

REVENUE: No revenue impact

FISCAL: Minimal fiscal impact, no statement issued

Action: Do Pass the A-Engrossed Measure
Vote: 5 - 0 - 0
Yeas: Baertschiger, Burdick, Close, Prozanski, Roblan
Nays: 0
Exc.: 0
Prepared By: Racquel Rancier, Administrator
Meeting Dates: 4/23

WHAT THE MEASURE DOES: Allows commodity commissions to amend rules relating to number and geographic representation of commissioners. Declares any action taken by commodity commission having members not properly qualified is valid and lawful. Ratifies and declares valid any rule adopted by commodity commission prior to effective date of Act that created, amended, or abolished rule or other requirement regulating number or geographic representation of members. Ratifies and validates commission member appointments made prior to effective date of Act. Declares emergency, effective upon passage.

ISSUES DISCUSSED:

- 2003 legislation authorized temporary commissions to adopt rules with no provision to amend rules later
- Geographic distribution of commodity production can change over time
- Retroactive approval of commission appointments and decisions to avoid potential legal issues

EFFECT OF COMMITTEE AMENDMENT: No amendment.

BACKGROUND: The Oregon Department of Agriculture oversees the administration of Oregon's 23 grower-supported commodity commissions, which conduct promotional, educational, production and market research projects. Commission activities are funded through self-assessments. When a commodity commission is first established, temporary members are appointed and authorized to adopt rules to establish the number and geographic representation of commissioners; thereafter, commodity commissions do not have authority to modify such rules. House Bill 2782 A would authorize commodity commissions to make changes in rules governing the number and geographic representation of commissioners and approves past actions of the commissions.