

A-Engrossed
House Bill 2778

Ordered by the House April 19
Including House Amendments dated April 19

Sponsored by Representative THATCHER (Pre-session filed.)

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.

[Requires] **Authorizes** State Parks and Recreation Department to seek funding from private sector for maintenance **and development** of state parks and certain other areas.

A BILL FOR AN ACT

1
2 Relating to the State Parks and Recreation Department; creating new provisions; and amending ORS
3 390.134.

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

5 **SECTION 1. Section 2 of this 2011 Act is added to and made a part of ORS chapter 390.**

6 **SECTION 2. (1) The State Parks and Recreation Department may seek funding from the**
7 **private sector, including but not limited to corporate sponsorships, to help pay for the**
8 **maintenance and development of:**

9 (a) **State parks, waysides and scenic, historic and state recreation areas, recreational**
10 **grounds and places acquired by the state for scenic, historic, natural, cultural or recre-**
11 **ational purposes that are under the jurisdiction and authority of the department pursuant**
12 **to ORS 390.111 (2);**

13 (b) **The grounds within the State Capitol State Park that are managed and controlled by**
14 **the department pursuant to ORS 390.111 (3); and**

15 (c) **The grounds described in ORS 565.090 that are used for the Oregon State Fair.**

16 (2) **All funds received by the department under this section shall be deposited in the State**
17 **Parks and Recreation Department Fund established by ORS 390.134 to be used for the pur-**
18 **poses specified in subsection (1) of this section.**

19 **SECTION 3. ORS 390.134 is amended to read:**

20 390.134. (1) As used in this section:

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

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

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

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

27 (2) **The State Parks and Recreation Department Fund is established separate and distinct from**
28 **the General Fund. Moneys in the fund are continuously appropriated to the State Parks and Recre-**

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 ation Department for the purposes provided by law. The fund shall consist of the following:

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

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

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

8 **(d) All funds received by the department under section 2 of this 2011 Act. The funds must**
9 **be deposited in a separate subaccount established under subsection (3) of this section.**

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

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

20 (5)(a) Thirty-five percent of the amount transferred to the State Parks and Recreation Depart-
21 ment under ORS 366.512 from the registration of travel trailers, campers and motor homes and under
22 ORS 803.601 from recreational vehicle trip permits must be deposited in a separate subaccount
23 within the fund to be distributed for the acquisition, development, maintenance, care and use of
24 county park and recreation sites. The moneys in the subaccount under this paragraph must be ac-
25 counted for separately. The following apply to the distribution of moneys under this paragraph:

26 (A) The moneys must be distributed among the several counties for the purposes described in
27 this paragraph. The distribution shall be made at times determined by the State Parks and Recre-
28 ation Department but must be made not less than once a year.

29 (B) The sums designated under this paragraph must be remitted to the county treasurers of the
30 several counties by warrant.

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

36 (c) The department, by rule, shall establish a program to provide moneys to counties for the
37 acquisition, development, maintenance, care and use of county park and recreation sites. The rules
38 under this paragraph shall provide for distribution of moneys based on use and need and, as the
39 department determines necessary, on the need for the development and maintenance of facilities to
40 provide camping sites for campers, motor homes and travel trailers.

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

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

45 (8) On or before January 15 of each odd-numbered year, the State Parks and Recreation Director

1 shall report to the Joint Committee on Ways and Means created by ORS 171.555 on the use of
2 moneys deposited pursuant to ORS 805.256 in the fund. The director shall make the report in a form
3 and manner as the committee may prescribe.

4 **SECTION 4.** ORS 390.134, as amended by section 2, chapter 792, Oregon Laws 2007, and section
5 47, chapter 11, Oregon Laws 2009, is amended to read:

6 390.134. (1) As used in this section:

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

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

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

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

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

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

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

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

22 **(d) All funds received by the department under section 2 of this 2011 Act. The funds must**
23 **be deposited in a separate subaccount established under subsection (3) of this section.**

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

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

34 (5)(a) Thirty percent of the amount transferred to the State Parks and Recreation Department
35 under ORS 366.512 from the registration of travel trailers, campers and motor homes and under ORS
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16 moneys deposited pursuant to ORS 805.256 in the fund. The director shall make the report in a form
17 and manner as the committee may prescribe.

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