

House Bill 2778

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 **as introduced**.

Requires State Parks and Recreation Department to seek funding from private sector for maintenance 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 shall seek funding from the**
7 **private sector to help pay for the maintenance of:**

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

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

14 (2) **Funds received by the department under this section may not be used for the main-**
15 **tenance and operation of the Oregon State Fair.**

16 (3) **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-
29 ation Department for the purposes provided by law. The fund shall consist of the following:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

3 390.134. (1) As used in this section:

4 (a) “Camper” has the meaning given that term in ORS 801.180.

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

8 (c) “Motor home” has the meaning given that term in ORS 801.350.

9 (d) “Travel trailer” has the meaning given that term in ORS 801.565.

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

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

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

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

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

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

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

31 (5)(a) Thirty percent of the amount transferred to the State Parks and Recreation Department
 32 under ORS 366.512 from the registration of travel trailers, campers and motor homes and under ORS
 33 803.601 from recreational vehicle trip permits must be deposited in a separate subaccount within the
 34 fund to be distributed for the acquisition, development, maintenance, care and use of county park
 35 and recreation sites. The moneys in the subaccount under this paragraph must be accounted for
 36 separately. The following apply to the distribution of moneys under this paragraph:

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

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

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 44 subsection is as determined by the department by rule. In determining the composition of the advi-
 45 sory committee, the department shall attempt to provide reasonable representation for county offi-

1 cials or employees with responsibilities relating to county parks and recreation sites.

2 (c) The department, by rule, shall establish a program to provide moneys to counties for the
3 acquisition, development, maintenance, care and use of county park and recreation sites. The rules
4 under this paragraph shall provide for distribution of moneys based on use and need and, as the
5 department determines necessary, on the need for the development and maintenance of facilities to
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7 (6) The department shall create a separate City and County Subaccount within the fund to be
8 used to reimburse cities and counties as provided in ORS 390.290.

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10 to provide funds for the fire protection districts as provided in ORS 390.290.

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

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