Submitter:	Greg Macpherson
On Behalf Of:	Self
Committee:	Senate Committee On Natural Resources and Wildfire
Measure, Appointment or Topic:	SB78

Chair Golden and Members of the Committee:

I live on the farm in rural Linn County that has been in my family for five generations. I grow hazelnuts on part of the farm and the rest is leased to a cousin for grass seed production.

I attended the March 6 hearing on SB 77, SB 78, and SB 788, though I did not sign up to testify. This will communicate my support for SB 77 and SB 78 and my opposition to SB 788.

Several of those who testified at the March 6 hearing mentioned my father, former State Senator Hector Macpherson who sponsored SB 100 in the 1973 session creating Oregon's program of statewide land use planning. Under that law productive lands outside urban growth boundaries are limited to exclusive farm use (EFU) as a way to protect Oregon agriculture from incompatible uses.

My father was both visionary and practical. While he championed EFU protections, he recognized the need for some flexibility if compatible with the needs of agriculture. One element of flexibility allows those residing on EFU land to conduct limited home occupations besides farming. Another allows the owner of an older dwelling on EFU land to replace it with a newer one. However, some opportunists are using the home occupation allowance to conduct large scale businesses that are totally incompatible with farming. Others are replacing small older dwellings with rural mansions.

SB 77 and SB 78 are sensible limitations on the scope of a home occupation and the size of a replacement dwelling. They simply put into statute the limitations that were always intended. The fact that a few opponents of SB 77 and SB 78 appeared at the hearing (though greatly outnumbered by supporters) demonstrates why these bills are needed. There will always be a few who will take advantage of what they regard as loopholes. Passing SB 77 and SB 78 will close the loopholes while still allowing the intended flexibility.

SB 788 is an attempt to create a new loophole for the opportunists. It would allow "a wedding or event venue" on EFU land. One might imagine a few chairs and flowers set up for a wedding ceremony in or near someone's barn. But the phrase "event venue" is so broad that opportunists could use it to hold a rock concert or other mass gathering. Such an event would doubtless be held in the summer months, drawing

many additional cars onto country roads over which farmers must move equipment to their fields. In addition to this fundamental problem with SB 788, it has a serious drafting problem. At the hearing a representative of the Eastern Oregon county commission organization testified that this change is needed in their part of the state. But the new ORS 215.283(1)(aa) added by SB 788 would allow an event venue “east of the summit of the Cascade Range and in counties of fewer than 90,000”. Thus, they would be allowed in all counties east of the Cascades and half the counties west of the Cascades. SB 788 is an invitation for opportunists to seek profits through much of the state while making it harder for farmers to produce.

Please pass SB 77 and SB 78 and let SB 788 die in your committee. Thank you.