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Testimony in Support of SB 142
John McCulley
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The interest of the Agricultural Cooperative Council of Oregon centers on Section 5 of SB 142. We support the changes shown as ORS 62.850 (1)(a) in that part of the bill.

Under current Oregon law a cooperative with headquarters outside Oregon but with operations in Oregon cannot use the word “cooperative” in their name. The issue arose most recently when the members of Nyssa Co-op Supply voted to merge with Valley Wide Cooperative whose home office is in Rupert, Idaho. Despite the fact that the cooperative has business locations in Nyssa and Durkee with co-op members and employees in Oregon, it cannot use its actual business name in the state.

This policy on used of the word “cooperative” has apparently existed since the cooperative statute was enacted in 1957.

The Corporation Division has been very helpful in working with Valley Wide and our organization to clarify the statute so that a business organized as a cooperative in another state could use the word “cooperative” in their name for their business operations in Oregon.

We would appreciate your assistance in correcting this problem.