

# Senate Bill 102

Printed pursuant to Senate Interim Rule 213.28 by order of the President of the Senate in conformance with pre-session filing rules, indicating neither advocacy nor opposition on the part of the President (at the request of Governor Theodore R. Kulongoski for State Parks and Recreation Department)

## 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**.

Establishes Oregon State Fair and Exposition Center. Transfers duties, functions and powers of State Parks and Recreation Department relating to Oregon State Fair and state fairgrounds to center.

Abolishes State Fair Advisory Committee. Establishes Oregon State Fair Commission.  
Becomes operative January 1, 2010.

## A BILL FOR AN ACT

1  
2 Relating to the Oregon State Fair and Exposition Center; creating new provisions; amending ORS  
3 244.050, 279A.025, 291.055, 307.110, 390.134, 462.055, 462.070, 565.010, 565.030, 565.050, 565.060,  
4 565.080, 565.090, 565.095, 565.103, 565.107, 565.109, 565.114, 565.116, 565.120, 565.130, 565.140,  
5 565.150, 565.160, 565.170, 565.610, 565.620, 565.630 and 565.640; and repealing ORS 565.021 and  
6 565.040.

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

## TRANSFER

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11 **SECTION 1. The duties, functions and powers of the State Parks and Recreation De-**  
12 **partment relating to operation of the Oregon State Fair and the state fairgrounds are im-**  
13 **posed upon, transferred to and vested in the Oregon State Fair and Exposition Center.**

## RECORDS, PROPERTY, EMPLOYEES

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17 **SECTION 2. (1) The State Parks and Recreation Director shall:**

18 (a) **Deliver to the Oregon State Fair and Exposition Center all records and property**  
19 **within the jurisdiction of the director that relate to the duties, functions and powers trans-**  
20 **ferred by section 1 of this 2007 Act; and**

21 (b) **Transfer to the center those employees engaged primarily in the exercise of the du-**  
22 **ties, functions and powers transferred by section 1 of this 2007 Act.**

23 (2) **The Director of the Oregon State Fair and Exposition Center shall take possession**  
24 **of the records and property, and shall take charge of the employees and employ them in the**  
25 **exercise of the duties, functions and powers transferred by section 1 of this 2007 Act, without**  
26 **reduction of compensation but subject to change or termination of employment or compen-**  
27 **sation as provided by law.**

28 (3) **The Governor shall resolve any dispute between the State Parks and Recreation De-**

**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 department and the Oregon State Fair and Exposition Center relating to transfers of records,  
2 property and employees under this section, and the Governor's decision is final.

### 4 UNEXPENDED REVENUES

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6 **SECTION 3.** (1) The unexpended balances of amounts authorized to be expended by the  
7 State Parks and Recreation Department for the biennium beginning July 1, 2009, from re-  
8 venues dedicated, continuously appropriated, appropriated or otherwise made available for  
9 the purpose of administering and enforcing the duties, functions and powers transferred by  
10 section 1 of this 2007 Act are transferred to and are available for expenditure by the Oregon  
11 State Fair and Exposition Center for the biennium beginning July 1, 2009, for the purpose  
12 of administering and enforcing the duties, functions and powers transferred by section 1 of  
13 this 2007 Act.

14 (2) The expenditure classifications, if any, established by Acts authorizing or limiting  
15 expenditures by the department remain applicable to expenditures by the center under this  
16 section.

### 17 ACTION, PROCEEDING, PROSECUTION

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20 **SECTION 4.** The transfer of duties, functions and powers to the Oregon State Fair and  
21 Exposition Center by section 1 of this 2007 Act does not affect any action, proceeding or  
22 prosecution involving or with respect to such duties, functions and powers begun before and  
23 pending at the time of the transfer, except that the center is substituted for the State Parks  
24 and Recreation Department in the action, proceeding or prosecution.

### 25 LIABILITY, DUTY, OBLIGATION

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28 **SECTION 5.** (1) Nothing in sections 1 to 15, 46 or 47 of this 2007 Act, the amendments to  
29 Oregon Revised Statutes by sections 16 to 45 of this 2007 Act or the repeal of ORS 565.021  
30 and 565.040 by section 49 of this 2007 Act relieves a person of a liability, duty or obligation  
31 accruing under or with respect to the duties, functions and powers transferred by section 1  
32 of this 2007 Act. The Oregon State Fair and Exposition Center may undertake the collection  
33 or enforcement of any such liability, duty or obligation.

34 (2) The rights and obligations of the State Parks and Recreation Department legally in-  
35 curred under contracts, leases and business transactions executed, entered into or begun  
36 before the operative date of section 1 of this 2007 Act accruing under or with respect to the  
37 duties, functions and powers transferred by section 1 of this 2007 Act are transferred to the  
38 center. For the purpose of succession to these rights and obligations, the center is a con-  
39 tinuation of the department and not a new authority.

### 40 RULES

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43 **SECTION 6.** Notwithstanding the transfer of duties, functions and powers by section 1  
44 of this 2007 Act, the rules of the State Parks and Recreation Department with respect to  
45 such duties, functions or powers that are in effect on the operative date of section 1 of this

1 2007 Act continue in effect until superseded or repealed by rules of the Oregon State Fair  
 2 and Exposition Center. References in such rules of the department to the department or an  
 3 officer or employee of the department are considered to be references to the center or an  
 4 officer or employee of the center.

5 **SECTION 7.** Whenever, in any uncodified law or resolution of the Legislative Assembly  
 6 or in any rule, document, record or proceeding authorized by the Legislative Assembly, in  
 7 the context of the duties, functions and powers transferred by section 1 of this 2007 Act,  
 8 reference is made to the State Parks and Recreation Department, or an officer or employee  
 9 of the department, whose duties, functions or powers are transferred by section 1 of this 2007  
 10 Act, the reference is considered to be a reference to the Oregon State Fair and Exposition  
 11 Center or an officer or employee of the center who by this 2007 Act is charged with carrying  
 12 out such duties, functions and powers.

#### 13 ABOLISHMENT OF ADVISORY COMMITTEE

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 16 **SECTION 8.** The State Fair Advisory Committee is abolished. On the operative date of  
 17 this section, the tenure of office of the members of the committee ceases.

#### 18 CHAPTER ADDITIONS

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 21 **SECTION 9.** Sections 10 to 15 of this 2007 Act and ORS 565.109, 565.114 and 565.116 are  
 22 added to and made a part of ORS chapter 565.

#### 23 FAIR AND EXPOSITION CENTER

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 26 **SECTION 10.** (1) There is established the Oregon State Fair and Exposition Center. The  
 27 center shall manage and operate all properties and grounds owned or occupied by the center  
 28 and shall control, manage and operate the Oregon State Fair.

29 (2) The center is under the administrative control of a director. The Governor shall ap-  
 30 point the Director of the Oregon State Fair and Exposition Center, who holds office at the  
 31 pleasure of the Governor. The person appointed by the Governor shall be well qualified by  
 32 training and experience to perform the functions of the office. Appointment of the director  
 33 is subject to confirmation by the Senate in the manner provided in ORS 171.562 and 171.565.

34 (3) Subject to any applicable provision of the State Personnel Relations Law, the director  
 35 may appoint all subordinate officers and employees of the center and may prescribe their  
 36 duties and fix their compensation. The director may delegate to any subordinate officer or  
 37 employee of the center or any member of the Oregon State Fair Commission any duty,  
 38 function or power of the director.

39 **SECTION 11.** A person authorized to receive or disburse moneys in connection with the  
 40 administration of the Oregon State Fair and Exposition Center shall give a good and suffi-  
 41 cient bond or letter of credit issued by an insured institution as defined in ORS 706.008. The  
 42 Oregon Department of Administrative Services shall determine the form and amount of the  
 43 bond or letter of credit.

44 **SECTION 12.** (1) The Director of the Oregon State Fair and Exposition Center may file  
 45 one or more vouchers with the Oregon Department of Administrative Services in amounts

1 the director deems necessary and proper to establish or fund a revolving account. The de-  
 2 partment shall draw a warrant upon the Oregon State Fair and Exposition Center Account  
 3 for the amount of a voucher, payable to the director. The director shall place any moneys  
 4 so drawn in a revolving account maintained with the State Treasurer. The director or a  
 5 designee of the director may withdraw moneys from the revolving account by check to make  
 6 immediate cash payments for prizes, premiums, wages, repairs and other expenditures of the  
 7 Oregon State Fair and Exposition Center. The revolving account shall be reimbursed at least  
 8 monthly by warrants drawn by the department upon the verified claims of the center payable  
 9 out of the Oregon State Fair and Exposition Center Account.

