

**Enrolled**  
**Senate Bill 348**

Sponsored by Senators GIROD, JOHNSON; Senators KRUSE, OLSEN, WHITSETT, Representatives BOONE, KENNEMER, KOMP, WITT (Presession filed.)

CHAPTER .....

AN ACT

Relating to the changing of commodity commission fiscal year periods; creating new provisions; amending ORS 576.410; and declaring an emergency.

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

**SECTION 1. Section 2 of this 2013 Act is added to and made a part of ORS 576.416 to 576.445.**

**SECTION 2. (1) A commodity commission may adopt a rule allowing the commission to operate using a fiscal year that begins January 1 and ends December 31 each year. A commission shall consult with the Director of Agriculture and the Department of Justice prior to adopting a rule described in this section. A rule described in this section may not take effect unless:**

**(a) The commission obtains any necessary approvals from taxing authorities to use a fiscal year that begins January 1 and ends December 31 when reporting information;**

**(b) The commission submits a recommendation regarding any plans and projects for the transition period of July 1 to December 31 to the director for review and approval as described in ORS 576.066; and**

**(c) Notwithstanding the annual basis requirement in ORS 576.416 (1), the commission prepares, submits for public comment, adopts and receives approval for a budget for the transition period as provided under ORS 576.416 (2) to (7).**

**(2) A recommendation submitted under ORS 576.066 regarding plans and projects for the transition period must be separately stated and presented for separate review and approval from any recommendation submitted under ORS 576.066 regarding plans and projects for the subsequent fiscal year.**

**(3) A budget prepared for a transition period must be submitted for public comment, adopted and approved separately from the budget prepared for the subsequent fiscal year. ORS 576.416 and this subsection do not prohibit a commission from submitting a transition period budget and fiscal year budget for separate public comment or adoption at the same public meeting.**

**(4) This section does not authorize the use of a fiscal year that begins January 1 and ends December 31 by any entity that:**

**(a) Receives funding from the State Treasury; or**

**(b) Is subject to budget review or modification by the Legislative Assembly.**

**SECTION 3. ORS 576.410 is amended to read:  
576.410. As used in ORS 576.416 to 576.445, "fiscal year" [means the fiscal year]:**

(1) Except as provided in subsection (2) of this section, means the 12-month period commencing on July 1 and ending on June 30.

(2) If adopted by a commodity commission rule that has taken effect as provided under section 2 of this 2013 Act, means the 12-month period commencing on January 1 and ending on December 31.

**SECTION 4.** This 2013 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2013 Act takes effect on its passage.

Passed by Senate February 14, 2013

Received by Governor:

Repassed by Senate March 13, 2013

.....M,....., 2013

Approved:

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Robert Taylor, Secretary of Senate

.....M,....., 2013

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Peter Courtney, President of Senate

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John Kitzhaber, Governor

Passed by House March 11, 2013

Filed in Office of Secretary of State:

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Tina Kotek, Speaker of House

.....M,....., 2013

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Kate Brown, Secretary of State