

**Enrolled**  
**House Bill 3153**

Sponsored by Representative CLEM; Representatives BOONE, C EDWARDS

CHAPTER .....

AN ACT

Relating to utility facilities.

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

**SECTION 1. (1) As used in this section:**

(a) **“Consult” means to make an effort to contact for purpose of notifying the record owner of the opportunity to meet.**

(b) **“High-value farmland” has the meaning given that term in ORS 195.300.**

(c) **“Transmission line” means a linear utility facility by which a utility provider transfers the utility product in bulk from a point of origin or generation, or between transfer stations, to the point at which the utility product is transferred to distribution lines for delivery to end users.**

(2) **If the criteria described in ORS 215.275 for siting a utility facility on land zoned for exclusive farm use are met for a utility facility that is a transmission line, the utility provider shall, after the route is approved by the siting authorities and before construction of the transmission line begins, consult the record owner of high-value farmland in the planned route for the purpose of locating and constructing the transmission line in a manner that minimizes the impact on farming operations on high-value farmland. If the record owner does not respond within two weeks after the first documented effort to consult the record owner, the utility provider shall notify the record owner by certified mail of the opportunity to consult. If the record owner does not respond within two weeks after the certified mail is sent, the utility provider has satisfied the provider’s obligation to consult.**

(3) **The requirement to consult under this section is in addition to and not in lieu of any other legally required consultation process.**

**Passed by House May 29, 2009**

**Repassed by House June 23, 2009**

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Chief Clerk of House

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Speaker of House

**Passed by Senate June 22, 2009**

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President of Senate

**Received by Governor:**

.....M,....., 2009

**Approved:**

.....M,....., 2009

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Governor

**Filed in Office of Secretary of State:**

.....M,....., 2009

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Secretary of State