10 (2) On December 31 of each year, the unexpended balance of the revolving account shall  
 11 be returned to the Oregon State Fair and Exposition Center Account.

### 12 OREGON STATE FAIR COMMISSION

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 15 **SECTION 13.** (1) The Oregon State Fair Commission is established. The commission shall  
 16 consist of seven members appointed by the Governor for terms of four years.

17 (2) The Governor shall fill five commission member positions by appointing a resident  
 18 from each congressional district in Oregon. Appointments to these five positions on the  
 19 commission should reflect broad-based representation of the various industrial, educational  
 20 and cultural interests active in state fair activities, including but not limited to, agricultural,  
 21 stock raising, horticultural, mining, mechanical, artistic and industrial pursuits.

22 (3) The Governor shall fill the remaining two commission member positions by appointing  
 23 persons representative of county fair interests. In appointing the two persons, the Governor  
 24 may give consideration to nominations submitted by the County Fair Commission established  
 25 by ORS 565.410.

26 (4) The Governor shall fill a vacancy on the commission by appointment for the unexpired  
 27 term. Appointments of commission members by the Governor are subject to confirmation  
 28 by the Senate in the manner provided by ORS 171.562 and 171.565.

29 (5) Each member of the commission is entitled to compensation and reimbursement of  
 30 expenses, as provided in ORS 292.495, from moneys appropriated to the Oregon State Fair  
 31 and Exposition Center for those purposes.

32 (6) The commission shall select one of its members as chairperson and another as vice  
 33 chairperson, for the terms and with the duties and powers necessary for the performance  
 34 of the functions of those offices as the commission determines appropriate.

35 (7) The commission shall meet at the call of the Director of the Oregon State Fair and  
 36 Exposition Center or of a majority of the members of the commission.

37 **SECTION 14.** Notwithstanding the term of office established under section 13 of this 2007  
 38 Act, the Governor may adjust the terms of the members first appointed to the Oregon State  
 39 Fair Commission so that the terms do not all expire on the same date.

40 **SECTION 15.** The County Fair Commission may submit nominations to the Governor for  
 41 appointments to the Oregon State Fair Commission member positions described in section  
 42 13 (3) of this 2007 Act.

### 43 AMENDMENTS TO OREGON REVISED STATUTES

**SECTION 16.** ORS 244.050 is amended to read:

244.050. (1) On or before April 15 of each year the following persons shall file with the Oregon Government Standards and Practices Commission a verified statement of economic interest as required under this chapter:

(a) The Governor, Secretary of State, State Treasurer, Attorney General, Commissioner of the Bureau of Labor and Industries, Superintendent of Public Instruction, district attorneys and members of the Legislative Assembly.

(b) Any judicial officer, including justices of the peace and municipal judges, except municipal judges in those cities where a majority of the votes cast in the subject city in the 1974 general election was in opposition to the ballot measure provided for in section 10, chapter 68, Oregon Laws 1974 (special session), and except any pro tem judicial officer who does not otherwise serve as a judicial officer.

(c) Any candidate for an office designated in paragraph (a) or (b) of this subsection.

(d) The Deputy Attorney General.

(e) The Legislative Administrator, the Legislative Counsel, the Legislative Fiscal Officer, the Secretary of the Senate and the Chief Clerk of the House of Representatives.

(f) The Chancellor and Vice Chancellors of the Oregon University System and the president and vice presidents, or their administrative equivalents, in each institution under the jurisdiction of the State Board of Higher Education.

(g) The following state officers:

(A) Adjutant General.

(B) Director of Agriculture.

(C) Manager of State Accident Insurance Fund Corporation.

(D) Water Resources Director.

(E) Director of Department of Environmental Quality.

(F) Director of Oregon Department of Administrative Services.

**(G) Director of the Oregon State Fair and Exposition Center.**

~~[(G)]~~ **(H)** State Fish and Wildlife Director.

~~[(H)]~~ **(I)** State Forester.

~~[(I)]~~ **(J)** State Geologist.

~~[(J)]~~ **(K)** Director of Human Services.

~~[(K)]~~ **(L)** Director of the Department of Consumer and Business Services.

~~[(L)]~~ **(M)** Director of the Department of State Lands.

~~[(M)]~~ **(N)** State Librarian.

~~[(N)]~~ **(O)** Administrator of Oregon Liquor Control Commission.

~~[(O)]~~ **(P)** Superintendent of State Police.

~~[(P)]~~ **(Q)** Director of the Public Employees Retirement System.

~~[(Q)]~~ **(R)** Director of Department of Revenue.

~~[(R)]~~ **(S)** Director of Transportation.

~~[(S)]~~ **(T)** Public Utility Commissioner.

~~[(T)]~~ **(U)** Director of Veterans' Affairs.

~~[(U)]~~ **(V)** Executive Director of Oregon Government Standards and Practices Commission.

~~[(V)]~~ **(W)** Director of the State Department of Energy.

~~[(W)]~~ **(X)** Director and each assistant director of the Oregon State Lottery.

(h) Any assistant in the Governor's office other than personal secretaries and clerical personnel.

1 (i) Every elected city or county official except elected officials in those cities or counties where  
2 a majority of votes cast in the subject city or county in any election on the issue of filing statements  
3 of economic interest under this chapter was in opposition.

4 (j) Every member of a city or county planning, zoning or development commission except such  
5 members in those cities or counties where a majority of votes cast in the subject city or county at  
6 any election on the issue of filing statements of economic interest under this chapter was in oppo-  
7 sition to the ballot measure provided for in section 10, chapter 68, Oregon Laws 1974 (special ses-  
8 sion).

9 (k) The chief executive officer of a city or county who performs the duties of manager or prin-  
10 cipal administrator of the city or county except such employees in those cities or counties where a  
11 majority of votes cast in the subject city or county in an election on the issue of filing statements  
12 of economic interest under this chapter was in opposition.

13 (L) Members of local government boundary commissions formed under ORS 199.410 to 199.519.

14 (m) Every member of a governing body of a metropolitan service district and the executive of-  
15 ficer thereof.

16 (n) Each member of the board of directors of the State Accident Insurance Fund Corporation.

17 (o) The chief administrative officer and the financial officer of each common and union high  
18 school district, education service district and community college district.

19 (p) Every member of the following state boards and commissions:

20 (A) Board of Geologic and Mineral Industries.

21 (B) Oregon Economic and Community Development Commission.

22 (C) State Board of Education.

23 (D) Environmental Quality Commission.

24 (E) Fish and Wildlife Commission of the State of Oregon.

25 (F) State Board of Forestry.

26 (G) Oregon Government Standards and Practices Commission.

27 (H) Oregon Health Policy Commission.

28 (I) State Board of Higher Education.

29 (J) Oregon Investment Council.

30 (K) Land Conservation and Development Commission.

31 (L) Oregon Liquor Control Commission.

32 (M) Oregon Short Term Fund Board.

33 (N) State Marine Board.

34 (O) Mass transit district boards.

35 (P) Energy Facility Siting Council.

36 (Q) Board of Commissioners of the Port of Portland.

37 (R) Employment Relations Board.

38 (S) Public Employees Retirement Board.

39 (T) Oregon Racing Commission.

40 (U) Oregon Transportation Commission.

41 (V) Wage and Hour Commission.

42 (W) Water Resources Commission.

43 (X) Workers' Compensation Board.

44 (Y) Oregon Facilities Authority.

45 (Z) Oregon State Lottery Commission.

1 (AA) Pacific Northwest Electric Power and Conservation Planning Council.

2 (BB) Columbia River Gorge Commission.

3 (CC) Oregon Health and Science University Board of Directors.

4 **(DD) Oregon State Fair Commission.**

5 (q) The following officers of the State Treasury:

6 (A) Chief Deputy State Treasurer.

7 (B) Executive Assistant to the State Treasurer.

8 (C) Director of the Investment Division.

9 (r) Every member of the board of commissioners of a port governed by ORS 777.005 to 777.725  
10 and 777.915 to 777.953.

11 (2) By April 15 next after the date an appointment takes effect, every appointed public official  
12 on a board or commission listed in subsection (1) of this section shall file with the commission a  
13 statement of economic interest as required under ORS 244.060, 244.070 and 244.090.

