contract
 31 may include, among other matters, provisions for advance payment or reimbursement for services
 32 performed under the contract.

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