

**PROPOSED AMENDMENTS TO
HOUSE BILL 3188**

1 Delete lines 4 through 11 of the printed bill and insert:

2 **“SECTION 1. As used in sections 1 to 5 of this 2015 Act, unless the**
3 **context requires otherwise:**

4 **“(1) ‘Agricultural land’ means land used for the production of live-**
5 **stock for commercial sale or land that is cultivated, planted or irri-**
6 **gated for the production of domestic crops.**

7 **“(2) ‘Forestland’ has the meaning given that term in ORS 477.001.**

8 **“(3) ‘Livestock’ means cattle and other bovines, sheep, goats, horses**
9 **and other domesticated animals that are raised for the purpose of**
10 **providing meat or other products for human consumption or use or**
11 **for other commercial sales.**

12 **“(4) ‘Predator damage control district’ means an association or or-**
13 **ganization that is formed for the purpose of preventing, reducing or**
14 **mitigating damage to livestock or property from predatory animals.**

15 **“(5) ‘Predatory animals’ means animals listed in ORS 497.655.**

16 **“SECTION 2. (1) One or more predator damage control districts**
17 **may be formed within a county. Except as provided in this section, the**
18 **districts may be formed in the same manner as provided for formation**
19 **under ORS 198.705 to 198.955.**

20 **“(2) Notwithstanding ORS 198.755, a minimum of 50 percent of the**
21 **landowners who own 10 or more acres of agricultural land, forestland**
22 **or mixed farm and forest use land within a county may sign a petition**

1 with the county commissioners of the county to form a predator
2 damage control district.

3 “(3) At a minimum, the petition shall:

4 “(a) State the name for the proposed district;

5 “(b) Designate the boundary lines of the proposed district and state
6 the names of the affected counties;

7 “(c) State the names of the landowners and the acres of agricultural
8 land or farmland that each landowner owns;

9 “(d) Include a statement that the petitioners shall pay the reason-
10 able expenses associated with the formation of the proposed district;
11 and

12 “(e) Include a statement of purpose and need that explains:

13 “(A) That the proposed district is necessary to provide services to
14 agricultural, forestland and mixed farm and forest use land to prevent,
15 reduce or mitigate damage to livestock or property from predatory
16 animals;

17 “(B) That the proposed district promotes the production of re-
18 sources that are beneficial to the economy and the public health and
19 safety of the county and state; and

20 “(C) That the formation of the proposed district is a proper and ef-
21 fective means to address the damage to livestock or property from
22 predatory animals.

23 “(4) One or more of the petitioners shall file the petition in the of-
24 fice of the county clerk in which the land is located.

25 “(5) After the petition has been offered for filing, the county clerk
26 shall set a time to hear the petition and shall provide notice, at least
27 15 days before the hearing, in the manner described under ORS 198.730.

28 “(6) The county commissioners shall hear and consider the evi-
29 dence, in support of or in opposition to the petition, that is presented
30 at the hearing. The county commissioners shall make a determination

1 based on the facts alleged and objections stated in the petition to de-
2 termine whether to form the district. If the county commissioners
3 grant the petition, the county commissioners shall declare the district
4 organized. If the county commissioners deny the petition, the county
5 commissioners shall order the proceeding dismissed and adjudge the
6 costs distributed against the petitioners in proportion to the acreage
7 represented by each landowner.

8 “(7) If the decision of the county commissioners is presented before
9 the circuit court for review, the court shall consider the matter de
10 novo and may adopt, modify or reject the decision of the county
11 commissioners in whole or in part and enter into an appropriate order.

12 “SECTION 3. (1) Notwithstanding ORS 198.749 and 198.750, the per-
13 manent tax rate expressed in the economic feasibility statement and
14 on the petition filed under section 2 of this 2015 Act must be expressed
15 both as a rate per acre, not to exceed \$1 per acre, and on a dollars per
16 thousand dollars of assessed value basis for the properties described
17 in subsection (4) of this section, calculated for the latest tax year for
18 which the assessed value of those properties is available.

19 “(2) The county commissioners of a predator damage control dis-
20 trict shall impose an assessment that is expressed as a rate per acre,
21 not to exceed \$1 per acre. However, the county commissioners may
22 determine the equivalent of the assessment on a dollars per thousand
23 dollars of assessed value basis and order a percentage reduction in the
24 assessment if required for compliance with property tax assessment
25 limitations.

26 “(3) The county tax assessor shall determine the total assessment
27 amount for the properties subject to the assessment under subsection
28 (4) of this section based on total value of the properties. The tax
29 assessor shall provide this figure to the county commissioners to de-
30 termine the rate per acre.

1 **“(4) A district may impose an assessment only on properties that**
2 **are:**

3 **“(a) Located outside of incorporated cities;**

4 **“(b) Zoned for farm use, forest use or mixed farm and forest use;**
5 **and**

6 **“(c) On tax lots 10 or more acres in size.**

7 **“(5) The county commissioners may seek to change the boundaries**
8 **of the district to include additional properties, such as property that**
9 **is adjacent to property that is located within the district. The county**
10 **commissioners shall make the change if the county commissioners**
11 **find that the change is in the best interest of the properties served by**
12 **the district.**

13 **“(6) Unless a public body otherwise agrees, agricultural lands or**
14 **forestlands that a public body owns are exempt from any assessment**
15 **imposed for the purposes of creating a predator damage control dis-**
16 **trict.**

17 **“(7) The county commissioners may allow a property that is within**
18 **the boundaries of the district but not subject to the assessment under**
19 **subsection (4) of this section to obtain district services upon payment**
20 **of a fee of \$25 per year.**

21 **“(8) Upon formation of the district, a landowner who would other-**
22 **wise be subject to assessment under subsection (4) of this section may**
23 **choose to remain outside the boundaries of the district and, as a re-**
24 **sult, shall not receive the services performed by the district. At a later**
25 **time, at the landowner’s request and upon payment by the landowner**
26 **of an amount that is three times the minimum \$25 assessment, the**
27 **county commissioners shall include the property within the district**
28 **and provide district services.**

29 **“SECTION 4. (1) Within 30 days of formation of the predator dam-**
30 **age control district, the county commissioners shall appoint an advi-**

1 **sory board consisting of five members comprised of:**

2 **“(a) One member representative of industrial forestland;**

3 **“(b) One member representative of woodlot forestland;**

4 **“(c) Two members representative of livestock producers; and**

5 **“(d) One member representative of an owner at-large.**

6 **“(2) The county commissioners shall assign a different initial term**
7 **of office to each member so that each initial term of office expires at**
8 **staggered intervals.**

9 **“(3) The advisory board shall:**

10 **“(a) Meet, at a minimum, annually;**

11 **“(b) Hold public meetings;**

12 **“(c) Prepare and submit to the county commissioners an annual**
13 **report that describes the activities of the district; and**

14 **“(d) Recommend to the county commissioners whether to assess a**
15 **fee against the property located within the boundaries of the district.**

16 **“(4) After the appointment of the first advisory board, the county**
17 **commissioners shall appoint, as needed, successor advisory board**
18 **members to maintain five members on the board. When the term of**
19 **an advisory board member is set to expire, the county commissioners**
20 **may reappoint the member to another term of office. Successor**
21 **members shall hold office for three years and until the county com-**
22 **missioners appointment the member’s successor.**

23 **“SECTION 5. Section 2 of this 2015 Act is repealed January 2, 2022.**
24 **Any assets of a predator control district existing on January 2, 2022**
25 **are subject to ORS 198.955.”.**

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