14 (3) By April 15 next after the filing deadline for the primary election, each candidate for elective  
15 public office described in subsection (1) of this section shall file with the commission a statement  
16 of economic interest as required under ORS 244.060, 244.070 and 244.090.

17 (4) Within 30 days after the filing deadline for the general election, each candidate for elective  
18 public office described in subsection (1) of this section who was not a candidate in the preceding  
19 primary election, or who was nominated for elective public office described in subsection (1) of this  
20 section at the preceding primary election by write-in votes, shall file with the commission a state-  
21 ment of economic interest as required under ORS 244.060, 244.070 and 244.090.

22 (5) The Legislative Assembly shall maintain a continuing review of the operation of this chapter.

23 (6) Subsections (1) to (5) of this section apply only to persons who are incumbent, elected or  
24 appointed officials as of April 15 and to persons who are candidates for office on April 15. Those  
25 sections also apply to persons who do not become candidates until 30 days after the filing deadline  
26 for the statewide general election.

27 (7)(a) Failure to file the statement required by this section subjects a person to a civil penalty  
28 that may be imposed as specified in ORS 183.745, but the enforcement of this subsection does not  
29 require the Oregon Government Standards and Practices Commission to follow the procedures in  
30 ORS 244.260 before finding that a violation of this section has occurred.

31 (b) Failure to file the required statement in timely fashion shall be prima facie evidence of a  
32 violation of this section.

33 (c) If within five days after the date on which the statement is to be filed under this section the  
34 statement has not been received by the commission, the commission shall notify the public official  
35 and give the public official not less than 15 days to comply with the requirements of this section.  
36 If the public official fails to comply by the date set by the commission, the commission may impose  
37 a civil penalty of \$5 for each day the statement is late beyond the date fixed by the commission.  
38 The maximum penalty that may be accrued under this section is \$1,000.

39 (d) A civil penalty imposed under this subsection is in addition to and not in lieu of sanctions  
40 that may be imposed under ORS 244.380.

41 **SECTION 17.** ORS 279A.025 is amended to read:

42 279A.025. (1) Except as provided in subsections (2) to (4) of this section, the Public Contracting  
43 Code applies to all public contracting.

44 (2) The Public Contracting Code does not apply to:

45 (a) Contracts between contracting agencies or between contracting agencies and the federal

- 1 government;
- 2 (b) Insurance and service contracts as provided for under ORS 414.115, 414.125, 414.135 and  
3 414.145 for purposes of source selection;
- 4 (c) Grants;
- 5 (d) Contracts for professional or expert witnesses or consultants to provide services or testi-  
6 mony relating to existing or potential litigation or legal matters in which a public body is or may  
7 become interested;
- 8 (e) Acquisitions or disposals of real property or interest in real property;
- 9 (f) Sole-source expenditures when rates are set by law or ordinance for purposes of source se-  
10 lection;
- 11 (g) Contracts for the procurement or distribution of textbooks;
- 12 (h) Procurements by a contracting agency from an Oregon Corrections Enterprises program;
- 13 (i) The procurement, transportation or distribution of distilled liquor, as defined in ORS 471.001,  
14 or the appointment of agents under ORS 471.750 by the Oregon Liquor Control Commission;
- 15 (j) Contracts entered into under ORS chapter 180 between the Attorney General and private  
16 counsel or special legal assistants;
- 17 (k) Contracts for the sale of timber from lands owned or managed by the State Board of Forestry  
18 and the State Forestry Department;
- 19 (L) Contracts for forest protection or forest related activities, as described in ORS 477.406, by  
20 the State Forester or the State Board of Forestry;
- 21 (m) Sponsorship agreements entered into by the [*State Parks and Recreation Director in accord-*  
22 *ance with*] **Director of the Oregon State Fair and Exposition Center under ORS 565.080 [(4)]**  
23 **(6)**;
- 24 (n) Contracts entered into by the Housing and Community Services Department in exercising the  
25 department's duties prescribed in ORS chapters 456 and 458, except that the department's public  
26 contracting for goods and services, as defined in ORS 279B.005, is subject to ORS chapter 279B;
- 27 (o) Contracts entered into by the State Treasurer in exercising the powers of that office pre-  
28 scribed in ORS chapters 178, 286, 287, 288, 289, 293, 294 and 295, including but not limited to in-  
29 vestment contracts and agreements, banking services, clearing house services and collateralization  
30 agreements, bond documents, certificates of participation and other debt repayment agreements, and  
31 any associated contracts, agreements and documents, regardless of whether the obligations that the  
32 contracts, agreements or documents establish are general, special or limited, except that the State  
33 Treasurer's public contracting for goods and services, as defined in ORS 279B.005, is subject to ORS  
34 chapter 279B;
- 35 (p) Contracts, agreements or other documents entered into, issued or established in connection  
36 with:
- 37 (A) The incurring of debt by a public body, including but not limited to the issuance of bonds,  
38 certificates of participation and other debt repayment obligations, and any associated contracts,  
39 agreements or other documents, regardless of whether the obligations that the contracts, agreements  
40 or other documents establish are general, special or limited;
- 41 (B) The making of program loans and similar extensions or advances of funds, aid or assistance  
42 by a public body to a public or private body for the purpose of carrying out, promoting or sustaining  
43 activities or programs authorized by law; or
- 44 (C) The investment of funds by a public body as authorized by law, and other financial trans-  
45 actions of a public body that by their character cannot practically be established under the com-



1 petitive contractor selection procedures of ORS 279B.050 to 279B.085;

2 (q) Contracts for employee benefit plans as provided in ORS 243.105 (1), 243.125 (4), 243.221,  
3 243.275, 243.291, 243.303 and 243.565; or

4 (r) Any other public contracting of a public body specifically exempted from the code by another  
5 provision of law.

6 (3) The Public Contracting Code does not apply to the public contracting activities of:

7 (a) The Oregon State Lottery Commission;

8 (b) The Oregon University System and member institutions, except as provided in ORS 351.086;

9 (c) The legislative department;

10 (d) The judicial department;

11 (e) Semi-independent state agencies listed in ORS 182.451 and 182.454, except as provided in ORS  
12 279.835 to 279.855 and 279A.250 to 279A.290;

13 (f) Oregon Corrections Enterprises;

14 (g) The Oregon Film and Video Office, except as provided in ORS 279A.100 and 279A.250 to  
15 279A.290;

16 (h) The Travel Information Council, except as provided in ORS 279A.250 to 279A.290;

17 (i) The Oregon 529 College Savings Network and the Oregon 529 College Savings Board;

18 (j) The Oregon Innovation Council; or

19 (k) Any other public body specifically exempted from the code by another provision of law.

20 (4) ORS 279A.200 to 279A.225 and 279B.050 to 279B.085 do not apply to contracts made with  
21 qualified nonprofit agencies providing employment opportunities for disabled individuals under ORS  
22 279.835 to 279.855.

23 **SECTION 18.** ORS 291.055 is amended to read:

24 291.055. (1) Notwithstanding any other law that grants to a state agency the authority to es-  
25 tablish fees, all new state agency fees or fee increases adopted after July 1 of any odd-numbered  
26 year:

27 (a) Are not effective for agencies in the executive department of government unless approved  
28 in writing by the Director of the Oregon Department of Administrative Services;

29 (b) Are not effective for agencies in the judicial department of government unless approved in  
30 writing by the Chief Justice of the Supreme Court;

31 (c) Are not effective for agencies in the legislative department of government unless approved  
32 in writing by the President of the Senate and the Speaker of the House of Representatives;

33 (d) Shall be reported by the state agency to the Oregon Department of Administrative Services  
34 within 10 days of their adoption; and

35 (e) Are rescinded on July 1 of the next following odd-numbered year, or on adjournment sine  
36 die of the regular session of the Legislative Assembly meeting in that year, whichever is later, un-  
37 less otherwise authorized by enabling legislation setting forth the approved fees.

38 (2) This section does not apply to:

39 (a) Any tuition or fees charged by the State Board of Higher Education and state institutions  
40 of higher education.

41 (b) Taxes or other payments made or collected from employers for unemployment insurance re-  
42 quired by ORS chapter 657 or premium assessments required by ORS 656.612 and 656.614 or contri-  
43 butions and assessments calculated by cents per hour for workers' compensation coverage required  
44 by ORS 656.506.

