

Seventy-Eighth Oregon Legislative Assembly - 2015 Regular Session
STAFF MEASURE SUMMARY
House Committee On Rural Communities, Land Use, and Water

MEASURE: HB 3212 A
CARRIER: Rep. Clem

Fiscal: Fiscal impact issued

Revenue: No Revenue Impact

Action Date: 04/14/15

Action: Do Pass As Amended And Be Printed Engrossed.

Meeting Dates: 03/17, 04/14

Vote:

Yeas: 7 - Clem, Gilliam, Gomberg, Helm, McLane, Post, Witt

Prepared By: Ian Davidson, Committee Administrator

WHAT THE MEASURE DOES:

Modifies definition of “land use regulation” to include any law enacted, or rule adopted, solely for purpose of regulating farming practice that was allowed immediately prior to enactment or adoption.

ISSUES DISCUSSED:

- Distinction between farming practice and crops
- Effect on Oregon Department of Agriculture rulemaking authority
- Legislative intent of Measure 49

EFFECT OF COMMITTEE AMENDMENT:

Reinstates exemption to pay just compensation from farming or forest practices. Replaces “to restricts” with “for the purpose of regulating.”

BACKGROUND:

Existing statute dealing with just compensation for land use regulations defines “land use regulation” as including a provision, enacted or adopted on or after January 1, 2010, of the Oregon Forest Practices Act, an administrative rule of the State Board of Forestry, or any other law enacted, or rule adopted, solely for the purpose of regulating a forest practice.

House Bill 3212 A would add “any law enacted, or rule adopted, solely for the purpose of regulating a farming practice that was allowed immediately prior to enactment of the law or adoption of the rule” to the definition of land use regulation.