

REVENUE: No revenue impact

FISCAL: No fiscal impact

Action:	Do Pass as Amended and Be Printed Engrossed
Vote:	5 - 0 - 2
Yeas:	Clem, Dingfelder, Macpherson, Smith P., Roblan
Nays:	0
Exc.:	Boquist, Maurer
Prepared By:	Beth Patrino, Administrator
Meeting Dates:	5/17

WHAT THE MEASURE DOES: Eliminates certain land use regulations relating to agricultural quarantines and embargoes, animal and plant disease controls, right-to-farm, and integrated pest management from the list of land use regulations for which an owner may claim compensation because the land use regulation restricts use of and reduces fair market value of private real property. Declares emergency, effective upon passage.

ISSUES DISCUSSED:

- Potential conflict with HB 3540-B
- Statutes listed in measure

EFFECT OF COMMITTEE AMENDMENT: Replaces the original bill.

BACKGROUND: Based on discussions with legal counsel, the Department of Agriculture (ODA) is concerned that several regulations that provide tools to protect the welfare of the agricultural industry may be subject to the provisions of ORS 197.352 (Ballot Measure 37, 2004). The regulations identified in SB 239-A qualify under the definition found in Ballot Measure 37, but are not commonly recognized as land use regulations. Rather, they are aimed at protecting the health and welfare of the agricultural industry against conditions and actions that may occur on a single property but can spread and affect a larger land area or segment of agriculture.