45 (c) Fees or payments required for:

1 (A) Health care services provided by the Oregon Health and Science University, by the Oregon  
2 Veterans' Homes and by other state agencies and institutions pursuant to ORS 179.610 to 179.770.

3 (B) Assessments and premiums paid to the Oregon Medical Insurance Pool established by ORS  
4 735.614 and 735.625.

5 (C) Copayments and premiums paid to the Oregon medical assistance program.

6 (D) Assessments paid to the Office of Private Health Partnerships under section 12, chapter 727,  
7 Oregon Laws 2005.

8 (d) Fees created or authorized by statute that have no established rate or amount but are cal-  
9 culated for each separate instance for each fee payer and the fee assessed is based on actual cost  
10 of services provided.

11 (e) State agency charges on employees for benefits and services.

12 (f) Any intergovernmental charges.

13 (g) Forest protection district assessment rates established by ORS 477.210 to 477.265 and the  
14 Oregon Forest Land Protection Fund fees established by ORS 477.760.

15 (h) State Department of Energy assessments required by ORS 469.421 (8) and 469.681.

16 (i) Any charges established by the [*State Parks and Recreation Director in accordance with*] **Di-**  
17 **rector of the Oregon State Fair and Exposition Center under** ORS 565.080 [(3)] (4).

18 (j) Assessments on premiums charged by the Insurance Division of the Department of Consumer  
19 and Business Services pursuant to ORS 731.804 or fees charged by the Division of Finance and  
20 Corporate Securities of the Department of Consumer and Business Services to banks, trusts and  
21 credit unions pursuant to ORS 706.530 and 723.114.

22 (k) Public Utility Commission operating assessments required by ORS 756.310 or charges paid  
23 to the Residential Service Protection Fund required by chapter 290, Oregon Laws 1987.

24 (L) Fees charged by the Housing and Community Services Department for intellectual property  
25 pursuant to ORS 456.562.

26 (3)(a) Fees temporarily decreased for competitive or promotional reasons or because of unex-  
27 pected and temporary revenue surpluses may be restored to their normal level if, at the time the fee  
28 is decreased, the state agency specifies the following:

29 (A) The reason for the fee decrease; and

30 (B) The conditions under which the fee will be restored to its normal level.

31 (b) Fees that are decreased for reasons other than those described in paragraph (a) of this sub-  
32 section may not be subsequently increased except as allowed by ORS 291.050 to 291.060 and 294.160.

33 **SECTION 19.** ORS 291.055, as amended by section 15, chapter 727, Oregon Laws 2005, and  
34 section 24e, chapter 744, Oregon Laws 2005, is amended to read:

35 291.055. (1) Notwithstanding any other law that grants to a state agency the authority to es-  
36 tablish fees, all new state agency fees or fee increases adopted after July 1 of any odd-numbered  
37 year:

38 (a) Are not effective for agencies in the executive department of government unless approved  
39 in writing by the Director of the Oregon Department of Administrative Services;

40 (b) Are not effective for agencies in the judicial department of government unless approved in  
41 writing by the Chief Justice of the Supreme Court;

42 (c) Are not effective for agencies in the legislative department of government unless approved  
43 in writing by the President of the Senate and the Speaker of the House of Representatives;

44 (d) Shall be reported by the state agency to the Oregon Department of Administrative Services  
45 within 10 days of their adoption; and

1 (e) Are rescinded on July 1 of the next following odd-numbered year, or on adjournment sine  
2 die of the regular session of the Legislative Assembly meeting in that year, whichever is later, un-  
3 less otherwise authorized by enabling legislation setting forth the approved fees.

4 (2) This section does not apply to:

5 (a) Any tuition or fees charged by the State Board of Higher Education and state institutions  
6 of higher education.

7 (b) Taxes or other payments made or collected from employers for unemployment insurance re-  
8 quired by ORS chapter 657 or premium assessments required by ORS 656.612 and 656.614 or contri-  
9 butions and assessments calculated by cents per hour for workers' compensation coverage required  
10 by ORS 656.506.

11 (c) Fees or payments required for:

12 (A) Health care services provided by the Oregon Health and Science University, by the Oregon  
13 Veterans' Homes and by other state agencies and institutions pursuant to ORS 179.610 to 179.770.

14 (B) Assessments and premiums paid to the Oregon Medical Insurance Pool established by ORS  
15 735.614 and 735.625.

16 (C) Copayments and premiums paid to the Oregon medical assistance program.

17 (d) Fees created or authorized by statute that have no established rate or amount but are cal-  
18 culated for each separate instance for each fee payer and the fee assessed is based on actual cost  
19 of services provided.

20 (e) State agency charges on employees for benefits and services.

21 (f) Any intergovernmental charges.

22 (g) Forest protection district assessment rates established by ORS 477.210 to 477.265 and the  
23 Oregon Forest Land Protection Fund fees established by ORS 477.760.

24 (h) State Department of Energy assessments required by ORS 469.421 (8) and 469.681.

25 (i) Any charges established by the [*State Parks and Recreation Director in accordance with*] **Di-**  
26 **rector of the Oregon State Fair and Exposition Center under ORS 565.080 [(3)] (4).**

27 (j) Assessments on premiums charged by the Insurance Division of the Department of Consumer  
28 and Business Services pursuant to ORS 731.804 or fees charged by the Division of Finance and  
29 Corporate Securities of the Department of Consumer and Business Services to banks, trusts and  
30 credit unions pursuant to ORS 706.530 and 723.114.

31 (k) Public Utility Commission operating assessments required by ORS 756.310 or charges paid  
32 to the Residential Service Protection Fund required by chapter 290, Oregon Laws 1987.

33 (L) Fees charged by the Housing and Community Services Department for intellectual property  
34 pursuant to ORS 456.562.

35 (3)(a) Fees temporarily decreased for competitive or promotional reasons or because of unex-  
36 pected and temporary revenue surpluses may be restored to their normal level if, at the time the fee  
37 is decreased, the state agency specifies the following:

38 (A) The reason for the fee decrease; and

39 (B) The conditions under which the fee will be restored to its normal level.

40 (b) Fees that are decreased for reasons other than those described in paragraph (a) of this sub-  
41 section may not be subsequently increased except as allowed by ORS 291.050 to 291.060 and 294.160.

42 **SECTION 20.** ORS 307.110 is amended to read:

43 307.110. (1) Except as provided in ORS 307.120, all real and personal property of this state or  
44 any institution or department thereof or of any county or city, town or other municipal corporation  
45 or political subdivision of this state, held under a lease or other interest or estate less than a fee

1 simple, by any person whose real property, if any, is taxable, except employees of the state,  
2 municipality or political subdivision as an incident to such employment, shall be subject to assess-  
3 ment and taxation for the assessed or specially assessed value thereof uniformly with real property  
4 of nonexempt ownerships.

5 (2) Each leased or rented premises not exempt under ORS 307.120 and subject to assessment and  
6 taxation under this section which is located on property used as an airport and owned by and  
7 serving a municipality or port shall be separately assessed and taxed.

8 (3) Nothing contained in this section shall be construed as subjecting to assessment and taxation  
9 any publicly owned property described in subsection (1) of this section that is:

10 (a) Leased for student housing by a school or college to students attending such a school or  
11 college.

12 (b) Leased to or rented by persons, other than sublessees or subrenters, for agricultural or  
13 grazing purposes and for other than a cash rental or a percentage of the crop.

14 (c) Utilized by persons under a land use permit issued by the Department of Transportation for  
15 which the department's use restrictions are such that only an administrative processing fee is able  
16 to be charged.

17 (d) County fairgrounds and the buildings thereon, in a county holding annual county fairs,  
18 managed by the county fair board under ORS 565.230, if utilized, in addition to county fair use, for  
19 any of the purposes described in ORS 565.230 (2), or for horse stalls or storage for recreational ve-  
20 hicles or farm machinery or equipment.

21 (e) The properties and grounds managed and operated by the [*State Parks and Recreation Di-*  
22 *rector*] **Oregon State Fair and Exposition Center** under [*ORS 565.080*] **section 10 of this 2007**  
23 **Act**, if utilized, in addition to the purpose of holding the Oregon State Fair, for horse stalls or for  
24 storage for recreational vehicles or farm machinery or equipment.

25 (f) State property that is used by the Oregon University System or the Oregon Health and Sci-  
26 ence University to provide parking for employees, students or visitors.

