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Senate Committee on Education
OFB Testimony on HB 3109 -2 & -4
May 10, 2021

Chair Dembrow, members of the Committee,

Thank you for the opportunity to provide testimony today in opposition to the -2 and -4 amendments of HB 3109. By way of background, the Oregon Farm Bureau (OFB) is the state's largest agricultural trade association, representing nearly 7,000 farm and ranch families across the state. While we applaud this legislation for working to address accessibility to childcare in the state, we have substantial concerns about the potential for unintended consequences stemming from siting childcare facilities near active agricultural operations as allowed in the -2 and -4 amendments.

Oregon's exclusive farm use policy calls for the "preservation of a maximum amount of the limited supply of agricultural land" in order to maintain the agricultural economy of the state. See ORS 215.243. It has been well recognized that conflicting land uses in areas devoted to agricultural use can have a significant impact on neighboring farmers, and make it difficult to maintain viable farm operations. OFB believes that allowing childcare facilities to be developed on land zoned for exclusive farm use will result in significant impacts to nearby commercial farming operations and accepted farming practices. For example, farm operations require intensive irrigation management as well as pest and weed control. Moreover, cultivation and harvest often cause dust, loud noises, strong smells, and heavy equipment and machinery. Farm roads are often utilized by slow-moving and wide vehicles. Rural road congestion often leads to an increase in devastating traffic accidents that injure commuters, farmers, and farm employees.

The -2 and -4 amendment may raise possible safety conflicts between moving farm equipment or freight haulers, and school buses or parents trying to drop their kids off at daycare on time. All of these practices are incompatible with an adjacent daycare facility, and increase the odds that a farmer will be subject to complaints or litigation from an adjacent facility who is unaccustomed to having farm operations next door.

Therefore, we urge the Committee to only move the base bill and not adopt either the -2 or the -4 amendment. Thank you for the opportunity to provide testimony. Please do not hesitate to reach out with any questions or concerns.

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