

**A-Engrossed**  
**Senate Bill 1514**

Ordered by the Senate March 3  
Including Senate Amendments dated March 3

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 Senate Interim Committee on Rural Communities and Economic Development)

**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.

Until July 1, 2015, increases percentage of moneys distributed for county parks from 35 percent to 40 percent of moneys transferred to State Parks and Recreation Department from registration of travel trailers, campers and motor homes and from recreational vehicle trip permits. Beginning July 1, 2015, increases percentage of moneys distributed for county parks from 40 percent to 45 percent.

**Modifies biennial expenditures from fees, moneys or other revenues, including Miscellaneous Receipts, but excluding lottery funds and federal funds, collected or received by department for acquisition, development, maintenance, care and use of county park and recreation sites.**

**Increases expenditure limitation from lottery moneys allocated from Parks and Natural Resources Fund to department for direct services.**

Declares emergency, effective on passage.

**A BILL FOR AN ACT**

1  
2 Relating to the distribution of moneys to counties from the State Parks and Recreation Department  
3 Fund; amending ORS 390.134; limiting expenditures; and declaring an emergency.

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

5 **SECTION 1.** ORS 390.134 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 charges pursuant to ORS 390.124.

22 (d) All funds received by the State Parks and Recreation Department under ORS 390.141. The

**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 funds must be deposited in a separate subaccount established under subsection (3) of this section.

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

6 (4) All of the moneys in the fund except those moneys described in subsection (3), (5), (6), (7), (8)  
7 or (9) of this section must be deposited in a separate subaccount within the fund and used by the  
8 State Parks and Recreation Department for the acquisition, development, maintenance, care and use  
9 of park and recreation sites. The moneys deposited in the subaccount under this subsection must  
10 be accounted for separately and stated separately in the State Parks and Recreation Department's  
11 biennial budget.

12 (5)(a) [*Thirty-five*] **Forty** percent of the amount transferred to the State Parks and Recreation  
13 Department under ORS 366.512 from the registration of travel trailers, campers and motor homes  
14 and under ORS 803.601 from recreational vehicle trip permits must be deposited in a separate sub-  
15 account within the fund to be distributed for the acquisition, development, maintenance, care and  
16 use of county park and recreation sites. The moneys deposited in the subaccount under this para-  
17 graph must be accounted for separately. The following apply to the distribution of moneys under this  
18 paragraph:

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

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

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

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

34 (d) **The counties may not use the moneys received under this subsection to supplant**  
35 **moneys otherwise made available to the counties for the acquisition, development, mainte-**  
36 **nance, care and use of county park and recreation sites.**

37 (e) **On or before January 15 of each odd-numbered year regular session of the Legislative**  
38 **Assembly, the State Parks and Recreation Director and a representative of the directors of**  
39 **county park and recreation sites shall submit a report to the Joint Committee on Ways and**  
40 **Means created by ORS 171.555, or the Joint Interim Committee on Ways and Means, that**  
41 **describes the measurable biennial and cumulative results of county activities and programs**  
42 **financed by moneys transferred to the counties from the registration of travel trailers,**  
43 **campers and motor homes and from recreational vehicle trip permits. Notwithstanding ORS**  
44 **192.230 to 192.250, the report shall be made in a manner as the committee may prescribe.**

45 (6) The department shall create a separate City and County Subaccount within the fund to be

1 used to reimburse cities and counties as provided in ORS 390.290.

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

4 (8) Twelve percent of the amount transferred to the State Parks and Recreation Department  
5 Fund from the Parks Subaccount shall be used only to carry out the purposes and achievements  
6 described in ORS 390.135 (2) and (3) through the awarding of grants to regional or local government  
7 entities to acquire property for public parks, natural areas or outdoor recreation areas or to develop  
8 or improve public parks, natural areas or outdoor recreation areas. Moneys described in this sub-  
9 section may not be used to pay the cost of administering grants or the cost of any Secretary of State  
10 audit required under section 4c, Article XV of the Oregon Constitution.

11 (9) If the amount transferred to the State Parks and Recreation Department Fund from the Parks  
12 Subaccount during a biennium is more than 150 percent of the amount that was transferred during  
13 the 2009-2011 biennium, the State Treasurer shall, during the next following biennium, deposit for  
14 use as described in subsection (8) of this section the amount required under subsection (8) of this  
15 section plus an amount equal to the difference between the amount deposited for use as described  
16 in subsection (8) of this section during the preceding biennium and 25 percent of the moneys trans-  
17 ferred to the State Parks and Recreation Department Fund from the Parks Subaccount during the  
18 preceding biennium.

19 (10) Subsections (8) and (9) of this section apply only for biennia in which the Legislative As-  
20 sembly does not require a greater percentage of the amount transferred to the State Parks and Re-  
21 creation Department Fund from the Parks Subaccount to be used for the purposes described in  
22 subsection (8) of this section. The Legislative Assembly may not authorize the percentage of the  
23 amount transferred to the State Parks and Recreation Department Fund from the Parks Subaccount  
24 that is deposited for use as described in subsection (8) of this section in a biennium to be less than  
25 the percentage required to be deposited under subsections (8) and (9) of this section.

26 (11) On or before January 15 of each odd-numbered year, the director shall submit a report to  
27 the Joint Committee on Ways and Means created by ORS 171.555, or the Joint Interim Committee  
28 on Ways and Means, that describes the measurable biennial and cumulative results of activities and  
29 programs financed by moneys transferred to the State Parks and Recreation Department Fund from  
30 the Parks Subaccount. Notwithstanding ORS 192.230 to 192.250, the director shall make the report  
31 in a form and manner as the committee may prescribe.