27 (g) Property of a housing authority created under ORS chapter 456 which is leased or rented to  
28 persons of lower income for housing pursuant to the public and governmental purposes of the  
29 housing authority. For purposes of this paragraph, "persons of lower income" has the meaning given  
30 the phrase under ORS 456.055.

31 (h) Property of a health district if:

32 (A) The property is leased or rented for the purpose of providing facilities for health care  
33 practitioners practicing within the county; and

34 (B) The county is a frontier rural practice county under rules adopted by the Office of Rural  
35 Health.

36 (4) Property determined to be an eligible project for tax exemption under ORS 285C.600 to  
37 285C.626 and 307.123 that was acquired with revenue bonds issued under ORS 285B.320 to 285B.371  
38 and that is leased by this state, any institution or department thereof or any county, city, town or  
39 other municipal corporation or political subdivision of this state to an eligible applicant shall be  
40 assessed and taxed in accordance with ORS 307.123. The property's continued eligibility for taxation  
41 and assessment under ORS 307.123 is not affected:

42 (a) If the eligible applicant retires the bonds prior to the original dates of maturity; or

43 (b) If any applicable lease or financial agreement is terminated prior to the original date of ex-  
44 piration.

45 (5) The provisions of law for liens and the payment and collection of taxes levied against real

1 property of nonexempt ownerships shall apply to all real property subject to the provisions of this  
 2 section. Taxes remaining unpaid upon the termination of a lease or other interest or estate less than  
 3 a fee simple, shall remain a lien against the real or personal property.

4 (6) If the state enters into a lease of property with, or grants an interest or other estate less  
 5 than a fee simple in property to, a person whose real property, if any, is taxable, then within 30 days  
 6 after the date of the lease, or within 30 days after the date the interest or estate less than a fee  
 7 simple is created, the state shall file a copy of the lease or other instrument creating or evidencing  
 8 the interest or estate with the county assessor. This section applies notwithstanding that the prop-  
 9 erty may otherwise be entitled to an exemption under this section, ORS 307.120 or as otherwise  
 10 provided by law.

11 **SECTION 21.** ORS 390.134 is amended to read:

12 390.134. (1) As used in this section:

13 (a) "Camper" has the meaning given that term in ORS 801.180.

14 (b) "County" includes a metropolitan service district organized under ORS chapter 268, but only  
 15 to the extent that the district has acquired, through title transfer, and is operating a park or re-  
 16 creation site of a county pursuant to an intergovernmental agreement.

17 (c) "Motor home" has the meaning given that term in ORS 801.350.

18 (d) "Travel trailer" has the meaning given that term in ORS 801.565.

19 (2) The State Parks and Recreation Department Fund is established separate and distinct from  
 20 the General Fund. Moneys in the fund are continuously appropriated to the State Parks and Recre-  
 21 ation Department for the purposes provided by law. The fund shall consist of the following:

22 (a) All moneys placed in the fund as provided by law. Any interest or other income derived from  
 23 the depositing or other investing of the fund must be credited to the fund.

24 (b) All registration fees received by the Department of Transportation for campers, motor homes  
 25 and travel trailers that are transferred to the fund under ORS 366.512. The funds must be deposited  
 26 in a separate subaccount established under subsection (3) of this section.

27 (c) Revenue from fees and charges pursuant to ORS 390.124.

28 (3) Any moneys placed in the fund for a particular purpose may be placed in a separate subac-  
 29 count within the fund. Each separate subaccount established under this subsection must be sepa-  
 30 rately accounted for. Moneys placed in a subaccount must be used for the purposes for which they  
 31 are deposited.

32 (4) All of the moneys in the fund except those moneys described in subsection (3), (5), (6) or (7)  
 33 of this section must be deposited in a separate subaccount within the fund and used by the State  
 34 Parks and Recreation Department for the acquisition, development, maintenance, care and use of  
 35 park and recreation sites [*and for the maintenance and operation of the Oregon State Fair*]. The  
 36 moneys in the subaccount under this subsection must be accounted for separately and stated sepa-  
 37 rately in the State Parks and Recreation Department's biennial budget.

38 (5) Thirty percent of the amount transferred to the State Parks and Recreation Department un-  
 39 der ORS 366.512 from the registration of travel trailers, campers and motor homes and under ORS  
 40 803.601 from recreational vehicle trip permits must be deposited in a separate subaccount within the  
 41 fund to be distributed for the maintenance, care and use of county park and recreation sites. The  
 42 moneys in the subaccount under this subsection must be accounted for separately. The following  
 43 apply to the distribution of moneys under this subsection:

44 (a) The moneys must be distributed among the several counties for the purposes described in  
 45 this subsection. The distribution shall be made at times determined by the State Parks and Recre-

1 ation Department but must be made not less than once a year.

2 (b) The sums designated under this subsection must be remitted to the county treasurers of the  
3 several counties by warrant.

4 (c) The department shall establish an advisory committee to advise the department in the per-  
5 formance of its duties under this subsection. The composition of the advisory committee under this  
6 subsection is as determined by the department by rule. In determining the composition of the advi-  
7 sory committee, the department shall attempt to provide reasonable representation for county offi-  
8 cials or employees with responsibilities relating to county parks and recreation sites.

9 (d) The department, by rule, shall establish a program to provide moneys to counties for the  
10 acquisition, development, maintenance, care and use of county park and recreation areas. The rules  
11 under this paragraph shall provide for distribution of moneys based on use and need and, as the  
12 department determines necessary, on the need for the development and maintenance of facilities to  
13 provide camping sites for campers, motor homes and travel trailers.

14 (6) The department shall create a separate City and County Subaccount within the fund to be  
15 used to reimburse cities and counties as provided in ORS 390.290.

16 (7) The department shall create a separate rural Fire Protection District Subaccount to be used  
17 to provide funds for the fire protection districts as provided in ORS 390.290.

18 (8) On or before January 15 of each odd-numbered year, the State Parks and Recreation Director  
19 shall report to the Joint Legislative Committee on Ways and Means created by ORS 171.555 on the  
20 use of moneys deposited pursuant to ORS 805.256 in the fund. The director shall make the report  
21 in a form and manner as the committee may prescribe.

22 **SECTION 22.** ORS 462.055 is amended to read:

23 462.055. (1) The Oregon Racing Commission may require of every applicant for a license to hold  
24 a race meet[, *except the Oregon State Fair and all county fairs,*] that has not, within five fiscal years  
25 prior to making an application for a license to hold a race meet, operated a race meet in the county  
26 or the city in which application for a license to hold a race meet is made, a recommendation in  
27 writing of the board of county commissioners of the county in the event the race meet is to be held  
28 outside of a city, and of the governing body of such city if the race meet is to be held within a city.

29 **This subsection does not apply to county fairs.**

30 (2) The commission may take such recommendation into consideration before granting or refus-  
31 ing such license. The applicant shall pay an investigating fee not to exceed \$100 to the recom-  
32 mending authority, if any.

33 **SECTION 23.** ORS 462.070 is amended to read:

34 462.070. (1) The license fees for any one fiscal year shall be \$10 for any person required to be  
35 licensed under ORS 462.020 (2). For a person who qualifies for and desires a license in more than  
36 one category, the fee shall be \$2 for each additional category so licensed. Notwithstanding the  
37 foregoing, the total collective fee for all persons who act as employees of a race meet licensee at  
38 a race meet in which the average daily gross mutuel wagering during the preceding fiscal year did  
39 not exceed \$150,000 shall be \$100. The Oregon Racing Commission also may charge a reasonable fee  
40 for claiming certificates in an amount not to exceed \$10.

41 (2) The license fee per fiscal year for operators of public training tracks or kennels required to  
42 be licensed under ORS 462.020 (3) shall be:

43 (a) For [*the Oregon State Fair or*] a county or district fair, \$10.

44 (b) For all other operators of public training tracks or kennels, \$25.

45 (3) Notwithstanding the provisions of this section, on and after July 1, 1983, the commission may

1 by rule provide for the issuance of licenses as required under subsection (1) of this section valid for  
 2 one, two or three years from date of issuance. The commission may fix the expiration date thereof  
 3 and charge a fee at not less than the annual rate for each year, or part thereof, the license is de-  
 4 termined valid.

5 **SECTION 24.** ORS 565.010 is amended to read:

6 565.010. As used in this chapter, unless the context requires otherwise:

7 (1) "Board" means county fair board.

