

Senate Bill 120

Sponsored by Senator GORSEK (Presession 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**.

Establishes that Oregon Labor Monument is to be built in State Capitol State Park.

A BILL FOR AN ACT

1
2 Relating to Oregon Labor Monument; amending ORS 276.004, 276.010, 276.053, 390.111 and 390.997
3 and section 2, chapter 485, Oregon Laws 2021; and repealing section 2, chapter 485, Oregon
4 Laws 2021.

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

6 **SECTION 1.** ORS 276.053 is amended to read:

7 276.053. (1) The State Capitol State Park is created, consisting of:

8 (a) The grounds immediately surrounding the State Capitol bordered by State Street on the
9 south, Court Street on the north, Cottage Street on the west and Waverly Street on the east; and

10 (b) The grounds surrounding the Department of Transportation Building, the Public Service
11 Building, the Bureau of Labor and Industries Building and the State Library, bordered by Court
12 Street on the south, Center Street on the north, Winter Street on the west and Capitol Street on the
13 east.

14 (2) Except as provided in ORS 276.002 (4) and subsection (3) of this section, the State Parks and
15 Recreation Department shall manage and control the utilization of the State Capitol State Park.

16 (3) The Oregon Department of Administrative Services shall manage and control the utilization
17 of the underground parking structures located beneath the area described in subsection (1)(b) of this
18 section and all aboveground structures that provide access to the underground parking structures.

19 (4) The Oregon Department of Administrative Services shall construct one or more permanent
20 lavatories on the grounds of the State Capitol State Park. [*Upon completion of construction, the State
21 Parks and Recreation Department shall maintain and control the utilization of the lavatories.*]

22 (5)(a) To commemorate and honor Indian tribes, the State Parks and Recreation Department
23 shall plan, erect and maintain one or more monuments or other suitable markers that are sited
24 within, and are compatible with, the Walk of the Flags on the grounds of the State Capitol State
25 Park.

26 (b) The department shall consult with the Oregon State Capitol Foundation, the Commission on
27 Indian Services and each of the federally recognized Indian tribes in Oregon in carrying out its
28 duties under this section.

29 (c) The department shall carry out its duties under subsection (5)(a) of this section only after
30 obtaining funding from private sources.

31 (6)[(a)] The portion of the State Capitol State Park that is the southwest corner of the park, just
32 to the south of the World War II memorial, is hereby dedicated to a Vietnam War memorial.

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) A Vietnam War memorial constructed under this subsection is an outright permitted use**
 2 **without taking an exception under ORS 197.732 to the statewide land use planning goals or changing**
 3 **the acknowledged comprehensive plan or land use regulations of Marion County.]**

4 **[(c) The State Parks and Recreation Department shall maintain the finished memorial.]**

5 **(7) A portion of the State Capitol State Park is dedicated to the Oregon Labor Monument.**

6 **SECTION 2.** Section 2, chapter 485, Oregon Laws 2021, is amended to read:

7 **Sec. 2.** (1) The Vietnam War memorial described in *[section 1 of this 2021 Act]* **ORS 276.053 (6)**
 8 is to be funded and constructed by a nonprofit corporation that is:

9 (a) Organized in this state; and

10 (b) Dedicated to establishing a Vietnam War memorial on the grounds of the State Capitol State
 11 Park.

12 **(2) The Oregon Labor Monument described in ORS 276.053 (7) is to be designed, funded**
 13 **and constructed with help from a nonprofit corporation that is:**

14 (a) Organized in this state; and

15 (b) Dedicated to establishing a labor memorial on the grounds of the State Capitol State
 16 Park.

17 **(3) The State Parks and Recreation Department shall make decisions concerning the**
 18 **siting and shall assist with the design of the Oregon Labor Monument.**

19 **[(2)] (4) All agencies of state government, as defined in ORS 174.111, are directed to assist**
 20 **[the] a nonprofit corporation described in this section, to the extent permitted by law, including**
 21 **laws related to confidentiality, to furnish information and advice to the nonprofit corporation that**
 22 **the corporation considers necessary to complete the [Vietnam War memorial described in section 1**
 23 **of this 2021 Act] memorials described in this section.**

24 **(5) Memorials constructed under this section are a permitted use, notwithstanding any**
 25 **statewide planning goal or local comprehensive plan or land use regulations.**

26 **SECTION 3.** Section 2, chapter 485, Oregon Laws 2021, is repealed on January 2, 2026.

