

Eugene to fight Measure 7

■ The Eugene City Council hopes to file a lawsuit against the passed ballot measure before it takes effect

By Lindsay Buchele
Oregon Daily Emerald

The City of Eugene plans to file a lawsuit by Dec. 7 challenging the newly passed Oregon Ballot Measure 7.

The Eugene City Council voted unanimously Monday in an executive session to join other Oregon governments and counties in opposing the measure, which will require local governments to compensate landowners if the government enacts or enforces a regulation that lowers the value of an owner's property.

State officials are estimating that the measure will cost more than \$3.5 billion a year, with costs in Eugene and Lane County reaching into the millions of dollars when the measure is enacted.

City Councilman David Kelly said the city joined the suit against the measure for two reasons, one being philosophical and one being legal.

"Measure 7 did not pass in Eugene or in Lane County and would devastate the city's ability to handle land-use planning and zoning," Kelly said. "It has also appeared to good legal minds from around the state that this measure does not follow how an amendment should work."

"There is a broad spectrum of folks lined up against this meas-

ure."

Jerry Lidz, who is one of the city attorneys working on the case, said the measure was not properly adopted because it is not a single amendment but instead attempts to revise several sections of the Oregon Constitution. Lidz said the city hopes to file its suit by Dec. 7, which is when the measure will go into effect. Landowners can begin filing claims under Measure 7 as soon as it goes into effect, and from there, city governments have 90

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days to decide how to handle the claims.

"If we can get this suit filed before the measure is enacted, there's a possibility the measure would not cost Oregon governments as much money," Lidz said.

The city hopes to have the lawsuit resolved before the first 90-day period ends.

In the meantime, the council has taken some action to prepare for the enactment of the measure — the council passed an ordinance Monday that will further clarify how the claims will be processed.

The ordinance will create a review and compensation process that will help the city determine whether a landowner's claim falls within the scope of Measure 7 and, if so, whether the city can afford to pay the claim.

Another concern of the city is how the measure will affect zoning and environmental regulations.

Measure 7 could cause local governments to drop environmental and zoning regulations to avoid expensive compensations, said Eugene Planning Director Jan Childs.

"It's really too soon to tell at this point exactly what effect the measure will have on the city," Childs said. "We'll have to wait and see after the measure has been in effect for a while."

But councilors say they don't want to wait to see the effects of the measure, but would rather head it off.

"If this measure is enacted as planned, property values will plummet," Councilwoman Bonny Bettman said.

Bettman also said the measure will take away the state's regulation of land use and will eliminate certain environmental regulations.

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