8 (2) **"Center" means the Oregon State Fair and Exposition Center.**

9 (3) **"Commission" means the Oregon State Fair Commission.**

10 [(2)] (4) "County court" includes board of county commissioners.

11 [(3)] (5) "County fair" means an exhibition held for the purposes of disseminating knowledge  
 12 concerning, and encouraging the growth and prosperity of, all agricultural, stock raising,  
 13 horticultural, mining, mechanical, artistic and industrial pursuits in a county, including the racing  
 14 of animals and vehicles.

15 [(4)] (6) "County fairgrounds" means the ground and all other property owned, leased, used or  
 16 controlled by a county and devoted to the use of a county fair.

17 (7) **"Director" means the Director of the Oregon State Fair and Exposition Center.**

18 **SECTION 25.** ORS 565.030 is amended to read:

19 565.030. (1) The [*State Fair Advisory Committee*] **Oregon State Fair Commission** shall provide  
 20 advice and assistance to the [*State Parks and Recreation*] **Director of the Oregon State Fair and**  
 21 **Exposition Center** on matters regarding the operation of the Oregon State Fair and shall solicit  
 22 and encourage support throughout the state to improve the quality of and participation in the fair  
 23 to achieve the purposes [*and objectives of*] **described in** ORS 565.050.

24 (2) **The director may not substantially change the character of activities traditionally**  
 25 **associated with the Oregon State Fair without prior approval by the commission.**

26 **SECTION 26.** ORS 565.050 is amended to read:

27 565.050. (1) **The Oregon State Fair and Exposition Center shall administer and operate the**  
 28 **Oregon State Fair.** The [*objects and*] purposes of the [*Oregon*] state fair are to disseminate knowl-  
 29 edge concerning, and to encourage the growth and prosperity of all agricultural, stock raising,  
 30 horticultural, mining, mechanical, artistic and industrial pursuits in this state. [*To this end the State*  
 31 *Parks and Recreation*]

32 (2) **The Director of the Oregon State Fair and Exposition Center shall schedule the state**  
 33 **fair annually for a period of not more than 17 days, beginning and ending on the dates the**  
 34 **director considers appropriate.**

35 (3) **The** director shall operate the [*business and properties of the Oregon State Fair*] **state**  
 36 **fairgrounds** as a year-round fair and exposition center, display historical objects and do all things  
 37 necessary or expedient for the full utilization of the [*properties and facilities of the fair*] **state**  
 38 **fairgrounds.** [*The director shall conduct an annual state fair for a period of not more than 17 days'*  
 39 *duration beginning and ending on such dates as the director considers appropriate.*]

40 **SECTION 27.** ORS 565.060 is amended to read:

41 565.060. In accordance with any applicable provision of ORS chapter 183, the [*State Parks and*  
 42 *Recreation Commission*] **Director of the Oregon State Fair and Exposition Center** may adopt  
 43 rules to carry out the provisions of this chapter.

44 **SECTION 28.** ORS 565.080 is amended to read:

45 565.080. (1) The [*State Parks and Recreation*] **Director of the Oregon State Fair and Exposi-**

1 **tion Center** shall *[have care of]* **oversee the management of the property owned or occupied**  
 2 **by** the Oregon State Fair **and Exposition Center** *[property]* and be entrusted with the direction of  
 3 *[its]* **the** business and financial affairs **of the center**. The director shall prepare, adopt, publish and  
 4 enforce all necessary rules for the management of the Oregon State Fair **and the center***[, its*  
 5 *meetings and exhibitions and for the guidance of its officers or employees]*.

6 **(2) In carrying out any duties, functions or powers relating to property acquisition, cap-**  
 7 **ital construction or capital improvements for the center, the director shall contract with the**  
 8 **Oregon Department of Administrative Services for the department to perform all services**  
 9 **supporting the exercise of those duties, functions and powers.**

10 *[(2)]* **(3)** The director may appoint *[all necessary marshals]* **peace officers** to keep order on the  
 11 grounds *[and in the buildings of the Oregon State Fair during all exhibitions. The marshals so ap-*  
 12 *pointed shall be vested with the same authority for such purposes as executive peace officers are vested*  
 13 *by law]* **owned or occupied by the center as described in ORS 565.640.**

14 *[(3)]* **(4)** The director shall:

15 **(a)** Establish charges for entrance fees, gate money, *[lease]* **leased** stalls, stands, parking space,  
 16 buildings~~,~~ **and** restaurant sites;

17 **(b) Notwithstanding ORS 227.286,** conduct shows, exhibitions, races and all manner of business  
 18 *[notwithstanding the provisions of ORS 227.286];* and

19 **(c)** Do all other things the director considers proper in the operation of a year-round fair and  
 20 exposition center and the annual state fair.

21 **(5)** The state is *[in no event]* **not** liable for any premium awarded or debt created by the director  
 22 beyond the amount annually appropriated therefor.

23 *[(4)]* **(6) Subject to procedures established by the Oregon State Fair Commission,** the di-  
 24 rector may enter into sponsorship agreements for the receipt of moneys, services, products or other  
 25 items of value. A sponsorship agreement entered into under this subsection is not subject to ORS  
 26 279.835 to 279.855 or ORS chapter 279A or 279B **or to the requirement under subsection (2) of**  
 27 **this section for the provision of services by the Oregon Department of Administrative Ser-**  
 28 **vices.**

29 **SECTION 29.** ORS 565.090 is amended to read:

30 565.090. (1) **The Oregon State Fair and Exposition Center shall conduct** the Oregon State  
 31 Fair *[shall be permanently located on the present grounds now owned by the state and heretofore de-*  
 32 *voted to Oregon State Fair purposes,]* **annually on the state fairgrounds** located in the City of  
 33 Salem, in Marion County. *[Those grounds and such additional lands as may hereafter be obtained by*  
 34 *the State Parks and Recreation Department for the purposes of the Oregon State Fair]*

35 **(2) The state fairgrounds and any additional lands or facilities obtained by the center** are  
 36 dedicated for the use of the *[Oregon State Fair and for other departmental programs]* **center.**

37 *[(2)]* **(3)** The *[department]* **center** may obtain by donation, exchange or purchase *[such]* lands  
 38 adjacent to the *[present grounds]* **state fairgrounds**, including improvements *[thereon, as it may*  
 39 *deem]* **on those adjacent lands, that the center deems** necessary and advisable to facilitate the  
 40 use of *[such grounds and]* **the state fairgrounds. The center** may construct, remodel and repair  
 41 buildings and facilities *[deemed by it necessary in]* **for** the operation of the Oregon State Fair and  
 42 for other *[departmental]* **center** programs.

43 **SECTION 30.** ORS 565.095 is amended to read:

44 565.095. (1) In accordance with any applicable provisions of ORS 286.010, 286.020 and 286.105 to  
 45 286.135 and ORS chapter 288, the *[State Parks and Recreation]* Director **of the Oregon State Fair**



1 **and Exposition Center**, with the approval of the [*State Parks and Recreation*] **Oregon State Fair**  
 2 Commission and the State Treasurer, may issue revenue bonds in an amount not to exceed \$10  
 3 million.

4 (2) Moneys received from the issuance of revenue bonds may be expended for land acquisition,  
 5 capital construction and improvements and for paying current operating and other expenses of the  
 6 Oregon State Fair **and Exposition Center**.

7 (3) Revenue bonds issued pursuant to this section shall be secured by revenues received by the  
 8 director from activities conducted [*at the Oregon State Fair*] **on property owned or occupied by**  
 9 **the center**, and [*shall*] **may** not be a general obligation of the [*State Parks and Recreation Depart-*  
 10 *ment*] **center** or the State of Oregon.

11 **SECTION 31.** ORS 565.103 is amended to read:

12 565.103. (1) Pursuant to ORS 286.560 to 286.580, lottery bonds may be issued to fund projects for  
 13 the improvement, restoration, upgrading and preservation of systems, facilities and equipment of the  
 14 Oregon State Fair **and Exposition Center**.

15 (2) The use of lottery bond proceeds is authorized based on the following findings:

16 (a) The activities of the Oregon State Fair **and Exposition Center** promote Oregon's agricul-  
 17 tural industry and its products;

18 (b) The promotion of agricultural products expands markets, which in turn creates jobs and  
 19 stimulates economic development of the industry; and

20 (c) The Oregon State Fair draws patrons from throughout the region and creates jobs and sub-  
 21 stantial economic activity for the Salem and Keizer areas.

