



Oregon
Environmental
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Testimony before the Senate Business and Transportation Committee on

House Bill 3212

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Oregon Environmental Council opposes HB 3212

Oregon Environmental Council opposes HB 3212 because it will unnecessarily restrict the state's ability to deal with future challenges such as drought, pesticide drift, and emerging issues such as rules to enable "co-existence" between GMO and non-GMO crops.

HB 3212 is a major expansion to Measure 49 and significantly increases when counties, cities and the state would be liable to farmers for claimed reductions in property values due to reasonable local or state laws that are needed to protect neighboring landowners or shared public resources. The bill would require compensation (or the waiver of laws) even when the state or local laws are necessary to protect the value of neighboring farmer's crops from herbicide drift or GMO cross-pollination, or to ensure water supply for critical needs due to drought.

What types of laws could be affected?

- Reasonable water conservation measures to address wasteful water practices that leave other landowners without adequate water supplies in a time of drought.
- Potential limits on pesticide or herbicide drift to protect neighboring agricultural crops that would lose market value;
- Local laws enabling farmers to protect their crops from cross-pollination by genetically engineered crops to prevent a loss in market value.

This bill asks you to grant a blanket right to landowners for compensation for almost any new rule relating to farming. This is a startlingly significant grant of additional property rights that strips away the ability of local or state government to respond effectively to new challenges or conflicts. We can't imagine all of the possible future circumstances in which this will hamstring the ability of government to protect other's property rights, or public resources. New rules should be evaluated on a specific case-by-case basis, not effectively prohibited in advance en masse. This is not good governance.

We hope you will oppose HB 3212.