

## HOUSE AMENDMENTS TO HOUSE BILL 3615

By COMMITTEE ON JUDICIARY

April 27

1 On page 1 of the printed bill, delete lines 4 through 29 and delete pages 2 and 3 and insert:

2 **“SECTION 1. Section 2 of this 2011 Act is added to and made a part of ORS chapter 195.**

3 **“SECTION 2. (1) Jackson, Josephine and Douglas Counties may, after entering into an**  
4 **intergovernmental agreement, petition the Land Conservation and Development Commission**  
5 **to establish a definition of the term ‘agricultural land’ or ‘forestland’ for purposes of state-**  
6 **wide land use planning in the three counties or in a specified region within the three coun-**  
7 **ties.**

8 **“(2) If a petition is filed with the commission:**

9 **“(a) The petition must identify the region to which the definitions apply, taking into**  
10 **consideration:**

11 **“(A) The need to address similar and related lands as one region; and**

12 **“(B) The need to address similar and related farm practices and products or forest**  
13 **practices and products in a region in a consistent manner.**

14 **“(b) The commission shall coordinate with all local governments in the affected region.**

15 **“(3) The commission is not subject to ORS 197.235 (1)(a) for the purpose of establishing**  
16 **definitions under this section. However, the commission shall hold at least one public hear-**  
17 **ing in each county in which the definitions would apply.**

18 **“(4) The commission shall base definitions established under this section on the charac-**  
19 **teristics of the land, commercial farm or forest practices in the region, ORS 215.243 and**  
20 **215.700 and on consideration of the following factors:**

21 **“(a) The capability and suitability of the soil for commercial farming or forestry;**

22 **“(b) The long-term viability of current and potential future commercial farm or forest**  
23 **operations on the land;**

24 **“(c) The availability of water needed to sustain current or anticipated commercial farm**  
25 **operations on the land;**

26 **“(d) The commercial farm or forest land use pattern, including parcelization, tenure and**  
27 **ownership patterns of the land and nearby lands; and**

28 **“(e) Opportunities for alternative economic uses of the land that would enhance the em-**  
29 **ployment base of the counties and provide jobs to the region, as identified by the counties**  
30 **filing the petition.**

31 **“(5) A county that elects to amend its comprehensive plan and zoning map designations**  
32 **based on definitions made pursuant to this section shall:**

33 **“(a) Comply with the requirements of ORS 215.791; and**

34 **“(b) Submit the proposed amendments to the commission pursuant to ORS 215.794.**

35 **“SECTION 3. In addition to and not in lieu of any other appropriation, there is appro-**

1    **priated to the Department of Land Conservation and Development, for the biennium begin-**  
2    **ning July 1, 2011, out of the General Fund, the amount of \$350,000, which may be distributed**  
3    **in the form of grants to Jackson, Josephine and Douglas Counties to assist the counties to**  
4    **take action under section 2 of this 2011 Act.**

5        **“SECTION 4. (1) The Department of Land Conservation and Development shall make**  
6    **grant moneys appropriated to the department by section 3 of this 2011 Act available to**  
7    **Jackson, Josephine and Douglas Counties after the counties have entered into an intergov-**  
8    **ernmental agreement pursuant to ORS 195.025 (2).**

9        **“(2) Upon entering into the intergovernmental agreement, Jackson, Josephine and**  
10   **Douglas Counties may proceed immediately under section 2 of this 2011 Act.**

11       **“SECTION 5. For the biennium beginning July 1, 2013, the Land Conservation and De-**  
12   **velopment Commission shall, upon receipt of a petition filed by adjoining counties, select at**  
13   **least one, but not more than two, additional regions for which to consider establishing a**  
14   **definition of the term ‘agricultural land’ or ‘forestland’ for purposes of statewide land use**  
15   **planning in the manner set forth in section 2 of this 2011 Act.”.**