

Enrolled Senate Bill 96

Printed pursuant to Senate Interim Rule 213.28 by order of the President of the Senate in conformance with pre-session filing rules, indicating neither advocacy nor opposition on the part of the President (at the request of Governor Theodore R. Kulongoski for Department of Land Conservation and Development and Office of Regulatory Streamlining)

CHAPTER

AN ACT

Relating to number of hearings required to amend statewide land use planning goals; creating new provisions; and amending ORS 197.235.

Be It Enacted by the People of the State of Oregon:

SECTION 1. ORS 197.235 is amended to read:

197.235. (1) In preparing the goals and guidelines, the Department of Land Conservation and Development shall:

(a) Hold at least 10 public hearings throughout the state, causing notice of the time, place and purpose of each [*such*] hearing to be published in a newspaper of general circulation within the area where the hearing is to be conducted not later than 30 days prior to the date of the hearing. At least two public hearings [*shall*] **must** be held in each congressional district.

(b) Implement any other provision for public involvement developed by the State Citizen Involvement Advisory Committee under ORS 197.160 (1) and approved by the Land Conservation and Development Commission.

(2) Upon completion of the preparation of the proposed goals and guidelines, or amendments to those goals and guidelines, the department shall submit them to the commission, the Local Officials Advisory Committee, the State Citizen Involvement Advisory Committee and the Joint Legislative Committee on Land Use for review.

(3) The commission shall consider the comments of the Local Officials Advisory Committee, the State Citizen Involvement Advisory Committee and the Joint Legislative Committee on Land Use before the adoption and amendment of [*goals or*] **the goals and** guidelines.

(4) Notwithstanding subsection (1)(a) of this section, when a legislative enactment or an initiative measure is inconsistent with the adopted goals and guidelines or directs the commission to make a specific change to the adopted goals and guidelines, the commission may amend the goals and guidelines after only one public hearing, at a location determined by the commission, if the proposed amendment:

(a) Is necessary to conform the goals and guidelines to the legislative enactment or the initiative measure; and

(b) Makes no change other than the conforming changes unless the change corrects an obvious scrivener's error.

SECTION 2. The amendments to ORS 197.235 by section 1 of this 2005 Act apply to a proposed amendment to the statewide land use planning goals and guidelines required by a

legislative enactment or an initiative measure that becomes effective on or after the effective date of this 2005 Act.

Passed by Senate April 7, 2005

.....
Secretary of Senate

.....
President of Senate

Passed by House May 20, 2005

.....
Speaker of House

Received by Governor:

.....M,....., 2005

Approved:

.....M,....., 2005

.....
Governor

Filed in Office of Secretary of State:

.....M,....., 2005

.....
Secretary of State