

SB 565-2
(LC 1178)
3/24/25 (VSR/ps)

Requested by Senator ANDERSON

**PROPOSED AMENDMENTS TO
SENATE BILL 565**

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

4 Delete lines 4 through 16 and insert:
5

6 **“STATE PARK STUDY**
7

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

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

12 **“(b) The feasibility of operating the state parks system in a manner**
13 **that generates sufficient revenue to cover the expenses of operating**
14 **the state parks system.**

15 **“(c) Aspects of department operations or programming that gener-**
16 **ate disproportionate funding or revenue or that may be better suited**
17 **for a different organizational structure.**

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

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

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

3 “(g) Options to establish revenue sources to provide sustainable
4 funding to meet the recreational needs of Oregonians while protecting
5 and preserving Oregon’s natural environment for future generations.

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

10 “SECTION 2. Section 1 of this 2025 Act is repealed on January 2,
11 2027.

12
13 “**MANAGEMENT AND CONTROL OF CAPITOL AREA**

14
15 “SECTION 3. ORS 276.003 is amended to read:

16 “276.003. (1) There is created in the General Fund of the State Treasury
17 a State Capitol Operating Account. Moneys credited to the account are ap-
18 propriated continuously to the Legislative Administration Committee to pay
19 the expenses of operating, maintaining, protecting and insuring the State
20 Capitol and to reimburse the [*State Parks and Recreation Department*]
21 **Oregon Department of Administrative Services** for a share of the ex-
22 penses of ground maintenance, utilities and other necessary expenses.

23 “(2) The Legislative Administration Committee may on behalf of the State
24 of Oregon solicit and accept gifts, grants and donations from public and
25 private sources for the purposes set out in ORS 276.002. Such gifts, grants
26 and donations shall be deposited by the committee in separate, appropriate
27 trust accounts until such time as required to meet the obligations for which
28 the gifts, grants or donations were intended.

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

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

2 “276.004. (1) Notwithstanding any other provision of law, and except for
3 the Supreme Court Building[,] **and** the State Capitol [*and the grounds in-*
4 *cluded within the State Capitol State Park under ORS 276.053 (1) to (5)*], the
5 Oregon Department of Administrative Services shall manage and control the
6 utilization of:

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

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

10 “(c) Vacated state institution buildings and facilities as described in ORS
11 276.180;

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

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

14 “(f) Properties being acquired through lease-purchase option or install-
15 ment purchase agreement under ORS 276.429; and

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

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

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

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

26 “276.010. As used in ORS 276.046 to 276.062:

27 “(1) ‘Capitol area’ means:

28 **(a)** The capitol group of buildings and the grounds owned by the state
29 adjacent to the buildings, and includes any new buildings that may be con-
30 structed on the grounds as an addition to the capitol group of buildings.

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

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

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

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

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

20 “276.053. [*(1) The State Capitol State Park is created, consisting of:*]

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

24 “*[(b) The grounds surrounding the Department of Transportation Building, the Public Service Building, the Bureau of Labor and Industries Building and the State Library, bordered by Court Street on the south, Center Street on the north, Winter Street on the west and Capitol Street on the east.]*

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

1 “[3] (1) The Oregon Department of Administrative Services shall manage
2 and control the utilization of **the capitol area, including** the underground
3 parking structures located beneath *[the area described in subsection (1)(b) of*
4 *this section]* **the capitol area** and all aboveground structures that provide
5 access to the underground parking structures.

6 “[4] (2) The *[Oregon Department of Administrative Services]* **department**
7 shall construct one or more permanent lavatories on the grounds of the
8 *[State Capitol State Park]* **capitol area**. Upon completion of construction, the
9 *[State Parks and Recreation Department]* **department** shall maintain and
10 control the utilization of the lavatories.

11 “[5](a) (3)(a) To commemorate and honor Indian tribes, the *[State Parks*
12 *and Recreation Department]* **department** shall plan, erect and maintain one
13 or more monuments or other suitable markers that are sited within, and are
14 compatible with, the Walk of the Flags on the grounds of the State Capitol
15 *[State Park]*.

16 “(b) The department shall consult with the Oregon State Capitol Foun-
17 dation, the Commission on Indian Services and each of the federally recog-
18 nized Indian tribes in Oregon in carrying out its duties under this section.

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

22 “[6](a) (4)(a) The portion of the *[State Capitol State Park]* **capitol area**
23 that is the southwest corner of the *[park]* **area**, just to the south of the
24 World War II memorial, is hereby dedicated to a Vietnam War memorial.

25 “(b) A Vietnam War memorial constructed under this subsection is an
26 outright permitted use without taking an exception under ORS 197.732 to the
27 statewide land use planning goals or changing the acknowledged compre-
28 hensive plan or land use regulations of Marion County.

29 “[c] *The State Parks and Recreation Department shall maintain the fin-*
30 *ished memorial.]*

1 **SECTION 7.** ORS 276.058 is amended to read:

2 “276.058. The Capitol Planning Commission shall:

3 “(1) Investigate the advisability of additions to, reductions of or other
4 changes in state buildings and grounds in the areas described by ORS
5 276.054;

6 “(2) Investigate, review and make recommendations on all proposals of
7 state agencies to add to, reduce or otherwise change the use of a state
8 building or grounds in the areas described by ORS 276.054; **and**

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

12 “*[(4)]* **(3)** Advise the Oregon Department of Administrative Services on:

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

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

18 “(c) All other matters connected with a proposed construction or devel-
19 opment to be undertaken by the state within the areas described by ORS
20 276.054.

