

# Chapter 360

1989 EDITION

## Tourism

- |         |   |         |                                     |
|---------|---|---------|-------------------------------------|
| 360.005 | Definitions   | 360.095 | Duties of Historical Museum Section |
| 360.015 | Legislative findings  | 360.105 | Administrator of division           |
| 360.025 | Oregon Tourism Council; qualifications; confirmation; term; compensation and expenses; officers; quorum | 360.115 | Staff; special consultant           |
| 360.035 | Duties of council   | 360.125 | Rulemaking                          |
| 360.045 | Action on marketing plan  | 360.135 | Tourism Division Account            |
| 360.055 | Tourism Division; sections  |         |                                     |
| 360.065 | Duties and powers of Marketing Section  |         |                                     |
| 360.075 | Duties of Visitor Information Section   |         |                                     |

### CROSS REFERENCES

Grants for museums, 358.710 to 358.770  
Tourist information centers and informational signs,  
377.785 to 377.830

**EDUCATION AND CULTURAL FACILITIES**

---

**360.005 Definitions.** As used in this chapter, unless the context requires otherwise:

(1) "Administrator" means the Administrator of the Tourism Division of the Economic Development Department.

(2) "Council" means the Oregon Tourism Council.

(3) "Department" means the Economic Development Department.

(4) "Director" means the Director of the Economic Development Department.

(5) "Division" means the Tourism Division of the Economic Development Department. [1983 c.324 §1]

**360.015 Legislative findings.** The Legislative Assembly finds and declares that:

(1) Travel and recreation industries are important to the State of Oregon as a whole, and the health of these industries affects the well-being of all Oregonians.

(2) Tourist facilities and attractions serve the recreational and cultural needs of both visitors and residents.

(3) It is in the public interest to encourage the orderly growth and development of nonpolluting, labor-intensive industries such as tourism within the state.

(4) The travel and recreation industries have become increasingly important to the economic growth of the state and will become more important in the future because of increased leisure time and declining employment opportunities in other traditional Oregon industries.

(5) State involvement in tourism, recreational and cultural activities needs to be better coordinated to respond effectively to state interests and, where appropriate, to meet the needs of local governments and the private sector.

(6) There is a need to encourage communication and cooperation between the public and private sectors of the industry to promote orderly growth and implementation of state-wide objectives.

(7) It is desirable that there be an agency in state government to act in matters pertaining to public relations.

(8) It is in the public interest to promote quality, integrity and reliability in all tourism and tourism related services and in information offered to visitors to the State of Oregon.

(9) Oregonians want to preserve the historical and cultural foundations of the state as a living part of community life and development and to insure future generations and

visitors the opportunity to appreciate and enjoy the rich heritage of Oregon.

(10) Planning and promotion of tourism and recreation should be compatible with other state interests in energy development and conservation, environmental protection, transportation and the judicious use of natural resources.

(11) It is in the best interest of the nation and the tourism and recreation industries to proceed in an orderly fashion toward the development of a promotional program for advancing and enhancing tourism in the state. [1983 c.324 §1a]

**360.025 Oregon Tourism Council; qualifications; confirmation; term; compensation and expenses; officers; quorum.**

(1) There is established an Oregon Tourism Council consisting of nine members appointed by the Governor, subject to confirmation by the Senate pursuant to section 4, Article III of the Oregon Constitution, to perform the duties described in ORS 360.035. In appointing members of the council, the Governor shall:

(a) Appoint members representing the state's various regions and areas of tourism activity.

(b) Appoint at least six of the members drawn from the travel agencies, tour operators, private transportation, restaurants, hotels, motels, resorts, tourism promotion for cities or counties, cultural attractions, historic attractions, ski facilities and related recreational industries.

(c) Appoint at least one member to represent the public at large.

(2) The term of office of each member is four years, but a member serves at the pleasure of the Governor. Before the expiration of the term of a member, the Governor shall appoint a successor whose term begins on July 1 next following. A member is eligible for one reappointment except that a member appointed to fill a vacancy for a partial term may be reappointed to fill a total of two full terms in addition to the partial term. If there is a vacancy for any cause, the Governor shall make an appointment to become effective immediately for the unexpired term.

(3) A member of the council is entitled to compensation and expenses as provided in ORS 292.495.

(4) The council shall select one of its members to chair the council for such term and with duties and powers necessary to perform the functions of the office as the council determines.

(5) A majority of the members of the council constitutes a quorum for the transaction of business. [1983 c.324 §2]

**360.035 Duties of council.** The Oregon Tourism Council shall perform the following duties:

(1) Serve as a body to advise governmental bodies and agencies and private persons on the development and implementation of state policies and programs relating to tourism and recreation and to assist in the coordination of these activities.

(2) Advise the Governor, the Director of the Economic Development Department and the Economic Development Commission on all matters pertaining to tourism that pertain to the powers, duties and functions of the Tourism Division of the department.

(3) Prepare, periodically revise and submit to the Governor and the director a recommended comprehensive marketing plan for review by the Governor and director as provided in ORS 360.045. The comprehensive marketing plan shall be directed toward the accomplishment of the following purposes:

(a) Maximizing the return on public and private investment in tourism.

(b) Encouraging longer stays by visitors to Oregon.

(c) Assisting local agencies in attracting conferences and conventions.

(d) Reducing seasonal fluctuations in travel and tourist related industries.

(e) Encouraging visitors to be destination oriented in this state.

(f) Encouraging visitors from foreign countries to come to Oregon.

(g) Encouraging Oregonians to vacation in Oregon.

(4) Develop a recommended biennial budget for the operation of the division that will be submitted to the director and the Governor.

