

## HOUSE AMENDMENTS TO A-ENGROSSED HOUSE BILL 3540

By JOINT COMMITTEE ON WAYS AND MEANS

May 1

1 On page 1 of the printed A-engrossed bill, line 3, delete “limiting”.

2 In line 4, delete “expenditures;”.

3 Delete lines 20 and 21 and insert:

4 “(4) ‘Fair market value’ means the value of property as determined under section 21b of this  
5 2007 Act.”.

6 On page 2, line 29, after the semicolon insert “or”.

7 In line 30, delete the semicolon and insert a period.

8 Delete lines 31 through 41 and insert:

9 “(f) Land that is in an exclusive farm use zone and that is no more than 3,000 feet above mean  
10 sea level, with an aspect between 67.5 and 292.5 degrees and a slope between zero and 15 percent,  
11 and that is located within:

12 “(A) The portion of the Columbia Gorge viticultural area as described in 27 C.F.R. 9.178 that is  
13 within the State of Oregon;

14 “(B) The Rogue Valley viticultural area as described in 27 C.F.R. 9.132;

15 “(C) The portion of the Columbia Valley viticultural area as described in 27 C.F.R. 9.74 that is  
16 within the State of Oregon;

17 “(D) The portion of the Walla Walla Valley viticultural area as described in 27 C.F.R. 9.91 that  
18 is within the State of Oregon; or

19 “(E) The portion of the Snake River Valley viticultural area as described in 27 C.F.R. 9.208 that  
20 is within the State of Oregon.”.

21 On page 3, line 17, delete “residentially zoned” and after “property” insert “zoned for residential  
22 use”.

23 On page 5, line 25, after “(4)” insert “(a)”.

24 After line 27, insert:

25 “(b) Subsection (3)(b) of this section does not apply to any farming or forest practice regulation  
26 that is enacted after May 15, 2007, unless the primary purpose of the regulation is the protection  
27 of public health and safety.

28 “(c) Subsection (3)(c) of this section does not apply to any farming or forest practice regulation  
29 that is enacted after May 15, 2007, unless the public entity enacting the regulation has no discretion  
30 under federal law to decline to enact the regulation.”.

31 On page 16, delete lines 34 through 37 and insert:

32 “(a) Any reduction in the fair market value of the property by reason of the enactment of a  
33 farming or forest practice regulation;

34 “(b) A reduction of 10 percent or more in the fair market value of the property by reason of the  
35 enactment of one land use regulation, other than a farming or forest practice regulation; or

1 “(c) A reduction of 25 percent or more in the fair market value of the property by reason of the  
2 enactment of two or more land use regulations that are not farming or forest practice regulations  
3 during any five-year period.”.

4 On page 17, line 18, delete “was not residential use” and after “enacted” insert “was not the  
5 use that was restricted by the land use regulation”.

6 On page 20, line 6, after the period insert “A determination by a public entity under sections 5  
7 to 11 or 12 to 14 of this 2007 Act is not a land use decision.”.

8 Delete lines 44 and 45 and insert:

9 “**SECTION 20.** An appraiser certified under ORS 674.310 or a person registered under ORS  
10 chapter 308 may carry out the appraisals required by sections 5 to 22 of this 2007 Act.”.

11 On page 21, after line 20, insert:

12 “**SECTION 21b.** For the purposes of sections 5 to 22 of this 2007 Act, the fair market  
13 value of property is the amount of money, in cash, that the property would bring if the  
14 property was offered for sale by a person who desires to sell the property but is not obligated  
15 to sell the property, and if the property was bought by a person who was willing to buy the  
16 property but not obligated to buy the property. The fair market value is the actual value of  
17 property, with all of the property’s adaptations to general and special purposes. The fair  
18 market value of property does not include any prospective value, speculative value or possi-  
19 ble value based upon future expenditures and improvements.”.

20 Delete lines 31 through 37.

21 In line 41, delete “24” and insert “23”.

22 On page 22, line 39, delete “25” and insert “24”.

23 In line 42, delete “26” and insert “25”.

24 In line 44, delete “\_\_\_\_\_ Bill \_\_\_\_\_” and insert “House Bill 2083”.