

B-Engrossed
House Bill 2171

Ordered by the House June 23
Including House Amendments dated March 24 and June 23

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of Governor Kate Brown for Office of the Governor)

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.

Appoints Associate Director of Outdoor Recreation, or designee, as nonvoting, ex officio member of Oregon Conservation and Recreation Advisory Committee. [*Appropriates moneys to Oregon Conservation and Recreation Fund. Limits distributions from fund to amounts matching deposits from certain other sources. Repeals sunset.*] **Repeals abolishment of Oregon Conservation and Recreation Fund. Repeals sunset of Oregon Conservation and Recreation Advisory Committee. Appropriates moneys to Emergency Board, out of General Fund, to be allocated to State Department of Fish and Wildlife for purposes of Oregon Conservation and Recreation Fund. Provides that moneys may only be released to department in increments matching deposits into fund from sources other than state government.**

Directs State Parks and Recreation Department to establish statewide recommended standards for design of recreation projects. [*Directs department to ensure existing recreation facilities comply with statewide recommended standards no later than January 2, 2025.*]

Establishes Outdoor Recreation Advisory Committee within Office of Outdoor Recreation.

Directs Office of Outdoor Recreation to maintain website with links to agency websites with information regarding how to purchase outdoor recreation passes, permits or licenses. Directs office to study and make recommendations for legislation necessary to create single online storefront for outdoor recreation passes. Requires office to submit recommendations to Legislative Assembly by September 15, 2021.

Directs Office of Outdoor Recreation to submit [*annual*] inventory and gap analysis of outdoor recreation infrastructure to Legislative Assembly **at least once every five years.**

Directs Office of Outdoor Recreation to study and make recommendations for legislation to increase access to outdoor recreation in Oregon. Requires office to submit report on findings to Legislative Assembly by September 15, 2022.

Directs Office of Outdoor Recreation, in collaboration with Oregon Business Development Department, to design and propose legislation to implement grant program to support outdoor recreation products organizations and accelerators. Requires office to submit proposed legislation to Legislative Assembly by September 15, 2022.

Declares emergency, effective on passage.

A BILL FOR AN ACT

Relating to outdoor recreation; creating new provisions; amending ORS 390.233 and section 2, chapter 531, Oregon Laws 2019; repealing sections 4, 5 and 6, chapter 531, Oregon Laws 2019; and declaring an emergency.

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

OREGON CONSERVATION AND RECREATION FUND

SECTION 1. Section 2, chapter 531, Oregon Laws 2019, is amended to read:

Sec. 2. (1) The Oregon Conservation and Recreation Advisory Committee is established as an advisory committee to the State Fish and Wildlife Commission and the State Department of Fish and Wildlife for the purpose of carrying out the duties described in subsection (2) of this section. 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 commission shall determine the number of members of the committee and the geographical repre-
2 sentation by the members. The Governor shall appoint the members of the committee. **The Associ-
3 ate Director of Outdoor Recreation, or the associate director's designee, shall serve as a
4 nonvoting, ex officio member.**

5 (2) The committee shall review department policies regarding the use of Oregon Conservation
6 and Recreation Fund moneys and make recommendations to the commission and the department re-
7 garding the use of fund moneys for implementing and administering department activities.

8 (3) Members of the committee may not receive compensation for service as members. However,
9 subject to any applicable law regulating travel and other expenses of state officers and employees,
10 a member may be reimbursed for actual and necessary travel and other expenses incurred in the
11 performance of official duties from moneys available to the department for the purpose of re-
12 imbursement of committee members.

13 (4) The department and the committee jointly shall submit a biennial report to the Legislative
14 Assembly as provided in ORS 293.640 regarding the expenditure of moneys deposited in the Oregon
15 Conservation and Recreation Fund established under section 1 [of this 2019 Act], **chapter 531,
16 Oregon Laws 2019**, and on the status of various activities funded by the moneys.

17 **SECTION 2. Sections 4, 5 and 6, chapter 531, Oregon Laws 2019, are repealed.**

18 **SECTION 3. If this 2021 Act does not become effective until after June 30, 2021, any
19 otherwise lawful action or obligation undertaken under authority of section 1, chapter 531,
20 Oregon Laws 2019, on or after July 1, 2021, and before the effective date of this 2021 Act is
21 ratified and approved.**

22 **SECTION 3a. (1) In addition to and not in lieu of any other appropriation, there is ap-
23 propriated to the Emergency Board, for the biennium beginning July 1, 2021, out of the
24 General Fund, the amount of \$1,000,000, to be allocated to the State Department of Fish and
25 Wildlife for the purposes of the Oregon Conservation and Recreation Fund.**

26 (2) The State Fish and Wildlife Director may request that the board release funds ap-
27 propriated under this section. The board may only release the appropriated funds in incre-
28 ments that match deposits into the Oregon Conservation and Recreation Fund between July
29 1, 2019, and June 30, 2023, from sources other than state government, as defined in ORS
30 174.111.

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32 **STATEWIDE DESIGN STANDARDS**

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34 **SECTION 4. (1) The State Parks and Recreation Department shall establish statewide
35 recommended standards for the design of recreation projects, including trails, docks and
36 public recreation access points, to ensure that state recreation areas are accessible to
37 members of the public of all mobility levels.**

38 (2) The department shall apply the statewide recommended standards to all future de-
39 partment recreation projects.