32 **SECTION 2.** ORS 390.134, as amended by section 2, chapter 792, Oregon Laws 2007, section 47,  
33 chapter 11, Oregon Laws 2009, section 5, chapter 643, Oregon Laws 2011, section 25, chapter 107,  
34 Oregon Laws 2012, section 5, chapter 299, Oregon Laws 2013, and section 33, chapter 492, Oregon  
35 Laws 2013, is amended to read:

36 390.134. (1) As used in this section:

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

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

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

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

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

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

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

6 (c) Revenue from charges pursuant to ORS 390.124.

7 (d) All funds received by the State Parks and Recreation Department under ORS 390.141. The  
8 funds must be deposited in a separate subaccount established under subsection (3) of this section.

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

13 (4) All of the moneys in the fund except those moneys described in subsection (3), (5), (6), (7), (8)  
14 or (9) of this section must be deposited in a separate subaccount within the fund and used by the  
15 State Parks and Recreation Department for the acquisition, development, maintenance, care and use  
16 of park and recreation sites. The moneys deposited in the subaccount under this subsection must  
17 be accounted for separately and stated separately in the State Parks and Recreation Department's  
18 biennial budget.

19 (5)(a) [Thirty] **Forty-five** percent of the amount transferred to the State Parks and Recreation  
20 Department under ORS 366.512 from the registration of travel trailers, campers and motor homes  
21 and under ORS 803.601 from recreational vehicle trip permits must be deposited in a separate sub-  
22 account within the fund to be distributed for the acquisition, development, maintenance, care and  
23 use of county park and recreation sites. The moneys deposited in the subaccount under this para-  
24 graph must be accounted for separately. The following apply to the distribution of moneys under this  
25 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 **(d) The counties may not use the moneys received under this subsection to supplant**  
42 **moneys otherwise made available to the counties for the acquisition, development, mainte-**  
43 **nance, care and use of county park and recreation sites.**

44 **(e) On or before January 15 of each odd-numbered year regular session of the Legislative**  
45 **Assembly, the State Parks and Recreation Director and a representative of the directors of**

1 **county park and recreation sites shall submit a report to the Joint Committee on Ways and**  
 2 **Means created by ORS 171.555, or the Joint Interim Committee on Ways and Means, that**  
 3 **describes the measurable biennial and cumulative results of county activities and programs**  
 4 **financed by moneys transferred to the counties from the registration of travel trailers,**  
 5 **campers and motor homes and from recreational vehicle trip permits. Notwithstanding ORS**  
 6 **192.230 to 192.250, the report shall be made in a manner as the committee may prescribe.**

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.

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

11 (8) Twelve percent of the amount transferred to the State Parks and Recreation Department  
 12 Fund from the Parks Subaccount shall be used only to carry out the purposes and achievements  
 13 described in ORS 390.135 (2) and (3) through the awarding of grants to regional or local government  
 14 entities to acquire property for public parks, natural areas or outdoor recreation areas or to develop  
 15 or improve public parks, natural areas or outdoor recreation areas. Moneys described in this sub-  
 16 section may not be used to pay the cost of administering grants or the cost of any Secretary of State  
 17 audit required under section 4c, Article XV of the Oregon Constitution.

18 (9) If the amount transferred to the State Parks and Recreation Department Fund from the Parks  
 19 Subaccount during a biennium is more than 150 percent of the amount that was transferred during  
 20 the 2009-2011 biennium, the State Treasurer shall, during the next following biennium, deposit for  
 21 use as described in subsection (8) of this section the amount required under subsection (8) of this  
 22 section plus an amount equal to the difference between the amount deposited for use as described  
 23 in subsection (8) of this section during the preceding biennium and 25 percent of the moneys trans-  
 24 ferred to the State Parks and Recreation Department Fund from the Parks Subaccount during the  
 25 preceding biennium.

26 (10) Subsections (8) and (9) of this section apply only for biennia in which the Legislative As-  
 27 sembly does not require a greater percentage of the amount transferred to the State Parks and Re-  
 28 creation Department Fund from the Parks Subaccount to be used for the purposes described in  
 29 subsection (8) of this section. The Legislative Assembly may not authorize the percentage of the  
 30 amount transferred to the State Parks and Recreation Department Fund from the Parks Subaccount  
 31 that is deposited for use as described in subsection (8) of this section in a biennium to be less than  
 32 the percentage required to be deposited under subsections (8) and (9) of this section.

33 (11) On or before January 15 of each odd-numbered year, the director shall submit a report to  
 34 the Joint Committee on Ways and Means created by ORS 171.555, or the Joint Interim Committee  
 35 on Ways and Means, that describes the measurable biennial and cumulative results of activities and  
 36 programs financed by moneys transferred to the State Parks and Recreation Department Fund from  
 37 the Parks Subaccount. Notwithstanding ORS 192.230 to 192.250, the director shall make the report  
 38 in a form and manner as the committee may prescribe.

39 **SECTION 3. (1) Notwithstanding any other law limiting expenditures, the limitation on**  
 40 **expenditures established by section 2 (4), chapter 669, Oregon Laws 2013, for the biennium**  
 41 **beginning July 1, 2013, as the maximum limit for payment of expenses from fees, moneys or**  
 42 **other revenues, including Miscellaneous Receipts, but excluding lottery funds and federal**  
 43 **funds, collected or received by the State Parks and Recreation Department, for direct ser-**  
 44 **vices is decreased by \$1,121,258 to offset increased distribution to counties for the acquisi-**  
 45 **tion, development, maintenance, care and use of county park and recreation sites.**