(5) Seek and receive the views of all levels of government and the private sector with respect to state programs and policies for the promotion and assistance of tourism.

(6) Prepare and submit suggested administrative rules to the director that the council determines are necessary for the operation of the division's programs.

(7) Cooperate with educational institutions of the state in the development of educational programs preparing persons for supporting and leadership positions critical to the development of an economically strong and socially beneficial tourism industry in Oregon. [1983 c.324 §4; 1985 c.104 §1]

**360.045 Action on marketing plan.** Upon receipt of a marketing plan prepared or revised by the Oregon Tourism Council under ORS 360.035, the Governor and the director may review the plan. If the Governor or the director has any disagreement with the plan or if the Governor or director desires anything included in the plan that is not in the plan when submitted, the Governor or director shall resubmit the plan to the council with recommendations for revision by the council. [1983 c.324 §4a]

**360.055 Tourism Division; sections.** (1) The Tourism Division is established as a division within the Economic Development Department. The division is subject to the supervision of the Administrator of the Tourism Division. The division shall consist of the administrator and all personnel employed in the division and shall be composed of the following administrative sections:

(a) The Marketing Section created under ORS 360.065.

(b) The Visitor Information Section created under ORS 360.075.

(c) The Historical Museum Section created under ORS 360.095.

(2) The division shall provide the council with staff and other assistance as necessary for the council to perform its duties. [1983 c.324 §5; 1985 c.104 §2]

**360.065 Duties and powers of marketing section.** The Marketing Section of the Tourism Division is established as an administrative section of the division. The section is subject to the general supervision of the administrator. The following are the duties and powers of the section:

(1) The section shall collect, analyze and disseminate data that accurately measures the economic and social impact of tourism on this state that may be used in marketing efforts.

(2) The section shall carry out a program of media advertising, promotion of Oregon to the travel trade and other promotional activities as directed by the administrator and in compliance with the marketing plan established by the council under ORS 360.035.

(3) The section shall provide information on vacationing in Oregon to travel writers, travel agents and tour operators. The section may expend moneys duly budgeted to pay the travel and various other expenses of travel writers, travel agents and tour operators.

(4) The section shall assist communities with publicity concerning local festivals, arts activities and historical and natural attractions.

(5) The section shall answer requests for information about Oregon.

(6) The section shall print, publish and distribute all the information required by this section in a manner that will best serve the traveling public. In carrying out this subsection, the section is not subject to ORS chapter 282.

(7) The section may enter into agreements and cooperate with political subdivisions of this state, state agencies, other states, federal agencies, governments of foreign countries and private individuals, corporations or other persons in the publication or distribution of information relating to recreational activities and tourist facilities or of other information or materials of interest or service to the traveling public. [1983 c 324 §7]

**360.075 Duties of Visitor Information Section.** The Visitor Information Section of the Tourism Division is established as an administrative section of the division. The section is subject to the general supervision of the administrator. The following are the duties and powers of the section:

(1) The section shall administer ORS 377.785.

(2) The section shall distribute to the traveling public information and materials provided to the section by the division, travel and tourist industry organizations, private individuals who supply information concerning the travel and tourist industries and other private and public sources. [1983 c 324 §8; 1985 c.104 §3]

360.085 [1983 c 324 §9; repealed by 1985 c.104 §7]

**360.095 Duties of Historical Museum Section.** The Historical Museum Section of the Tourism Division is established as an administrative section of the division. The section is subject to the general supervision of the administrator. The section shall administer ORS 358.710 to 358.770 and 360.115 relating to museums. [1983 c 324 §10]

**360.105 Administrator of division.** (1) The Director of the Economic Development Department, upon consultation with the council and upon the approval of the Governor, shall appoint an administrator of the division who shall serve at the pleasure of the director.

(2) The administrator shall receive such salary as may be provided by law or as fixed by the director.

(3) The administrator shall be the administrative head of the division.

(4) The administrator may suggest rules to the director for the government of the division, the conduct of its employees and the assignment and performance of its business and the custody, use and preservation of its records, papers and property. [1983 c.324 §6]

**360.115 Staff; special consultant.** (1) Subject to subsection (2) of this section, the Tourism Division of the Economic Development Department shall employ, in accordance with the State Personnel Relations Law, the staff necessary to assist them in carrying out the provisions of ORS 358.710 to 358.770.

(2) The division may engage on an independent-contractor basis a qualified consultant to make in a professional capacity, a special and temporary survey and investigation concerning the eligibility of a county to receive a matching fund grant as authorized by ORS 358.760 and to make recommendations in connection therewith. [Formerly 366 920]

**360.125 Rulemaking.** The Director of the Economic Development Department, in accordance with ORS 183.310 to 183.550, may adopt such rules for the operation of the Tourism Division as the director determines necessary or convenient for the division to perform its duties and functions. [1983 c 324 §12]

**360.135 Tourism Division Account.** (1) The Tourism Division Account is established in the General Fund of the State Treasury. Except for moneys otherwise designated by statute, all fees, assessments, federal apportionments or contributions and other moneys received by the Tourism Division of the Economic Development Department shall be paid into the State Treasury and credited to the account. All moneys in the account are appropriated continuously and shall be used by the division for purposes authorized by law.

(2) The division shall keep a record of all moneys deposited in the account. The record shall indicate by separate and by cumulative accounts the source from which moneys are derived and the individual activity or program against which each withdrawal is charged. [1983 c.324 §11]

---

## CHAPTERS 361 to 365

[Reserved for expansion]

**EDUCATION AND CULTURAL FACILITIES**

---