21 **SECTION 8.** ORS 390.111 is amended to read:

22 “390.111. (1) The State Parks and Recreation Department is created. The
23 department consists of the State Parks and Recreation Commission, the State
24 Parks and Recreation Director and all other officers and employees of the
25 department.

26 “(2) Except as may be provided by an agreement to the contrary between
27 the State Parks and Recreation Commission and the county, city or political
28 subdivision thereof which exercised jurisdiction and authority over the park,
29 ground or place prior to acquisition by the state, the department has com-
30 plete jurisdiction and authority over all state parks, waysides and scenic,

1 historic or state recreation areas, recreational grounds or places acquired
2 by the state for scenic, historic, natural, cultural or recreational purposes
3 except as otherwise provided by law.

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

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

8 “390.997. (1) In addition to any other penalty imposed by law, for a period
9 of at least six months, but not longer than five years from the date of entry
10 of judgment of conviction, a person convicted of a violation of ORS 166.155
11 or 166.165 committed on the waters of this state or on publicly owned land
12 used for outdoor recreation may not enter or remain in or on any building
13 or land or water area under the jurisdiction of the State Parks and Recre-
14 ation Department.

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

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

20 “[*(a)*] any building or land or water area under the jurisdiction of the
21 department while the person is performing community service under ORS
22 166.167[; *or*]

23 “[*(b) The grounds included within the State Capitol State Park under ORS*
24 *276.053 (1) to (5).*]

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

27 **“Sec. 2.** (1) The Vietnam War memorial described in [*section 1 of this 2021*
28 *Act*] **ORS 276.053 (4)** is to be funded and constructed by a nonprofit corpo-
29 ration that is:

30 “(a) Organized in this state; and

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

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

9

10

“TRANSFER

11

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

16

17

“RECORDS, PROPERTY, EMPLOYEES

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

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

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

27 **“(2) The Director of the Oregon Department of Administrative Ser-**
28 **vices shall take possession of the records and property, and shall take**
29 **charge of the employees and employ them in the exercise of the duties,**
30 **functions and powers transferred by section 11 of this 2025 Act, with-**

1 out reduction of compensation but subject to change or termination
2 of employment or compensation as provided by law.

3 “(3) The Governor shall resolve any dispute between the State Parks
4 and Recreation Department and the Oregon Department of Adminis-
5 trative Services relating to transfers of records, property and employ-
6 ees under this section, and the Governor’s decision is final.

7
8 “ACTION, PROCEEDING, PROSECUTION

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10 “SECTION 13. The transfer of duties, functions and powers to the
11 Oregon Department of Administrative Services by section 11 of this
12 2025 Act does not affect any action, proceeding or prosecution involv-
13 ing or with respect to the duties, functions and powers begun before
14 and pending at the time of the transfer, except that the Oregon De-
15 partment of Administrative Services is substituted for the State Parks
16 and Recreation Department in the action, proceeding or prosecution.

17
18 “LIABILITY, DUTY, OBLIGATION

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20 “SECTION 14. (1) Nothing in sections 11 to 13 of this 2025 Act and
21 the amendments to ORS 276.003, 276.004, 276.010, 276.053, 276.058, 390.111
22 and 390.997 and section 2, chapter 485, Oregon Laws 2021, by sections
23 3 to 10 of this 2025 Act relieves a person of a liability, duty or obli-
24 gation accruing under or with respect to the duties, functions and
25 powers transferred by section 11 of this 2025 Act. The Oregon Depart-
26 ment of Administrative Services may undertake the collection or
27 enforcement of any such liability, duty or obligation.

28 “(2) The rights and obligations of the State Parks and Recreation
29 Department legally incurred under contracts, leases and business
30 transactions executed, entered into or begun before the operative date

1 specified in section 15 of this 2025 Act accruing under or with respect
2 to the duties, functions and powers transferred by section 11 of this
3 2025 Act are transferred to the Oregon Department of Administrative
4 Services. For the purpose of succession to these rights and obligations,
5 the Oregon Department of Administrative Services is a continuation
6 of the State Parks and Recreation Department and not a new author-
7 ity.

8
9 **“OPERATIVE DATE**

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11 **“SECTION 15.** Section 10 of this 2025 Act and the amendments to
12 **ORS 276.003, 276.004, 276.010, 276.053, 276.058, 390.111 and 390.997 and**
13 **section 2, chapter 485, Oregon Laws 2021, by sections 3 to 10 of this 2025**
14 **Act become operative on January 1, 2026.**

15
16 **“EARLY AGENCY ACTION**

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18 **“SECTION 16.** The Oregon Department of Administrative Services
19 **may take any action before the operative date specified in section 14**
20 **of this 2025 Act that is necessary for the department to exercise, on**
21 **or after the operative date specified in section 15 of this 2025 Act, all**
22 **of the duties, functions and powers conferred on the department by**
23 **section 11 of this 2025 Act and the amendments to ORS 276.003, 276.004,**
24 **276.010, 276.053, 276.058, 390.111 and 390.997 and section 2, chapter 485,**
25 **Oregon Laws 2021, by sections 3 to 10 of this 2025 Act.**

26
27 **“UNIT CAPTIONS**

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29 **“SECTION 17.** The unit captions used in this 2025 Act are provided
30 **only for the convenience of the reader and do not become part of the**

1 **statutory law of this state or express any legislative intent in the**
2 **enactment of this 2025 Act.**

3

4

“EFFECTIVE DATE

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6 **“SECTION 18. This 2025 Act takes effect on the 91st day after the**
7 **date on which the 2025 regular session of the Eighty-third Legislative**
8 **Assembly adjourns sine die.”.**

9
