

House Bill 3627

Sponsored by COMMITTEE ON ELECTIONS, ETHICS AND RULES (at the request of House Interim Committee on Agriculture and Natural Resources)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Makes legislative findings regarding sustainable agriculture.

Creates Oregon Sustainable Agriculture Resource Center.

Creates Oregon Sustainable Agriculture Resource Center Advisory Board. Requires advisory board to conduct survey in cooperation with Oregon State University regarding sustainable agriculture program issues and to develop plan for resource center. Requires advisory board to report by December 31, 2008, to Seventy-fourth Legislative Assembly regarding resource center activities and recommendations regarding resource center.

Allocates lottery moneys to State Department of Agriculture for biennium ending June 30, 2009, to establish and operate resource center and pay expenses of advisory board.

Allocates lottery moneys to Oregon State University for biennium ending June 30, 2009, to pay expenses of survey regarding sustainable agriculture program issues.

Declares emergency, effective on passage.

A BILL FOR AN ACT

Relating to sustainable agriculture; limiting expenditures; and declaring an emergency.

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

SECTION 1. As used in sections 2 and 3 of this 2008 Act, "sustainability" has the meaning given that term in ORS 184.421.

SECTION 2. The Legislative Assembly finds that:

(1) Sustainable agriculture encompasses many different production methods, systems and approaches to meet the goals of profitability, stewardship and quality of life.

(2) Changing consumer demand is creating both new market opportunities for agricultural producers and evolving requirements for access to those new markets.

(3) Providing information about sustainable agriculture and timely access to resources and technical support to farmers and ranchers interested in competing in the global marketplace will assist those farmers and ranchers in readily responding to changing market demands.

(4) The marketing of sustainable agricultural products provides farmers and ranchers with new opportunities for selling products, enhancing the environment and increasing the vitality of both rural and urban communities.

(5) Landowners seeking to manage natural resources to meet sustainability goals will benefit from a single, centralized source of readily available technical information and assistance that provides access to the full range of programs available through existing state, federal and local natural resource agencies.

SECTION 3. There is created within the State Department of Agriculture the Oregon Sustainable Agriculture Resource Center. The purpose of the resource center is to:

(1) Serve as a source and clearinghouse for education, information and technical support for agricultural producers voluntarily seeking certification of their farms and ranches

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1 through independent third-party certifiers as meeting sustainability standards.

2 (2) Provide resource professionals and agricultural producers with information and
 3 technical support, in integrated and accessible formats, regarding sustainable agricultural
 4 production and the management of land and natural resources to meet sustainability goals.

5 (3) Provide assistance to farmers and ranchers in marketing their products as having
 6 sustainable attributes.

7 (4) Build, from existing state, federal and local agencies and nongovernmental organiza-
 8 tions, a network of information and service providers to contribute their experience, re-
 9 sources and expertise to the resource center.

10 **SECTION 4.** (1) There is created the Oregon Sustainable Agriculture Resource Center
 11 Advisory Board. The advisory board shall consist of:

12 (a) The Director of the Oregon State University Extension Service or a designee, as a
 13 nonvoting member;

14 (b) The Executive Director of the Food Industry Leadership Center at Portland State
 15 University or a designee, as a nonvoting member; and

16 (c) Eleven voting members appointed jointly by the Director of Agriculture and the
 17 chairperson of the Sustainability Board created under ORS 184.427.

18 (2) Notwithstanding subsection (1) of this section, the Director of Agriculture shall invite
 19 the State Conservationist in Oregon for the United States Department of Agriculture Natural
 20 Resources Conservation Service, or a designee, to be an additional nonvoting member of the
 21 advisory board.

22 (3) The Director of Agriculture and the chairperson of the Sustainability Board shall se-
 23 lect appointed members of the advisory board to be representative of the diverse interests
 24 of agricultural producers and of the economic and social diversity of Oregon. Of the ap-
 25 pointed members:

26 (a) Two shall be actively engaged in the production of agricultural food crops or livestock.
 27 One of the two must operate a production system certified as sustainable.

