



March 19, 2021

RE: Opposition to HB 3239

Dear Chair Wilde, Vice Chair Lief, Vice Chair Lively, and Members of the Committee,

We are strongly opposed to HB 3239.

HB 3239 is in direct conflict with the existing, regulated hemp and marijuana programs, as well as [HB 2844 \(2019\)](#).¹ HB 3239 attempts to create an unreasonable restriction on both marijuana and hemp processors, by limiting processing sites to only areas zoned for industrial use and not within 2,000 feet of areas zoned for residential use. If passed, this would severely negatively impact processors throughout the state, requiring well established businesses to close their doors and find new locations to operate in.

All hemp and marijuana processors are required to obtain Land Use Compatibility Statements (LUCS) to ensure these businesses are located within a zone that they are allowed to operate in and are the meeting standards required by local zoning codes and planning departments. LUCS ensures the locality is monitoring activities of businesses operating within their jurisdictions. Mandatory LUCS approval as a condition of registration or license approval is in place to ensure safe operations of our program registrants and licensees.

Additionally, we are very concerned that HB 3239 would set bad precedent for agriculture and agricultural processing in our state. We must protect our agricultural industry and the processors supporting our farmers.

Again, we are opposed to HB 3239 and request your “no” vote to ensure the protection and viability of the hemp and marijuana industries in our state.

Respectfully,

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¹ Signed into law on June 17, 2019, HB 2844 authorized counties to allow a facility for the processing of farm products as a permitted use on land zoned for exclusive farm use if the facility (a) uses less than 10,000 square feet for its processing area and complies with all applicable siting standards; or (b) notwithstanding any applicable siting standard, uses less than 2,500 square feet for its processing area. HB 2844 Section 2(3) also specially provided that “a county may not apply siting standards in a manner that prohibits the siting of a facility for the processing of farm products.”