22 (3) The aggregate principal amount of lottery bonds issued pursuant to this section may not  
 23 exceed the sum of \$20,167,661 and an additional amount estimated by the State Treasurer to be  
 24 necessary to pay bond-related costs. Lottery bonds issued pursuant to this section shall be issued  
 25 only at the request of the [*State Parks and Recreation*] Director **of the Oregon State Fair and**  
 26 **Exposition Center**.

27 (4) The net proceeds of lottery bonds issued pursuant to this section shall be deposited in the  
 28 State Fair Capital Project Fund, which is hereby established in the State Treasury separate and  
 29 distinct from the General Fund.

30 (5) The proceeds of lottery bonds issued pursuant to this section shall be used only for the  
 31 purposes set forth in subsection (1) of this section and for bond-related costs.

32 **SECTION 32.** ORS 565.107 is amended to read:

33 565.107. (1) The Oregon State Fair **and Exposition Center** Account is created as an account  
 34 separate and distinct from the General Fund of the State Treasury. **Interest described in this**  
 35 **subsection shall accrue to the account.** The account shall consist of:

36 (a) Proceeds from the sale of revenue bonds authorized to be issued by ORS 565.095.

37 (b) Interest earned on moneys held for debt service payments[,] **and rebates and interest earned**  
 38 **on** the proceeds from the sale of revenue bonds pursuant to ORS 565.095[ *notwithstanding ORS*  
 39 *293.140, including moneys held since December 17, 1986*]. Such interest earnings shall be separately  
 40 accounted for within the account and shall be available only for the purpose of retiring bond  
 41 indebtedness.

42 (c) Moneys received by the [*State Parks and Recreation*] Director **of the Oregon State Fair**  
 43 **and Exposition Center** from activities conducted [*at*] **on property owned or occupied by** the  
 44 Oregon State Fair **and Exposition Center**.

45 (d) Moneys received by the director by appropriation, gift, grant or other donation from any

1 source or otherwise paid to the director pursuant to law. Moneys received as a result of a gift, grant  
 2 or donation shall be separately accounted for within the account and shall be available only for the  
 3 purpose specified in the gift, grant or donation or, if no purpose is specified, for any purpose that  
 4 the [State Parks and Recreation] **Oregon State Fair** Commission determines is consistent with the  
 5 intent of the donor or grantor.

6 (e) Interest earned on moneys received by the director as a result of a gift, grant or donation.  
 7 The interest earnings shall be separately accounted for within the account and shall be available  
 8 only for the purpose specified in the gift, grant or donation or, if no purpose is specified, for any  
 9 purpose that the commission determines is consistent with the intent of the donor or grantor.

10 (2) Moneys in the account created by subsection (1) of this section are appropriated contin-  
 11 uously to the [State Parks and Recreation Department] **Oregon State Fair and Exposition Center**  
 12 for [the payment of]:

13 (a) **The payment of** operating and other expenses of the [Oregon State Fair] **center**.

14 (b) Land acquisition, capital construction and capital improvements [at] **on property owned or**  
 15 **occupied by** the [Oregon State Fair] **center**.

16 (c) **The payment of** principal and interest on all revenue bonds issued pursuant to ORS 565.095.

17 (d) Any purpose designated by the donor or grantor of a gift, grant or donation, or for any other  
 18 purpose that the commission determines is consistent with the intent of the donor or grantor, to the  
 19 extent of gift, grant, donation and resulting interest moneys within the account.

20 **SECTION 33.** ORS 565.109 is amended to read:

21 565.109. The [State Parks and Recreation] Director **of the Oregon State Fair and Exposition**  
 22 **Center** may accept gifts, grants and donations of moneys, property or any other valuable thing on  
 23 behalf of the Oregon State Fair **and Exposition Center**. Unless use of moneys, property or valuable  
 24 things received under this section is limited by the donor or grantor, the moneys, property or valu-  
 25 able thing may be used in any manner that the [State Parks and Recreation] **Oregon State Fair**  
 26 Commission determines to be consistent with the intent of the donor or grantor.

27 **SECTION 34.** ORS 565.114 is amended to read:

28 565.114. The Legislative Assembly finds and declares that:

29 (1) The successful solicitation of gifts, grants and donations for the benefit of the Oregon State  
 30 Fair **and Exposition Center** allows the operation, improvement and maintenance of facilities or  
 31 programs enjoyed by the public. The receipt of gifts, grants and donations for the benefit of the  
 32 [Oregon State Fair] **center** reduces the amount of public moneys that must be spent for the opera-  
 33 tion, improvement and maintenance of facilities or programs.

34 (2) The successful solicitation of gifts, grants and donations by a nonprofit, tax exempt organ-  
 35 ization for the benefit of the [Oregon State Fair] **center** minimizes the cost to the state of obtaining  
 36 those gifts, grants and donations. Cooperation between the [State Parks and Recreation  
 37 Department] **center** and such an organization, including the provision of tickets and other promo-  
 38 tional items, facilities, supplies, staff and services by the [department] **Director of the Oregon State**  
 39 **Fair and Exposition Center** for use by such an organization in connection with fund raising efforts,  
 40 serves a public purpose by increasing the ability of the organization to successfully solicit gifts,  
 41 grants and donations for the benefit of the [Oregon State Fair] **center**.

42 **SECTION 35.** ORS 565.116 is amended to read:

43 565.116. (1) The [State Parks and Recreation] Director **of the Oregon State Fair and Exposi-**  
 44 **tion Center** may cooperate with any nonprofit, tax exempt organization designated by the director  
 45 as an appropriate organization to solicit gifts, grants and donations for the benefit of the Oregon

1 **State Fair and Exposition Center.**

2 (2) The director may advise and receive advice from an organization described in subsection (1)  
3 of this section. The director may, if allowed by the charter and bylaws of the organization, serve  
4 as a regular or nonvoting board member of the organization. The director may not chair the board  
5 of directors, vote for or appoint other board members, control the financial affairs of the organiza-  
6 tion or oversee the day-to-day operation of the organization.

7 (3) The director may provide tickets, promotional items and facilities to the organization without  
8 charge for use in increasing the ability of the organization to successfully solicit gifts, grants and  
9 donations for the benefit of the [*Oregon State Fair*] **center**.

10 (4) The director may provide supplies, staff and services to the organization at cost for use in  
11 increasing the ability of the organization to successfully solicit gifts, grants and donations for the  
12 benefit of the [*Oregon State Fair*] **center**.

13 (5) The director shall submit an annual accounting report to an appropriate committee of the  
14 Legislative Assembly designated by the Speaker of the House of Representatives and the President  
15 of the Senate. The report must contain a detailed description of all tickets, promotional items, fa-  
16 cilities, supplies, staff and services provided under subsections (3) and (4) of this section, the specific  
17 disposition or application thereof made by the organization and any resulting benefit to the [*Oregon*  
18 *State Fair*] **center**.

19 (6) The director may enter into an agreement for the donation to the [*Oregon State Fair*] **center**  
20 of goods, services and public improvements by a nonprofit, tax exempt organization.

21 **SECTION 36.** ORS 565.120 is amended to read:

22 565.120. The [*State Parks and Recreation Director is authorized to*] **Director of the Oregon**  
23 **State Fair and Exposition Center may** issue a license permitting the holder of the license to  
24 conduct any business [*therein named*] **identified in the license** upon the grounds [*of*] **owned or**  
25 **occupied by** the Oregon State Fair **and Exposition Center**. Issuance of licenses shall be in ac-  
26 cordance with the competitive bidding requirements of ORS 279.835 to 279.855 and ORS chapters  
27 279A and 279B for the awarding of public contracts, to the extent those procedures are practicable.  
28 [*The funds arising therefrom shall become a part of*] **The Director of the Oregon Department of**  
29 **Administrative Services may adopt rules prescribing additional competitive bidding proce-**  
30 **dures the director considers appropriate. Moneys received from the issuance of licenses un-**  
31 **der this section shall be deposited to** the Oregon State Fair **and Exposition Center** Account.

32 **SECTION 37.** ORS 565.130 is amended to read:

33 565.130. (1) **The Director of the Oregon State Fair and Exposition Center may issue** li-  
34 censes under ORS 565.120 [*may be issued*] permitting any business to be conducted upon the grounds  
35 [*of the Oregon State Fair which*] **owned or occupied by the Oregon State Fair and Exposition**  
36 **Center that** under the laws of this state may be conducted at any place within the state, including  
37 the sale of malt, vinous or distilled liquor.

