

## HOUSE AMENDMENTS TO HOUSE BILL 4170

By COMMITTEE ON RULES

February 22

- 1 On page 1 of the printed bill, line 2, delete “and 215.304” and insert “, 215.304 and 308A.056”.
- 2 On page 2, line 18, after the semicolon insert “and”.
- 3 Delete lines 19 and 20.
- 4 In line 21, delete “(L)” and insert “(K)”.
- 5 On page 5, delete lines 36 through 41 and insert:
- 6 “(z) Dog training classes or testing trials, which may be conducted in a preexisting farm building
- 7 when:
- 8 “(A) The number of dogs participating in training does not exceed 10 dogs per training class and
- 9 the number of training classes to be held on-site does not exceed six per day; and
- 10 “(B) The number of dogs participating in a testing trial does not exceed 60 and the number of
- 11 testing trials to be conducted on-site is limited to four or fewer trials per calendar year.”.
- 12 On page 6, line 17, delete “(2)(b)(L)” and insert “(2)(b)(K)”.
- 13 On page 14, delete lines 29 through 34 and insert:
- 14 “(x) Dog training classes or testing trials, which may be conducted in a preexisting farm build-
- 15 ing when:
- 16 “(A) The number of dogs participating in training does not exceed 10 dogs per training class and
- 17 the number of training classes to be held on-site does not exceed six per day; and
- 18 “(B) The number of dogs participating in a testing trial does not exceed 60 and the number of
- 19 testing trials to be conducted on-site is limited to four or fewer trials per calendar year.”.
- 20 In line 38, delete “(2)(b)(L)” and insert “(2)(b)(K)”.
- 21 On page 19, after line 37, insert:
- 22 “**SECTION 5.** ORS 308A.056 is amended to read:
- 23 “308A.056. (1) As used in ORS 308A.050 to 308A.128, ‘farm use’ means the current employment
- 24 of land for the primary purpose of obtaining a profit in money by:
- 25 “(a) Raising, harvesting and selling crops.
- 26 “(b) Feeding, breeding, managing or selling livestock, poultry, fur-bearing animals or honeybees
- 27 or the produce thereof.
- 28 “(c) Dairying and selling dairy products.
- 29 “(d) Stabling or training equines, including but not limited to providing riding lessons, training
- 30 clinics and schooling shows.
- 31 “(e) Propagating, cultivating, maintaining or harvesting aquatic species and bird and animal
- 32 species to the extent allowed by the rules adopted by the State Fish and Wildlife Commission.
- 33 “(f) On-site constructing and maintaining equipment and facilities used for the activities de-
- 34 scribed in this subsection.
- 35 “(g) Preparing, storing or disposing of, by marketing or otherwise, the products or by-products

1 raised for human or animal use on land described in this section.

2 “(h) Implementing a remediation plan previously presented to the assessor for the county in  
3 which the land that is the subject of the plan is located.

4 “(i) Using land described in this section for any other agricultural or horticultural use or animal  
5 husbandry or any combination thereof.

6 “(2) ‘Farm use’ does not include the use of land subject to timber and forestland taxation under  
7 ORS chapter 321, except land used exclusively for growing cultured Christmas trees or land de-  
8 scribed in ORS 321.267 (3) or 321.824 (3) (relating to land used to grow certain hardwood timber,  
9 including hybrid cottonwood).

10 “(3) For purposes of this section, land is currently employed for farm use if the land is:

11 “(a) Farmland, the operation or use of which is subject to any farm-related government program;

12 “(b) Land lying fallow for one year as a normal and regular requirement of good agricultural  
13 husbandry;

14 “(c) Land planted in orchards or other perennials, other than land specified in paragraph (d) of  
15 this subsection, prior to maturity;

16 “(d) Land not in an exclusive farm use zone that has not been eligible for assessment at special  
17 farm use value in the year prior to planting the current crop and has been planted in orchards,  
18 cultured Christmas trees or vineyards for at least three years;

19 “(e) Wasteland, in an exclusive farm use zone, dry or covered with water, neither economically  
20 tillable nor grazeable, lying in or adjacent to and in common ownership with farm use land and that  
21 is not currently being used for any economic farm use;

22 “(f) Except for land under a single family dwelling, land under buildings supporting accepted  
23 farming practices, including the processing facilities allowed by ORS 215.213 (1)(u) and 215.283 (1)(r)  
24 and the processing of farm crops into biofuel as commercial activities in conjunction with farm use  
25 under ORS 215.213 (2)(c) and 215.283 (2)(a);

26 “(g) Water impoundments lying in or adjacent to and in common ownership with farm use land;

27 “(h) Any land constituting a woodlot, not to exceed 20 acres, contiguous to and owned by the  
28 owner of land specially valued for farm use even if the land constituting the woodlot is not utilized  
29 in conjunction with farm use;

30 “(i) Land lying idle for no more than one year when the absence of farming activity is the result  
31 of the illness of the farmer or a member of the farmer’s immediate family, including injury or  
32 infirmity, regardless of whether the illness results in death;

33 “(j) Land described under ORS 321.267 (3) or 321.824 (3) (relating to land used to grow certain  
34 hardwood timber, including hybrid cottonwood);

35 “[*k*] Land used for the primary purpose of obtaining a profit in money by breeding, raising,  
36 kenneling or training greyhounds for racing;]

37 “[*L*] (k) Land subject to a remediation plan previously presented to the assessor for the county  
38 in which the land that is the subject of the plan is located; or

39 “[*m*] (L) Land used for the processing of farm crops into biofuel, as defined in ORS 315.141, if:

40 “(i) Only the crops of the landowner are being processed;

41 “(ii) The biofuel from all of the crops purchased for processing into biofuel is used on the farm  
42 of the landowner; or

43 “(iii) The landowner is custom processing crops into biofuel from other landowners in the area  
44 for their use or sale.

45 “(4) As used in this section:

1           “(a) ‘Accepted farming practice’ means a mode of operation that is common to farms of a similar  
2 nature, necessary for the operation of these similar farms to obtain a profit in money and custom-  
3 arily utilized in conjunction with farm use.

4           “(b) ‘Cultured Christmas trees’ means trees:

5           “(A) Grown on lands used exclusively for that purpose, capable of preparation by intensive cul-  
6 tivation methods such as plowing or turning over the soil;

7           “(B) Of a marketable species;

8           “(C) Managed to produce trees meeting U.S. No. 2 or better standards for Christmas trees as  
9 specified by the Agricultural Marketing Service of the United States Department of Agriculture; and

10          “(D) Evidencing periodic maintenance practices of shearing for Douglas fir and pine species,  
11 weed and brush control and one or more of the following practices:

12          “(i) Basal pruning;

13          “(ii) Fertilizing;

14          “(iii) Insect and disease control;

15          “(iv) Stump culture;

16          “(v) Soil cultivation; or

17          “(vi) Irrigation.”.

18          In line 38, delete “5” and insert “6”.

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