

A-Engrossed
Senate Bill 823

Ordered by the Senate May 7
Including Senate Amendments dated May 7

Sponsored by Senator AVAKIAN; Senator ATKINSON, Representative BONAMICI

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.

[Authorizes State Historic Preservation Officer to restrict or condition] **Prohibits public body from approving** development along route of Oregon Trail. *[Requires public body that receives application for development to submit application to officer for review.]*

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to development along Oregon Trail; and declaring an emergency.

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

4 **SECTION 1. As used in section 2 of this 2007 Act, "Oregon Trail" means a pathway for**
5 **early emigrants to the State of Oregon and a practical corridor to the western United States**
6 **as identified on the 1959 Oregon State Highway Department map of the Oregon Trail in 10**
7 **sections, identified as "T.E.D. Draw'g No. 6138" and on file with the State Historic Preser-**
8 **vation Officer.**

9 **SECTION 2. A public body, as defined in ORS 174.109, may not approve an application for**
10 **a permit under ORS 215.402 to 215.438 or 227.160 to 227.186, or an application for any other**
11 **development approval to change a present use, including construction or remodeling of**
12 **structures, at a location within 100 feet of the route of the Oregon Trail.**

13 **SECTION 3. This 2007 Act being necessary for the immediate preservation of the public**
14 **peace, health and safety, an emergency is declared to exist, and this 2007 Act takes effect**
15 **on its passage.**

16

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.