

SENATE AMENDMENTS TO SENATE BILL 565

By COMMITTEE ON NATURAL RESOURCES AND WILDFIRE

April 7

1 In line 2 of the printed bill, after the semicolon insert “creating new provisions; amending ORS
2 276.003, 276.004, 276.010, 276.053, 276.058, 390.111 and 390.997 and section 2, chapter 485, Oregon
3 Laws 2021;”.

4 Delete lines 4 through 16 and insert:

“STATE PARK STUDY

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8 **“SECTION 1. (1) The State Parks and Recreation Department shall study:**

9 **“(a) Options to establish a sustainable funding model to address revenue shortfalls from
10 current state park operations.**

11 **“(b) The feasibility of operating the state parks system in a manner that generates suf-
12 ficient revenue to cover the expenses of operating the state parks system.**

13 **“(c) Aspects of department operations or programming that generate disproportionate
14 funding or revenue or that may be better suited for a different organizational structure.**

15 **“(d) Statutory or regulatory barriers to addressing the unique needs of the state parks
16 system.**

17 **“(e) The feasibility of expanding state campgrounds in high demand areas, including
18 within 25 miles of the Oregon coast.**

19 **“(f) The feasibility of addressing maintenance or repair needs of the aging infrastructure
20 in the state parks system for future generations.**

21 **“(g) Options to establish revenue sources to provide sustainable funding to meet the
22 recreational needs of Oregonians while protecting and preserving Oregon’s natural environ-
23 ment for future generations.**

24 **“(2) The department shall submit a report in the manner provided by ORS 192.245, and
25 may include recommendations for legislation, to the interim committees of the Legislative
26 Assembly related to state parks no later than September 15, 2026.**

27 **“SECTION 2. Section 1 of this 2025 Act is repealed on January 2, 2027.**

“MANAGEMENT AND CONTROL OF CAPITOL AREA

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31 **“SECTION 3. ORS 276.003 is amended to read:**

32 **“276.003. (1) There is created in the General Fund of the State Treasury a State Capitol Oper-
33 ating Account. Moneys credited to the account are appropriated continuously to the Legislative
34 Administration Committee to pay the expenses of operating, maintaining, protecting and insuring the
35 State Capitol and to reimburse the [*State Parks and Recreation Department*] **Oregon Department****

1 **of Administrative Services** for a share of the expenses of ground maintenance, utilities and other
2 necessary expenses.

3 “(2) The Legislative Administration Committee may on behalf of the State of Oregon solicit and
4 accept gifts, grants and donations from public and private sources for the purposes set out in ORS
5 276.002. Such gifts, grants and donations shall be deposited by the committee in separate, appropri-
6 ate trust accounts until such time as required to meet the obligations for which the gifts, grants or
7 donations were intended.

8 “(3) A gift or donation to the Legislative Administration Committee is a gift or donation to the
9 State of Oregon.

10 “**SECTION 4.** ORS 276.004 is amended to read:

11 “276.004. (1) Notwithstanding any other provision of law, and except for the Supreme Court
12 Building[,] **and** the State Capitol [*and the grounds included within the State Capitol State Park under*
13 *ORS 276.053 (1) to (5)*], the Oregon Department of Administrative Services shall manage and control
14 the utilization of:

15 “(a) Buildings, **grounds** and properties in the capitol area, **as defined in ORS 276.010**, including
16 those acquired under ORS 276.046;

17 “(b) Office buildings as defined in ORS 276.110;

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

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

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

21 “(f) Properties being acquired through lease-purchase option or installment purchase agreement
22 under ORS 276.429; and

23 “(g) Parking facilities as described in ORS 276.594.

24 “(2) Except as otherwise provided in this section, the Oregon Department of Administrative
25 Services shall assign and reassign quarters in buildings owned by this state and specified in this
26 section, for such periods and under such terms as the department considers appropriate.

27 “**(3) Notwithstanding subsection (1) of this section, the department shall manage and**
28 **control the grounds immediately surrounding the State Capitol bordered by State Street on**
29 **the south, Court Street on the north, Cottage Street on the west and Waverly Street on the**
30 **east.**

31 “**SECTION 5.** ORS 276.010 is amended to read:

32 “276.010. As used in ORS 276.046 to 276.062:

33 “(1) ‘Capitol area’ means:

34 “**(a)** The capitol group of buildings and the grounds owned by the state adjacent to the
35 buildings, and includes any new buildings that may be constructed on the grounds as an addition to
36 the capitol group of buildings.

37 “**(b) The grounds immediately surrounding the State Capitol bordered by State Street on**
38 **the south, Court Street on the north, Cottage Street on the west and Waverly Street on the**
39 **east.**

40 “(2) ‘Capitol group of buildings’ means the state buildings in Salem in and about the Capitol
41 Mall, other than the State Capitol [*and the grounds included within the State Capitol State Park*
42 *under ORS 276.053 (1) to (5)*].

