

# House Bill 3647

Sponsored by COMMITTEE ON AGRICULTURE, NATURAL RESOURCES AND RURAL COMMUNITIES

## 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 **as introduced**.

Allows landowner to request that Department of Land Conservation and Development arrange for independent soil capability assessment.

Allows department to charge fee for assessment service. Creates Soils Assessment Fund for deposit of assessment fees. Continuously appropriates moneys to department for purposes of Act.

Declares emergency, effective on passage.

## A BILL FOR AN ACT

Relating to soil information; appropriating money; and declaring an emergency.

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

**SECTION 1. (1) If a landowner concludes that more detailed soils information than that contained in the Internet soil survey of soil data and information produced by the National Cooperative Soil Survey operated by the Natural Resources Conservation Service of the United States Department of Agriculture would assist a county to make a better determination of whether land qualifies as agricultural land, the landowner must request that the Department of Land Conservation and Development arrange for an assessment of the capability of the landowner's soils by a professional soil classifier who is:**

**(a) Certified by and in good standing with the American Registry of Certified Professionals in Agronomy, Crops and Soils; and**

**(b) Chosen by the landowner.**

**(2) The Department of Land Conservation and Development shall review the soil assessment prepared under this section.**

**(3) Before arranging for an assessment under this section, the department shall charge and collect from the landowner a fee in an amount intended to meet the costs of the department to assess the soils and administer this section.**

**(4) The department shall deposit fees collected under this section in the Soils Assessment Fund established in section 2 of this 2010 Act.**

**SECTION 2. The Soils Assessment Fund is established in the State Treasury, separate and distinct from the General Fund. Interest earned by the Soils Assessment Fund shall be credited to the fund. Moneys in the fund are continuously appropriated to the Department of Land Conservation and Development to meet the costs of the department to assess soils under and to administer section 1 of this 2010 Act.**

**SECTION 3. (1) Section 1 of this 2010 Act becomes operative on the date the Oregon Department of Administrative Services executes a price agreement for the fee described in section 1 of this 2010 Act on behalf of the Department of Land Conservation and Development.**

**(2) The Department of Land Conservation and Development shall notify the Legislative**

**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.

1 **Counsel of the date the price agreement is executed within 10 days after the price agreement**  
2 **is executed.**

3 **SECTION 4. This 2010 Act being necessary for the immediate preservation of the public**  
4 **peace, health and safety, an emergency is declared to exist, and this 2010 Act takes effect**  
5 **on its passage.**

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