

Submitter: Robert Emmons

On Behalf Of: LandWatch Lane County

Committee: House Committee On Agriculture, Land Use, Natural Resources, and Water

Measure: HB3362

House Committee on Agriculture, Land Use, Natural Resources and Water

Re: HB 3362

Committee Members:

Please accept the following comments on behalf of LandWatch Lane County, a non-profit that has worked for over 25 years to protect Lane County's farm and forest land, natural areas and open space.

Dave Hunnicutt would have you believe that the only reason he's advocating your support for HB 3362 is that it provides a remedy for the two ("innocent") families who were victimized by doctored deeds and description cards and that Lane County bears some blame for what transpired. But, as our attorney Sean Malone has pointed out, the blame belongs to the person who perpetrated the fraud and betrayed her own clients, and all the forensic evidence that came to light in the hearing on this matter points unequivocally to Kim O'Dea.

Consequently, as Mr. Hunnicutt is well aware, the Johnsons and Vogels have recourse to ORS 92.018, which allows anyone who buys a piece of land that is not lawful to bring action against the seller and to recover attorney fees if successful. The Johnsons and Vogels were victims of a criminal act, and the proper venue for a fix is circuit court not a bill that will relieve the perpetrator and whose underlying motivation is to further weaken land use regulation.

Because a legal remedy already exists, LandWatch cannot support HB 3362 or its amendments, and we urge you to deny it as well.

Thank you.

Robert Emmons, President
LandWatch Lane County