38 (2) Any business [*so*] licensed by the [*State Parks and Recreation*] director **under ORS 565.120**  
39 is not required to [*pay license to*] **obtain a license from or pay a license fee to** any city, county  
40 or state[, *other than to the director as provided in ORS 565.120,*] for conducting a business upon the  
41 grounds [*of the Oregon State Fair*] **owned or occupied by the center**. However, nothing in this  
42 section shall interfere with the laws of this state requiring a license for the operation of a restau-  
43 rant or requiring a license to be obtained from the Oregon Liquor Control Commission for the sale  
44 or distribution of alcoholic liquors.

45 **SECTION 38.** ORS 565.140 is amended to read:

1       565.140. The buildings and **building** facilities [*therein*] that are planned, constructed, altered,  
 2 furnished and equipped by the [*State Parks and Recreation Department*] **Oregon State Fair and**  
 3 **Exposition Center** at the state fairgrounds, as authorized by chapter 442, Oregon Laws 1957, shall  
 4 be used primarily for the housing and dining of members of 4-H Clubs and of Future Farmers of  
 5 America and for exhibit and contest space for nonlivestock exhibits of both groups. These buildings  
 6 and **building** facilities [*therein*] shall be available for other groups only at times other than during  
 7 the state fair and as authorized by the [*department*] **center**.

8       **SECTION 39.** ORS 565.150 is amended to read:

9       565.150. (1) [*When*] **If the** construction of an armory containing an auditorium is authorized  
 10 under ORS 396.505 to 396.545 in Marion County, [*if the State Parks and Recreation Department*] **and**  
 11 **the Oregon State Fair and Exposition Center** and the General Staff of the Oregon National  
 12 Guard arrive at a mutually satisfactory agreement for the use of the armory by the [*department, the*  
 13 *department may, notwithstanding the provisions of ORS 565.090, permit such armory to be constructed*  
 14 *on the grounds of the Oregon State Fair and grant control over such armory and*] **center, the center,**  
 15 **notwithstanding ORS 565.090, may allow an armory to be constructed on the state**  
 16 **fairgrounds and grant control over the armory and armory** grounds to the General Staff for the  
 17 period that [*such armory and*] **the armory and armory** grounds are used for military purposes.  
 18 When such **an** armory and **armory** grounds are no longer used for military purposes, the control  
 19 over [*them*] **the armory and armory grounds** shall revert to the [*department*] **center**.

20       (2) For purposes of this section, “control” does not include the power to sell, lease, mortgage  
 21 or in any other way encumber an armory constructed under subsection (1) of this section.

22       **SECTION 40.** ORS 565.160 is amended to read:

23       565.160. (1) The [*State Parks and Recreation Department*] **Oregon State Fair and Exposition**  
 24 **Center** shall plan, construct, alter, furnish and equip horse barn facilities at the [*Oregon State*  
 25 *Fair*] **state fairgrounds** suitable for stabling horses. These facilities shall also include rest rooms  
 26 suitable for public use. The [*department*] **center** shall also plan, construct, alter, furnish and equip  
 27 storm sewers on the [*grounds of the Oregon State Fair*] **state fairgrounds**.

28       (2) Notwithstanding any other provision of law pertaining to sale of public property, the State  
 29 Treasurer, with the approval of the investing agency, may sell any site or facility described in sub-  
 30 section (1) of this section or **any** interest [*therein so acquired*] **in the site or facility** by offer for  
 31 sale by sealed bid. However:

32       (a) Any or all bids may be rejected.

33       (b) The state has first option to purchase at the highest bid accepted.

34       **SECTION 41.** ORS 565.170 is amended to read:

35       565.170. The [*State Parks and Recreation Department*] **Oregon State Fair and Exposition**  
 36 **Center** shall plan, construct, alter, furnish and equip on the [*grounds of the Oregon State Fair*] **state**  
 37 **fairgrounds** a facility suitable for housing exhibits and providing contest space for the homemaking  
 38 arts and crafts.

39       **SECTION 42.** ORS 565.610 is amended to read:

40       565.610. (1) [*No person shall*] **A person may not** set up any shop, booth, wagon or other vehicle  
 41 for the sale of spirituous or other liquors, cigars, provisions or other articles of traffic, or [*shall*] sell  
 42 or otherwise dispose of any liquors, cigars, goods, wares, merchandise, meals, lunch or any article  
 43 of traffic whatever on the [*grounds of the Oregon State Fair, or on any*] grounds owned or occupied  
 44 by **the Oregon State Fair and Exposition Center**, a county fair board or any county or district  
 45 society formed for the promotion and encouragement of agriculture, stock growing or horticulture,

1 or within one-half mile of [such grounds, without having paid the State Parks and Recreation De-  
 2 partment, county fair board or such society the license for the privilege, or obtained the written consent  
 3 of the department or county fair board or of the president and secretary of such society.] **those**  
 4 **grounds, without having paid a license fee to the center, fair board or society for the privi-**  
 5 **lege, or having obtained the written consent of the Director of the Oregon State Fair and**  
 6 **Exposition Center, the county fair board or the president and secretary of the society.**

7 [(2) Nothing in this section shall restrain any person except during fairs or exhibitions or other  
 8 public events or meetings on the grounds of the Oregon State Fair or of any county fair board or of  
 9 such societies, and for two days prior and two days subsequent thereto. This section does not extend  
 10 to any person regularly and continuously carrying on business within one-half mile of the premises  
 11 mentioned.]

12 **(2) Subsection (1) of this section applies only during the period beginning three days be-**  
 13 **fore and ending two days after each fair, exhibition or other public event or meeting con-**  
 14 **ducted on the grounds owned or occupied by the center, fair board or society. Subsection**  
 15 **(1) of this section does not apply to any person regularly and continuously carrying on busi-**  
 16 **ness within one-half mile of those grounds.**

17 **SECTION 43.** ORS 565.620 is amended to read:

18 565.620. [No person shall] **A person may not** gain admission, or attempt to gain admission, to  
 19 the grounds [of the Oregon State Fair or of] **owned or occupied by the Oregon State Fair and**  
 20 **Exposition Center,** a county fair board or [of] any society [mentioned] **described** in ORS 565.610  
 21 during [their] annual fairs, [or] exhibitions[, or at any] **or other** public events or meetings on the  
 22 grounds [of the Oregon State Fair, county fair board or societies on their grounds, or grounds occupied  
 23 by them or either of them,] **owned or occupied by the center, fair board or society** except through  
 24 the special gates kept by the [State Parks and Recreation Department, county fair boards or  
 25 societies] **center, fair board or society** for that purpose.

26 **SECTION 44.** ORS 565.630 is amended to read:

27 565.630. The [State Parks and Recreation Director] **Oregon State Fair and Exposition Center,**  
 28 **by rule,** any county fair board and every society [mentioned] **described** in ORS 565.610 may regulate  
 29 [its] prices of admission, licenses and all matters pertaining to the conduct of [its] **their** annual fairs,  
 30 exhibitions or other public events or meetings. The penalty for violation of [its] rules and regulations  
 31 **adopted under this section** is as provided by ORS 565.990 (2).

32 **SECTION 45.** ORS 565.640 is amended to read:

33 565.640. The peace officers of the [State Parks and Recreation Department, county fair board or  
 34 any of the societies mentioned in ORS 565.610, during the continuance of each annual fair or other  
 35 public event or meeting, and for three days prior and two days subsequent thereto, on the grounds of  
 36 the Oregon State Fair or] **Oregon State Fair and Exposition Center, a county fair board or a**  
 37 **society described in ORS 565.610, during the period beginning three days before and ending**  
 38 **two days after each annual fair, exhibition or other public event or meeting conducted** on any  
 39 grounds owned or occupied by [a county fair board or such] **the center, fair board or society** for  
 40 fairs, exhibitions or other public events or meetings, shall have all the authority of a deputy sheriff  
 41 and may make arrests for violations of [the provisions of ORS 565.610 to 565.650] **ORS 565.610 to**  
 42 **565.640** or other laws of this state, or the rules or regulations of the [department, county fair board  
 43 or such] **center, fair board or society.**

44  
 45 **ACCOUNT NAME CHANGE**