27 **SECTION 4.** ORS 276.004 is amended to read:

28 276.004. (1) Notwithstanding any other provision of law, and except for the Supreme Court
 29 Building, the State Capitol and the grounds included within the State Capitol State Park under ORS
 30 276.053 *[(1) to (5)]*, the Oregon Department of Administrative Services shall manage and control the
 31 utilization of:

32 (a) Buildings and properties in the capitol area, including those acquired under ORS 276.046;

33 (b) Office buildings as defined in ORS 276.110;

34 (c) Vacated state institution buildings and facilities as described in ORS 276.180;

35 (d) The state office building and parking structure in Portland;

36 (e) The state office building and parking structure in Eugene;

37 (f) Properties being acquired through lease-purchase option or installment purchase agreement
 38 under ORS 276.429; and

39 (g) Parking facilities as described in ORS 276.594.

40 (2) Except as otherwise provided in this section, the Oregon Department of Administrative Ser-
 41 vices shall assign and reassign quarters in buildings owned by this state and specified in this sec-
 42 tion, for such periods and under such terms as the department considers appropriate.

43 **SECTION 5.** ORS 276.010 is amended to read:

44 276.010. As used in ORS 276.046 to 276.062:

45 (1) "Capitol area" means the capitol group of buildings and the grounds owned by the state ad-

1 jacent to the buildings, and includes any new buildings that may be constructed on the grounds as
 2 an addition to the capitol group of buildings.

3 (2) “Capitol group of buildings” means the state buildings in Salem in and about the Capitol
 4 Mall, other than the State Capitol and the grounds included within the State Capitol State Park
 5 under ORS 276.053 [(1) to (5)].

6 (3) “Capitol Mall” means the area beginning at the northwest corner of State Street and 12th
 7 Street in the City of Salem, Marion County, Oregon; then continuing along 12th Street in a northerly
 8 direction to Court Street; then continuing along Court Street in a westerly direction to Capitol
 9 Street; then continuing along Capitol Street in a northerly direction to D Street; then continuing
 10 along D Street in a westerly direction to Winter Street; then continuing along Winter Street in a
 11 southerly direction to Court Street; then continuing along Court Street in a westerly direction to
 12 Cottage Street; then continuing along Cottage Street in a southerly direction to State Street; then
 13 continuing along State Street in an easterly direction to the point of beginning.

14 (4) “State agency” has the meaning given that term in ORS 358.635.

15 **SECTION 6.** ORS 390.111 is amended to read:

16 390.111. (1) The State Parks and Recreation Department is created. The department consists of
 17 the State Parks and Recreation Commission, the State Parks and Recreation Director and all other
 18 officers and employees of the department.

19 (2) Except as may be provided by an agreement to the contrary between the State Parks and
 20 Recreation Commission and the county, city or political subdivision thereof which exercised juris-
 21 diction and authority over the park, ground or place prior to acquisition by the state, the depart-
 22 ment has complete jurisdiction and authority over all state parks, waysides and scenic, historic or
 23 state recreation areas, recreational grounds or places acquired by the state for scenic, historic, na-
 24 tural, cultural or recreational purposes except as otherwise provided by law.

25 (3) The department shall manage and control the utilization of the grounds included within the
 26 State Capitol State Park under ORS 276.053 [(1) to (5)].

27 **SECTION 7.** ORS 390.997 is amended to read:

28 390.997. (1) In addition to any other penalty imposed by law, for a period of at least six months,
 29 but not longer than five years from the date of entry of judgment of conviction, a person convicted
 30 of a violation of ORS 166.155 or 166.165 committed on the waters of this state or on publicly owned
 31 land used for outdoor recreation may not enter or remain in or on any building or land or water
 32 area under the jurisdiction of the State Parks and Recreation Department.

33 (2) The court shall notify the department of the entry of a judgment of conviction described in
 34 subsection (1) of this section.

35 (3) Notwithstanding subsection (1) of this section, a person convicted of a violation of ORS
 36 166.155 or 166.165 may not be prohibited from entering or remaining in or on:

37 (a) Any building or land or water area under the jurisdiction of the department while the person
 38 is performing community service under ORS 166.167; or

39 (b) The grounds included within the State Capitol State Park under ORS 276.053 [(1) to (5)].