28 (b) Two shall be actively engaged in nonfood agricultural production. One of the two must
 29 operate a production system certified as sustainable.

30 (c) One shall represent an organization that certifies agricultural products.

31 (d) One shall represent an organization with experience in the marketing of sustainable
 32 agricultural products.

33 (e) One shall have experience in sustainable agricultural production systems.

34 (f) One shall have experience in the processing of certified agricultural products.

35 (g) One shall have experience in the distribution of certified agricultural products to the
 36 food service industry.

37 (h) One shall represent retail grocers.

38 (i) One shall represent conservation and environmental interests.

39 (4) The Director of Agriculture and the chairperson of the Sustainability Board shall se-
 40 lect an advisory board chairperson and a vice chairperson from among the members ap-
 41 pointed under this section.

42 (5) The term of office of an appointed member is three years, but appointed members
 43 serve at the pleasure of the Director of Agriculture and the chairperson of the Sustainability
 44 Board. Before the expiration of the term of a member, the director and the chairperson
 45 shall appoint a successor whose term begins on January 31 next following. A member ap-

1 pointed under this section is eligible for reappointment. In case of a vacancy for any cause,
 2 the director and the chairperson shall make an appointment to become immediately effective
 3 for the unexpired term.

4 (6) Appointed members are entitled to compensation and expenses in the manner and
 5 amounts provided in ORS 292.495. Claims for compensation and expenses incurred in per-
 6 forming the functions of the advisory board shall be paid out of funds appropriated to the
 7 State Department of Agriculture for that purpose.

8 **SECTION 5.** (1) A majority of the voting members of the Oregon Sustainable Agriculture
 9 Resource Center Advisory Board constitutes a quorum for the transaction of business.

10 (2) The advisory board shall meet at times and places specified by the chairperson.

11 (3) The State Department of Agriculture shall provide clerical, technical and management
 12 personnel to serve the advisory board. Other agencies shall provide support as requested by
 13 the department or the advisory board.

14 **SECTION 6.** (1) The Oregon Sustainable Agriculture Resource Center Advisory Board
 15 shall advise the Director of Agriculture, the State Board of Agriculture and the
 16 Sustainability Board created under ORS 184.427 on matters relating to the Oregon
 17 Sustainable Agriculture Resource Center.

18 (2) The advisory board shall encourage existing state, federal and local agencies and
 19 nongovernmental organizations to contribute experience, resources and expertise to the re-
 20 source center in order to build the best available network of information and service pro-
 21 viders.

22 (3) To aid and advise the advisory board in the performance of its functions, the advisory
 23 board may establish such advisory and technical committees as the advisory board considers
 24 necessary. These committees may be continuing or temporary. The advisory board shall de-
 25 termine the representation, membership, terms and organization of the committees, but
 26 shall appoint their members from all interested organizations and agencies.

27 (4) A member of an advisory or technical committee is not entitled to compensation, but
 28 in the discretion of the Director of Agriculture may be reimbursed from funds available to
 29 the State Department of Agriculture for actual and necessary travel and other expenses in-
 30 curred by the member in the performance of the member's official duties in the manner and
 31 amount provided in ORS 292.495.

32 **SECTION 7.** Notwithstanding the term of office specified in section 4 of this 2008 Act, of
 33 the members first appointed to the Oregon Sustainable Agriculture Resource Center Advi-
 34 sory Board:

35 (1) Three shall serve for terms ending January 30, 2010.

36 (2) Four shall serve for terms ending January 30, 2011.

37 (3) Four shall serve for terms ending January 30, 2012.

38 **SECTION 8.** (1) The Oregon Sustainable Agriculture Resource Center Advisory Board, in
 39 cooperation with the Oregon State University Extension Service, shall survey producers and
 40 support services providers and organizations to determine information needs and the most
 41 effective means of information delivery in the area of sustainable agriculture production and
 42 certification programs. The advisory board shall complete the needs assessment on or before
 43 June 1, 2008.

