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**NOTICE OF PROPOSED RULEMAKING**  
INCLUDING STATEMENT OF NEED & FISCAL IMPACT

CHAPTER 736  
PARKS AND RECREATION DEPARTMENT

**FILED**

09/26/2019 2:57 PM  
ARCHIVES DIVISION  
SECRETARY OF STATE

FILING CAPTION: Heritage Commemorations

LAST DAY AND TIME TO OFFER COMMENT TO AGENCY: 10/31/2019 5:00 PM

*The Agency requests public comment on whether other options should be considered for achieving the rule's substantive goals while reducing negative economic impact of the rule on business.*

*A public rulemaking hearing may be requested in writing by 10 or more people, or by a group with 10 or more members, within 21 days following the publication of the Notice of Proposed Rulemaking in the Oregon Bulletin or 28 days from the date the Notice was sent to people on the agency mailing list, whichever is later. If sufficient hearing requests are received, the notice of the date and time of the rulemaking hearing must be published in the Oregon Bulletin at least 14 days before the hearing.*

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Filed By:  
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NEED FOR THE RULE(S):

HB 2081 enacted during the 2019 legislative session changed the responsibility of the Oregon Heritage Commission from designating statewide anniversary celebrations to commemorations to be more inclusive and reflective of the types of events that could be recognized. Following passage of the legislation, the proposed rules are necessary to add current statutory language around statewide anniversary commemorations. In addition, the proposed rule change adds a rule to clarify the application process for events seeking designation.

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE:

HB 2081. [www.oregonlegislature.gov](http://www.oregonlegislature.gov)

FISCAL AND ECONOMIC IMPACT:

Consistent with the Oregon Heritage Plan, statewide anniversary celebrations educate the public about historic events, communicate the value of heritage across the state, and strengthen heritage tourism. This designation signifies official state recognition, which organizations find helpful in leveraging additional participation, collaborative partnerships, funding, and outreach. Moving from designating "celebrations" to "commemorations" creates valuable educational opportunities to increase our understanding of Oregon's past.

Heritage Commission declared celebrations have included: Historic Columbia River Highway Centennial, Centennial of Birth of William Stafford, Centennial of Women's Suffrage in Oregon, Pendleton Round-Up Centennial, Oregon Statehood Sesquicentennial, Treaty With Tribes of Middle Oregon Sesquicentennial, Walla Walla Treaty Council of 1855, Lewis and Clark Expedition Bicentennial. Future Heritage Commission declared "commemorations" could include: anniversaries of Japanese Internment, anniversaries of the Oregon Trail, and Civil War related anniversaries.

COST OF COMPLIANCE:

*(1) Identify any state agencies, units of local government, and members of the public likely to be economically affected by the rule(s). (2) Effect on Small Businesses: (a) Estimate the number and type of small businesses subject to the rule(s); (b) Describe the expected reporting, recordkeeping and administrative activities and cost required to comply with the rule(s); (c) Estimate the cost of professional services, equipment supplies, labor and increased administration required to comply with the rule(s).*

(1) All local governments in Oregon would be eligible to seek designation and could experience a positive economic benefit from increased awareness of a designation. (2)(a) small businesses in tourism related industries may see a positive economic benefit from an increase in types of events that may be designated. (b) there will be no additional reporting, recordkeeping or administrative activities for small businesses to comply with the proposed rules. (c) There are no additional costs for professional services, equipment, labor or administration for small businesses to comply with the proposed rules.

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DESCRIBE HOW SMALL BUSINESSES WERE INVOLVED IN THE DEVELOPMENT OF THESE RULE(S):

Small businesses had an opportunity to participate during development of the statute.

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WAS AN ADMINISTRATIVE RULE ADVISORY COMMITTEE CONSULTED? NO IF NOT, WHY NOT?

The proposed rules are needed to reflect statutory changes.

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RULES PROPOSED:

736-053-0300, 736-053-0305, 736-053-0315, 736-053-0320, 736-053-0325

AMEND: 736-053-0300

RULE SUMMARY: Changes purpose from coordinating statewide anniversary celebrations to commemorations.

CHANGES TO RULE:

736-053-0300

Purpose ¶

The purpose of OAR 736-053-0300 to 736-053-0325 is to adopt regulations establishing procedures that the Oregon Heritage Commission shall use when coordinating statewide anniversary ~~celebrations~~ commemorations.

Statutory/Other Authority: ORS 358.585

Statutes/Other Implemented: ORS 358.595(2f)

AMEND: 736-053-0305

RULE SUMMARY: Changes definition of statewide anniversary celebrations to commemorations.

CHANGES TO RULE:

736-053-0305

Definitions ¶¶

As used in OAR 736-053-0300 to 736-053-0325, the following terms shall have the following meanings:¶¶

- (1) "Commission" means the Oregon Heritage Commission.¶¶
- (2) "Statewide anniversary ~~celebrations~~ commemorations" means celebrations and other commemorations of anniversaries of events of statewide significance to Oregon's heritage.¶¶
- (3) "Oregon's heritage" means the array of significant things, thoughts, and activities associated with the human experience in Oregon.¶¶
- (4) "Coordinate" means serving as a source of information on resources, a source of technical assistance, a source of financial assistance when funds have been appropriated for that purpose by the Legislative Assembly, and as a clearinghouse for information and activities for designated ~~celebrations~~ commemorations.

Statutory/Other Authority: ORS 358.585

Statutes/Other Implemented: ORS 358.595(2f)

AMEND: 736-053-0315

RULE SUMMARY: Changes qualifications as a statewide anniversary celebration to commemoration.

CHANGES TO RULE:

736-053-0315

Qualification as a Statewide Anniversary ~~Celebration~~ Commemoration ¶

An event or episode may qualify for designation as a statewide anniversary ~~celebration~~ commemoration if its impacts are proven to have significance in Oregon beyond the actual event or episode being celebrated or commemorated. Upon demonstration of significance, the Commission may designate the event or episode a statewide anniversary ~~celebration~~ commemoration.

Statutory/Other Authority: ORS 358.585

Statutes/Other Implemented: ORS 358.595(2f)

ADOPT: 736-053-0320

RULE SUMMARY: Creates application procedure for event seeking designation as a statewide anniversary commemoration.

CHANGES TO RULE:

736-053-0320

Application Procedure

To apply for an event to be designated a statewide anniversary commemoration, an application must be submitted by the specified deadline. Applications must meet the format and criteria prescribed by the Commission.

Statutory/Other Authority: ORS 358.585

Statutes/Other Implemented: ORS 358.595 (2)(f)

AMEND: 736-053-0325

RULE SUMMARY: Changes commission role from coordination of statewide anniversary celebrations to commemorations.

CHANGES TO RULE:

736-053-0325

Commission Coordination of Statewide Anniversary Celebommemorations ¶

Commission coordination of statewide anniversary celebommemorations designated under OAR 736-053-0315, may include providing communication, technical and financial assistance to government and non-profit organizations that implement the celebommemorations.

Statutory/Other Authority: ORS 358.585

Statutes/Other Implemented: ORS 358.595(2f)