

REVENUE: No revenue impact

FISCAL: Fiscal statement issued

Action:	Do Pass as Amended and Be Printed Engrossed
Vote:	5 - 0 - 0
Yeas:	Bonamici, Boquist, Dingfelder, Whitsett, Prozanski
Nays:	0
Exc.:	0
Prepared By:	Anna Braun, Counsel
Meeting Dates:	3/20, 4/13

WHAT THE MEASURE DOES: Extends Ballot Measure 49 land use deadlines for the following claimants; claimants who filed only with the state, claimants with property within a city but outside an urban growth boundary, claimants who filed before December 4, 2006 and attempted to file with state after that date by filing a land use application, claimants who filed 1-7 days late. Allows claimants to pursue both vested right relief and relief under Measure 49 section 6 (which allows 1-3 home sites), but only allows claimant to receive one form of relief. Specifies rules for the specific situation of a claim being bisected by an Urban Growth Boundary line. Authorizes Department of Land Conservation and Development (DLCDD) rulemaking. Creates deadline of December 31, 2010 for new rules under SB 945A. Creates deadline of June 30, 2010 for Measure 49 claims. Allows DLCDD to advance 100 claims if hardship found by Ombudsman. Declares emergency, effective upon passage.

ISSUES DISCUSSED:

- Compromise solution between 1,000 Friends and Oregonians in Action
- Outstanding issue of county filed only claims
- Process for hardship determination

EFFECT OF COMMITTEE AMENDMENT: Replaces the original measure.

BACKGROUND: In November 2007, Oregon voters approved Measure 49, which modified Ballot Measure 37 (2004). Measure 37 allowed property owners whose property value was reduced by land use regulations to claim compensation from state or local government. If the government failed to compensate a claimant within two years of the claim, the law allowed claimants to use only the property under the regulations in place at the time they purchased the property. Measure 49 replaced Measure 37 with an approval for claimants to establish a specific, but limited, number of home sites. It was available only for claimants who filed Measure 37 claims on or before June 28, 2007. SB 945A allows extension of a Measure 49 claim for a limited number of claimants who failed to meet procedural requirements.