44 (2) The advisory board shall prepare a plan for the Oregon Sustainable Agriculture Re-
 45 source Center based upon the needs assessment. The plan shall include:

1 (a) Recommended goals and priorities;

2 (b) A proposed budget; and

3 (c) Proposed methods for measuring use of the resource center by agricultural producers
4 and other landowners, in order to evaluate the success of the resource center.

5 (3) The advisory board shall submit the plan for the resource center to the Director of
6 Agriculture, State Board of Agriculture and Sustainability Board created under ORS 184.427
7 on or before November 1, 2008, for review and approval.

8 (4) The advisory board shall report to an interim committee of the Seventy-fourth Leg-
9 islative Assembly dealing with agricultural matters, in the manner provided in ORS 192.245,
10 by December 31, 2008. The report shall describe the activities of the resource center and
11 contain any recommendations for changes to the resource center. The report may include
12 recommendations for related legislation and budget matters.

13 **SECTION 9.** (1) There is allocated to the State Department of Agriculture from the Ad-
14 ministrative Services Economic Development Fund the amount identified in subsection (2)
15 of this section.

16 (2) Notwithstanding any other law limiting expenditures, the amount of \$514,600 is es-
17 tablished for the biennium ending June 30, 2009, as the maximum limit for payment of ex-
18 penses by the State Department of Agriculture from the Administrative Services Economic
19 Development Fund to establish and operate the Oregon Sustainable Agriculture Resource
20 Center and for operations of the Oregon Sustainable Agriculture Resource Center Advisory
21 Board.

22 (3) The allocation of moneys from the Administrative Services Economic Development
23 Fund under this section is subject to the requirements in section 4, Article XV of the Oregon
24 Constitution, for deposit of specified amounts of the net proceeds from the Oregon State
25 Lottery into the Education Stability Fund and into the Parks and Natural Resources Fund
26 and shall be made only after satisfaction or payment of:

27 (a) Amounts allocated to Westside lottery bonds issued under ORS 391.140 or to the re-
28 serves or any refunding related to the Westside lottery bonds in accordance with the priority
29 for allocation and disbursement established by ORS 391.130;

30 (b) All liens, pledges or other obligations relating to lottery bonds or refunding lottery
31 bonds that are due or payable during the biennium ending June 30, 2009; and

32 (c) Amounts required by any other pledges of, or liens on, net proceeds from the Oregon
33 State Lottery.

34 **SECTION 10.** (1) There is allocated to Oregon State University from the Administrative
35 Services Economic Development Fund the amount identified in subsection (2) of this section.

36 (2) Notwithstanding any other law limiting expenditures, the amount of \$82,500 is estab-
37 lished for the biennium ending June 30, 2009, as the maximum limit for payment of expenses
38 by Oregon State University from the Administrative Services Economic Development Fund
39 for conducting the survey described in section 8 (1) of this 2008 Act.

40 (3) The allocation of moneys from the Administrative Services Economic Development
41 Fund under this section is subject to the requirements in section 4, Article XV of the Oregon
42 Constitution, for deposit of specified amounts of the net proceeds from the Oregon State
43 Lottery into the Education Stability Fund and into the Parks and Natural Resources Fund
44 and shall be made only after satisfaction or payment of:

45 (a) Amounts allocated to Westside lottery bonds issued under ORS 391.140 or to the re-

1 serves or any refunding related to the Westside lottery bonds in accordance with the priority
2 for allocation and disbursement established by ORS 391.130;

3 (b) All liens, pledges or other obligations relating to lottery bonds or refunding lottery
4 bonds that are due or payable during the biennium ending June 30, 2009; and

5 (c) Amounts required by any other pledges of, or liens on, net proceeds from the Oregon
6 State Lottery.

7 **SECTION 11.** This 2008 Act being necessary for the immediate preservation of the public
8 peace, health and safety, an emergency is declared to exist, and this 2008 Act takes effect
9 on its passage.

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