40 **SECTION 5. The State Parks and Recreation Department shall develop the standards
41 described in section 4 of this 2021 Act no later than September 15, 2022.**

42 **SECTION 6. Section 5 of this 2021 Act is repealed on July 31, 2025.**

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44 **OUTDOOR RECREATION ADVISORY COMMITTEE**

1 **SECTION 11.** ORS 390.233 is amended to read:

2 390.233. (1) The Office of Outdoor Recreation is established as an administrative section within
3 the State Parks and Recreation Department, subject to the supervision of the Associate Director of
4 Outdoor Recreation and the policies and procedures established by, and recommendations of, the
5 State Parks and Recreation Director and the State Parks and Recreation Commission.

6 (2) The office shall consist of the associate director and all personnel employed in the office.

7 (3) Subject to subsection (1) of this section, the office shall, in furtherance of the state policy
8 declared in ORS 390.010:

9 (a) Coordinate outdoor recreation policy:

10 (A) Within the administrative divisions of the department; and

11 (B) Between the department and federal, state, regional and local government entities and non-
12 governmental entities.

13 (b) Assist in developing or updating the outdoor recreation management strategies of the de-
14 partment.

15 (c) Collaborate with the Oregon Tourism Commission and the Travel Information Council to
16 create effective forums for communicating recreation-based initiatives and for sharing best practices.

17 (d) Serve as a clearinghouse and information center for outdoor recreation stakeholders.

18 (e) Develop data, independently or through contracts with appropriate public or private agen-
19 cies, on the social, economic and resource impacts of outdoor recreation in this state.

20 (f) Promote the health and social benefits of outdoor recreation in coordination with other re-
21 lated state programs and initiatives.

22 (g) Report on the office's activities to the State Parks and Recreation Commission four times
23 per year or as otherwise directed by the commission.

24 (4) The office shall coordinate and collaborate with the **Outdoor Recreation Advisory Com-**
25 **mittee established under section 7 of this 2021 Act, the** Oregon Business Development Depart-
26 ment, representatives of regional and local governments, the outdoor recreation industry and other
27 outdoor recreation stakeholders to promote economic development in this state. In furtherance of
28 promoting economic development, the office may recommend, adopt or assist in the implementation
29 of policies and initiatives that:

30 (a) Encourage development of the outdoor recreation industry in a manner that improves rec-
31 reational opportunities in this state.

32 (b) Maximize public and private investment in the outdoor recreation industry and in outdoor
33 recreation activities in this state.

34 (c) Enhance quality of life and economic vibrancy in communities across the state.

35 (d) Strike a sensitive balance between development and preservation of the unique natural ex-
36 perience provided by Oregon's outdoor recreation resources, and between motorized and nonmotor-
37 ized outdoor recreation activities.

38 (e) Take a proactive approach to enhancing regional and local outdoor recreation infrastructure.

39 (5) The office shall [*annually submit a report*] **submit** to the **appropriate committee or com-**
40 **mittees of the** Legislative Assembly [*on*], **at least once every five years, a report that includes**
41 **an inventory and gap analysis of outdoor recreation infrastructure in this state and a de-**
42 **scription of** the impacts of outdoor recreation in this state. The report required under this section
43 may include:

44 (a) Other information about the office's activities; or

45 (b) Recommendations, which may include recommendations for legislation, on policies and initi-

1 atives that may be adopted by the legislature, the State Parks and Recreation Department or other
2 state agencies to enhance the experiences of persons engaging in outdoor recreation in this state.

3 **SECTION 11a.** The report under ORS 390.233 (5), as amended by section 11 of this 2021
4 Act, is first due on or before September 15, 2026.

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6 **INCREASING ACCESS TO OUTDOOR RECREATION AND PRODUCTS**

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8 **SECTION 12.** (1) The Office of Outdoor Recreation shall study and make recommen-
9 dations for legislation regarding options for increasing public access to outdoor recreation,
10 including by:

11 (a) Addressing disincentives in Oregon’s recreational immunity law.

12 (b) Increasing public and private funding to support outdoor recreation access in Oregon.

13 (c) Expanding access and habitat programs.

14 (d) Collaborating with state institutions of higher education to expand educational offer-
15 ings related to the outdoor recreation economy.

16 (e) Increasing the availability of prize moneys for state-permitted recreation events.

17 (2) The office shall submit reports on its findings and any proposed legislation under this
18 section to the appropriate committee or committees of the Legislative Assembly no later
19 than September 15, 2022.

20 **SECTION 13.** (1) The Office of Outdoor Recreation shall, in collaboration with the Oregon
21 Business Development Department, design and propose legislation to implement a grant
22 program to support outdoor recreation products organizations and accelerators.

23 (2) The office shall submit the proposed legislation under this section to the appropriate
24 committee or committees of the Legislative Assembly no later than September 15, 2022.

25 **SECTION 14.** Sections 12 and 13 of this 2021 Act are repealed on July 31, 2023.

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27 **CAPTIONS**

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29 **SECTION 15.** The unit captions used in this 2021 Act are provided only for the conven-
30 ience of the reader and do not become part of the statutory law of this state or express any
31 legislative intent in the enactment of this 2021 Act.

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33 **EFFECTIVE DATE**

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35 **SECTION 16.** This 2021 Act being necessary for the immediate preservation of the public
36 peace, health and safety, an emergency is declared to exist, and this 2021 Act takes effect
37 on its passage.

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