



Statement of OLAWA, the Oregon Land And Water Alliance

In support of House Bill 3013

My name is Paul Lipscomb, and I live in the Cloverdale area outside of Sisters, Oregon. I am the Vice President of OLAWA, the Oregon Land And Water Alliance. The Oregon Land And Water Alliance is a 501c3 organization, and its purpose is to educate the public to promote and protect the Rule of Law on all local issues relating to land and water use as well as fish and wildlife. I have been authorized to present this testimony in support of this bill on behalf of OLAWA, and its Board of Directors.

We support HB 3013 and its proposed amendment in HB 3013-1.

LUBA decisions on land use proposals that fail to gain acknowledgement are not self-enforcing. And LUBA lacks any enforcement powers of its own. Accordingly, when someone fails to comply with a formal LUBA final order, the only recourse for objecting parties is to file an action in the Circuit Court. This can be both expensive and timeconsuming.

Neighbors often do not have sufficient “standing” in Circuit Court, and/or lack the financial resources to seek enforcement by the Court of a final LUBA order. Additionally, the local land use authorities may well have little incentive for enforcement of LUBA orders that overrule previous approvals by those same local officials. This bill is necessary to provide a remedy to plug that loophole.

This is a good bill that deserves your support.

Thank you for your consideration of our views on this issue.

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