

# House Bill 3149

Sponsored by Representatives SMITH DB, GOMBERG; Representatives HEARD, KENNEMER, NEARMAN, WHISNANT, WILSON, WITT, Senators HANSELL, ROBLAN

## 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 **as introduced**.

Requires development of plan for Oregon Coast Trail.  
Establishes Oregon Coast Trail Fund. Continuously appropriates moneys in fund to State Parks and Recreation Department for developing and implementing plan.  
Takes effect on 91st day following adjournment sine die.

## A BILL FOR AN ACT

1 Relating to the Oregon Coast Trail; and prescribing an effective date.

2  
3 Whereas 2017 marks the 50th anniversary of the Oregon Beach Bill, House Bill 1601 (1967), in  
4 which the Legislative Assembly established the public's right to uninterrupted use of Oregon's  
5 shoreline and beaches; and

6 Whereas the Oregon Coast Trail spans more than 350 miles of Oregon coastline from the south  
7 jetty of the Columbia River on the north to the Oregon-California border on the south, taking ad-  
8 vantage of the publicly owned beaches and providing connections between the beaches; and

9 Whereas the State Parks and Recreation Division began development of the Oregon Coast Trail  
10 in 1971 and declared it hikeable in 1988, and the State Parks and Recreation Department has a  
11 target date of 2021 for completion of the trail system; and

12 Whereas numerous trail segments or "gaps" require trail users to walk along the shoulder of  
13 US Highway 101 or on other roads not designed for pedestrian use; and

14 Whereas closing the gaps in the Oregon Coast Trail system will increase the safety of trail users  
15 and motorists alike; now, therefore,

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

17 **SECTION 1. (1) The State Parks and Recreation Department and the Department of**  
18 **Transportation shall, in cooperation with other interested state agencies, local governments,**  
19 **nonprofit organizations and other stakeholders, develop an action plan to complete the**  
20 **Oregon Coast Trail. The plan shall identify and address:**

21 **(a) A preferred option for the development, maintenance and operation of each new trail**  
22 **segment intended to address a gap in the trail system, including the costs associated with**  
23 **the development, maintenance and operation, that:**

24 **(A) Takes into account the existing uses of the land where trail segments are to be**  
25 **constructed, including public highway right-of-way, private or public ownership and active**  
26 **rail use;**

27 **(B) Ensures that the designation of trail segments will not conflict with surrounding**  
28 **private property rights, including rights of way and easements; and**

29 **(C) Takes into account the concerns of the public and other interested parties;**

30 **(b) Prioritization of new trail segment construction based on resulting improved safety,**

**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 immediacy of implementation, potential project sponsors and sources of funding;

2 (c) Potential sources of funding for implementation of the plan, including but not limited  
3 to federal, state and private sources; and

4 (d) Options for designation of final state agency or other responsible entities for the de-  
5 velopment, maintenance and operation of the trail and trail facilities as identified in the plan.

6 (2) The State Parks and Recreation Department and the Department of Transportation  
7 may coordinate with nonprofit organizations to raise funds and to develop, maintain and  
8 operate the trail and trail facilities as necessary to implement the plan developed under this  
9 section.

10 SECTION 2. The Oregon Coast Trail Fund is established in the State Treasury, separate  
11 and distinct from the General Fund. All gifts, grants, appropriations or donations received  
12 by the state for purposes of developing or implementing the plan described in section 1 of  
13 this 2017 Act shall be deposited in the Oregon Coast Trail Fund. All moneys in the fund are  
14 continuously appropriated to the State Parks and Recreation Department for the purposes  
15 of developing and implementing the plan.

16 SECTION 3. The State Parks and Recreation Department and Department of Transpor-  
17 tation shall submit the plan provided for in section 1 of this 2017 Act to an appropriate in-  
18 terim committee of the Legislative Assembly no later than September 15, 2018.

19 SECTION 4. This 2017 Act takes effect on the 91st day after the date on which the 2017  
20 regular session of the Seventy-ninth Legislative Assembly adjourns sine die.

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