

## FISCAL IMPACT OF PROPOSED LEGISLATION

81st Oregon Legislative Assembly – 2021 Regular Session  
Legislative Fiscal Office

Measure: HB 2171 - A

*Only Impacts on Original or Engrossed  
Versions are Considered Official*

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### Measure Description:

Directs Oregon Conservation and Recreation Advisory Committee to consult with Office of Outdoor Recreation when making recommendations regarding use of Oregon Conservation and Recreation Fund moneys.

### Government Unit(s) Affected:

Oregon Business Development Department (OBDD), Oregon Parks and Recreation Department (OPRD), Department of Fish and Wildlife (ODFW), Oregon Department of Transportation (ODOT), Oregon State Marine Board (OSMB)

### Summary of Fiscal Impact:

Costs related to the measure are indeterminate at this time - See explanatory analysis.

### Analysis:

HB 2171 - A relates to outdoor recreation. This measure appropriates \$1.0 million General Fund to the Emergency Board to be allocated to the Oregon Department of Fish and Wildlife (ODFW) for the purposes of the Oregon Conservation and Recreation Fund. The Emergency Board may only release the appropriation in amounts equivalent to other deposits made to the Oregon Conservation and Recreation Fund from July 1, 2019, to June 30, 2023, from sources other than state government. The measure repeals Sections 4 - 6, chapter 531, Oregon Laws 2019, which otherwise would abolish the Oregon Conservation and Recreation Fund and transfer all remaining funds to the General Fund on July 1, 2021, and would sunset the Oregon Conservation and Recreation Advisory Committee on January 2, 2022.

The Oregon Parks and Recreation Department (OPRD) is directed to establish statewide recommended standards for design of recreation projects such as trails, docks, and recreation access points, to ensure that these areas are accessible for people of all mobility levels. Standards must be developed by September 15, 2022, and all recreation facilities must be in compliance with these standards by January 2, 2025.

This measure develops the Outdoor Recreation Advisory Committee to advise the Office of Outdoor Recreation and make recommendations on statewide outdoor recreation policy. The Office of Outdoor Recreation is directed to make four reports to the Legislature:

- Recommendations for legislation necessary to create a single online storefront for outdoor recreation passes, with recommendations submitted to the appropriate committee of the Legislative Assembly no later than September 15, 2021;
- An inventory and gap analysis of outdoor recreation infrastructure in Oregon, as part of the Office's scheduled annual reports to the Legislature;
- Recommendations for legislation regarding options to increase public access to outdoor recreation, with recommendations submitted to the appropriate committee of the Legislative Assembly no later than September 15, 2022; and,
- In collaboration with the Oregon Business Development Department (OBDD), proposed legislation to implement a grant program to support outdoor recreation products organizations and accelerators, with recommendations submitted to the appropriate committee of the Legislative Assembly no later than September 15, 2022.

### **Oregon Department of Fish and Wildlife**

If this measure passes, ODFW would retain any funding currently in the Oregon Conservation and Recreation Fund. This amount is projected to be \$440,000 from donations by the end of the 2019-21 biennium.

Additionally, ODFW could receive up to \$1.0 million General Fund in 2021-23 if they receive an equivalent amount of matching funds from other sources in the 2019-21 and 2021-23 biennia. In the most recent full month of contributions, ODFW received \$26,000 in donations; extrapolating this number, ODFW could expect to receive \$624,000 in donations in 2021-23, plus a General Fund match of any funds received since the Oregon Conservation and Recreation Fund was created in 2019. Any funds received are used for conservation and recreation projects in Oregon.

The Legislative Fiscal Office notes that by appropriating money to the Emergency Board for allocation to ODFW, there will be a limited opportunity for ODFW to access these funds. The Emergency Board generally meets starting after the Legislative Session in even-numbered years, and stops meeting prior to odd-year Sessions, so matching funds will not be available for close to a year following the 2021 Legislative Session. ODFW is also not able to carry any General Fund appropriation across biennia. All General Fund match dollars allocated to ODFW by the Emergency Board will need to be expended in the 2021-23 biennium, or these monies will revert to the General Fund.

### **Oregon Parks and Recreation Department**

There is an indeterminate and potentially substantial fiscal impact for OPRD due to portions of this measure. OPRD notes that it is not clear if the standards OPRD is directed to establish for design of recreation projects would apply only to state parks, or to all recreation sites in Oregon. OPRD would hire a consultant to assist with establishment of standards, but the total cost of contracting for this project is currently unknown. Once standards are established, OPRD would be able to estimate the costs to bring all sites into compliance with these standards, but given the size of the state parks system and potential for work across every aspect of state park facilities, the costs under this measure could be quite large.

OPRD would also see additional costs indeterminate costs related to requirement that the Office of Outdoor Recreation perform an annual inventory and gap analysis of outdoor recreation infrastructure. OPRD notes that because this Office consists of one person, this work would need to be contracted out, and the costs to perform this work are unknown. OPRD currently conducts a gap analysis every five years, and the analysis takes more than a year to complete; an annual statewide gap analysis would increase costs substantially.

OPRD additionally notes that the agency would be required to reimburse members of the Outdoor Recreation Advisory Committee for travel and other expenses. Although these costs will likely not be substantial, depending on the size of the Committee, OPRD is concerned that these expenses fall outside their authorized use of Lottery Funds.

### **Other state agencies**

There is no fiscal impact on OBDD, the Oregon Department of Transportation, or the Oregon State Marine Board.