43 “(3) ‘Capitol Mall’ means the area beginning at the northwest corner of State Street and 12th
44 Street in the City of Salem, Marion County, Oregon; then continuing along 12th Street in a northerly
45 direction to Court Street; then continuing along Court Street in a westerly direction to Capitol

1 Street; then continuing along Capitol Street in a northerly direction to D Street; then continuing
2 along D Street in a westerly direction to Winter Street; then continuing along Winter Street in a
3 southerly direction to Court Street; then continuing along Court Street in a westerly direction to
4 Cottage Street; then continuing along Cottage Street in a southerly direction to State Street; then
5 continuing along State Street in an easterly direction to the point of beginning.

6 “(4) ‘State agency’ has the meaning given that term in ORS 358.635.

7 “**SECTION 6.** ORS 276.053 is amended to read:

8 “276.053. *[(1) The State Capitol State Park is created, consisting of:]*

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

11 “*[(b) The grounds surrounding the Department of Transportation Building, the Public Service*
12 *Building, the Bureau of Labor and Industries Building and the State Library, bordered by Court Street*
13 *on the south, Center Street on the north, Winter Street on the west and Capitol Street on the 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] (1) The Oregon Department of Administrative Services shall manage and control the
17 utilization of **the capitol area, including** the underground parking structures located beneath *[the*
18 *area described in subsection (1)(b) of this section]* **the capitol area** and all aboveground structures
19 that provide access to the underground parking structures.

20 “[4] (2) The *[Oregon Department of Administrative Services]* **department** shall construct one
21 or more permanent lavatories on the grounds of the *[State Capitol State Park]* **capitol area**. Upon
22 completion of construction, the *[State Parks and Recreation Department]* **department** shall maintain
23 and control the utilization of the lavatories.

24 “[5](a) (3)(a) To commemorate and honor Indian tribes, the *[State Parks and Recreation De-*
25 *partment]* **department** shall plan, erect and maintain one or more monuments or other suitable
26 markers that are sited within, and are compatible with, the Walk of the Flags on the grounds of the
27 State Capitol *[State Park]*.

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

31 “(c) The department shall carry out its duties under *[subsection (5)(a) of this section]* **paragraph**
32 **(a) of this subsection** only after obtaining funding from private sources.

33 “[6](a) (4)(a) The portion of the *[State Capitol State Park]* **capitol area** that is the southwest
34 corner of the *[park]* **area**, just to the south of the World War II memorial, is hereby dedicated to a
35 Vietnam War memorial.

36 “(b) A Vietnam War memorial constructed under this subsection is an outright permitted use
37 without taking an exception under ORS 197.732 to the statewide land use planning goals or changing
38 the acknowledged comprehensive plan or land use regulations of Marion County.

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

40 “**SECTION 7.** ORS 276.058 is amended to read:

41 “276.058. The Capitol Planning Commission shall:

42 “(1) Investigate the advisability of additions to, reductions of or other changes in state buildings
43 and grounds in the areas described by ORS 276.054;

44 “(2) Investigate, review and make recommendations on all proposals of state agencies to add to,
45 reduce or otherwise change the use of a state building or grounds in the areas described by ORS

1 276.054; **and**

2 “[~~(3)~~ *Advise the State Parks and Recreation Department on matters related to the State Capitol*
3 *State Park and on matters related to development that is located within the State Capitol State Park;*
4 *and*]

5 “[~~(4)~~] **(3)** Advise the Oregon Department of Administrative Services on:

6 “(a) The planning and location of state buildings in the areas described by ORS 276.054;

7 “(b) The development of the areas described by ORS 276.054, including but not limited to general
8 design, landscaping, traffic management, monuments, statues and fountains; and

9 “(c) All other matters connected with a proposed construction or development to be undertaken
10 by the state within the areas described by ORS 276.054.

11 “**SECTION 8.** ORS 390.111 is amended to read:

12 “390.111. (1) The State Parks and Recreation Department is created. The department consists
13 of the State Parks and Recreation Commission, the State Parks and Recreation Director and all
14 other officers and employees of the department.

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

21 “[~~(3)~~ *The department shall manage and control the utilization of the grounds included within the*
22 *State Capitol State Park under ORS 276.053 (1) to (5).*]

23 “**SECTION 9.** ORS 390.997 is amended to read:

24 “390.997. (1) In addition to any other penalty imposed by law, for a period of at least six months,
25 but not longer than five years from the date of entry of judgment of conviction, a person convicted
26 of a violation of ORS 166.155 or 166.165 committed on the waters of this state or on publicly owned
27 land used for outdoor recreation may not enter or remain in or on any building or land or water
28 area under the jurisdiction of the State Parks and Recreation Department.

