

REVENUE: No revenue impact
FISCAL: Fiscal statement issued

Action: Do Pass
Vote: 4 - 0 - 1
Yeas: George L., Monnes Anderson, Starr, Metsger
Nays: 0
Exc.: Deckert
Prepared By: Janet Adkins, Administrator
Meeting Dates: 3/5

WHAT THE MEASURE DOES: Eliminates the sunset on authority of the Oregon Department of Agriculture (ODA) to review plans and projects recommended by a commodity commission for promotion, advertising, and research for public dissemination. Eliminates the sunset on the requirement that one commodity commission member be a member of the public not associated with the commission. Eliminates the sunset for the exception allowing the Oregon Grains Commission and Oregon Alfalfa Seed Commission to offer refunds in lieu of having a public member. Eliminates the sunset on the requirement that the Oregon Beef Council have a public member not associated with the producing, feeding, or handling of cattle and having an active interest in the positive economic development of the beef industry.

Extends to January 2, 2010 the authority of ODA to review, approve, or disapprove plans and projects of the Oregon Wheat Commission. Extends to January 2, 2010 the requirement that the Wheat Commission have a public member. Extends to January 2, 2010 authorization for the Wheat Commission to offer a refund instead of having a public member.

ISSUES DISCUSSED:

- History of court cases and controversy leading to 2003 amendments to the commodity commission statutes
- Wheat Commission's request for an extension instead of elimination of sunsets

EFFECT OF COMMITTEE AMENDMENT: No amendment.

BACKGROUND: The 2003 Legislative Assembly amended the commodity commission statutes in response to state and federal lawsuits challenging the authority of commodity commissions to collect mandatory assessments and use them for generic marketing purposes. Oregon's 2003 legislation (SB 854) more clearly identified the assessments and promotions as government activities by providing state agency oversight and by inclusion of public members. The 2003 legislation included sunsets on most of its provisions to give the state and the commodity commissions time to evaluate the changes. The sunsets were set for March 2009.

HB 2292 eliminates the sunset on most of the changes adopted in 2003 and, at the Oregon Wheat Commission's request, extends the sunset to 2010 on the changes affecting the commission. There are currently 28 commodity commissions in Oregon.