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

31 “(3) Notwithstanding subsection (1) of this section, a person convicted of a violation of ORS
32 166.155 or 166.165 may not be prohibited from entering or remaining in or on[:]

33 “[~~(a)~~] any building or land or water area under the jurisdiction of the department while the
34 person is performing community service under ORS 166.167[: *or*]

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

36 “**SECTION 10.** Section 2, chapter 485, Oregon Laws 2021, is amended to read:

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

39 “(a) Organized in this state; and

40 “(b) Dedicated to establishing a Vietnam War memorial on the grounds of the [*State Capitol*
41 *State Park*] **capitol area, as defined in ORS 276.010.**

42 “(2) All agencies of state government, as defined in ORS 174.111, are directed to assist the
43 nonprofit corporation, to the extent permitted by law, including laws related to confidentiality, to
44 furnish information and advice to the nonprofit corporation that the corporation considers necessary
45 to complete the Vietnam War memorial described in [*section 1 of this 2021 Act*] **ORS 276.053 (4).**

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“TRANSFER

“SECTION 11. The duties, functions and powers of the State Parks and Recreation Department relating to the capitol area, as defined in ORS 276.010, are imposed upon, transferred to and vested in the Oregon Department of Administrative Services.

“RECORDS, PROPERTY, EMPLOYEES

“SECTION 12. (1) The State Parks and Recreation Director shall:

“(a) Deliver to the Oregon Department of Administrative Services all records and property within the jurisdiction of the director that relate to the duties, functions and powers transferred by section 11 of this 2025 Act; and

“(b) Transfer to the Oregon Department of Administrative Services those employees engaged primarily in the exercise of the duties, functions and powers transferred by section 11 of this 2025 Act.

“(2) The Director of the Oregon Department of Administrative Services shall take possession of the records and property, and shall take charge of the employees and employ them in the exercise of the duties, functions and powers transferred by section 11 of this 2025 Act, without reduction of compensation but subject to change or termination of employment or compensation as provided by law.

“(3) The Governor shall resolve any dispute between the State Parks and Recreation Department and the Oregon Department of Administrative Services relating to transfers of records, property and employees under this section, and the Governor’s decision is final.

“ACTION, PROCEEDING, PROSECUTION

“SECTION 13. The transfer of duties, functions and powers to the Oregon Department of Administrative Services by section 11 of this 2025 Act does not affect any action, proceeding or prosecution involving or with respect to the duties, functions and powers begun before and pending at the time of the transfer, except that the Oregon Department of Administrative Services is substituted for the State Parks and Recreation Department in the action, proceeding or prosecution.

“LIABILITY, DUTY, OBLIGATION

“SECTION 14. (1) Nothing in sections 11 to 13 of this 2025 Act and the amendments to ORS 276.003, 276.004, 276.010, 276.053, 276.058, 390.111 and 390.997 and section 2, chapter 485, Oregon Laws 2021, by sections 3 to 10 of this 2025 Act relieves a person of a liability, duty or obligation accruing under or with respect to the duties, functions and powers transferred by section 11 of this 2025 Act. The Oregon Department of Administrative Services may undertake the collection or enforcement of any such liability, duty or obligation.

“(2) The rights and obligations of the State Parks and Recreation Department legally incurred under contracts, leases and business transactions executed, entered into or begun before the operative date specified in section 15 of this 2025 Act accruing under or with respect to the duties, functions and powers transferred by section 11 of this 2025 Act are

1 transferred to the Oregon Department of Administrative Services. For the purpose of suc-
2 cession to these rights and obligations, the Oregon Department of Administrative Services
3 is a continuation of the State Parks and Recreation Department and not a new authority.
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5 "OPERATIVE DATE
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7 "SECTION 15. Section 10 of this 2025 Act and the amendments to ORS 276.003, 276.004,
8 276.010, 276.053, 276.058, 390.111 and 390.997 and section 2, chapter 485, Oregon Laws 2021, by
9 sections 3 to 10 of this 2025 Act become operative on January 1, 2026.
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11 "EARLY AGENCY ACTION
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13 "SECTION 16. The Oregon Department of Administrative Services may take any action
14 before the operative date specified in section 14 of this 2025 Act that is necessary for the
15 department to exercise, on or after the operative date specified in section 15 of this 2025 Act,
16 all of the duties, functions and powers conferred on the department by section 11 of this 2025
17 Act and the amendments to ORS 276.003, 276.004, 276.010, 276.053, 276.058, 390.111 and 390.997
18 and section 2, chapter 485, Oregon Laws 2021, by sections 3 to 10 of this 2025 Act.
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20 "UNIT CAPTIONS
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22 "SECTION 17. The unit captions used in this 2025 Act are provided only for the conven-
23 ience of the reader and do not become part of the statutory law of this state or express any
24 legislative intent in the enactment of this 2025 Act.
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26 "EFFECTIVE DATE
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28 "SECTION 18. This 2025 Act takes effect on the 91st day after the date on which the 2025
29 regular session of the Eighty-third Legislative Assembly adjourns sine die."
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