

House Committee On Rural Communities, Land Use, and Water

**Fiscal:** No Fiscal Impact

**Revenue:** No Revenue Impact

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**Action Date:** 02/24/15

**Action:** Do Pass And Be Placed On The Consent Calendar.

**Meeting Dates:** 02/19, 02/24

**House**

**Yeas:** 6 - Clem, Gilliam, Gomberg, McLane, Post, Helm

**Exc:** 1 - Witt

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**Prepared By:** Ian Davidson, Committee Administrator

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**WHAT THE MEASURE DOES:**

Authorizes Department of Agriculture to coordinate agricultural mediation services for disputes directly related to activities of the department and agricultural issues under jurisdiction of the department. Removes language regarding foreclosure mediations. Removes regulation on price cap for mediation services. Categorizes mediation as voluntary. Declares an emergency, effective on passage.

**ISSUES DISCUSSED:**

- Provisions of the measure

**EFFECT OF COMMITTEE AMENDMENT:**

No amendment.

**BACKGROUND:**

Presently, Oregon's Farm Mediation program provides professional mediators for agricultural and rural disputes. The goal of the program is to provide a lower-cost and faster alternative to the court system to resolve agricultural disputes. The program is consistent with Oregon law as defined in ORS 36.100, which identifies mediation as a preferred alternative to leaving a dispute unresolved or addressing the dispute through the court system.

The program was established initially during the farm credit crisis of the 1980s to help resolve foreclosure disputes between farmers and banks. The program was certified by the United States Department of Agriculture as a foreclosure mediation service. Eventually, the Oregon Department of Agriculture discontinued using the program to mediate foreclosures. In the 1990s, the mediation program began to focus its work on other types of agricultural disputes. In 1997, the Oregon Legislature passed legislation (House Bill 3737) which broadened the types of work the program could do from foreclosure to "other disputes directly related to department activities and agricultural issues under the jurisdiction of the department." The Legislature also provided for court filing fees to assist in funding mediation for labor disputes and other farm-related mediation.

House Bill 2444 would authorize the Department of Agriculture to coordinate agricultural mediation services for disputes directly related to activities of the department and agricultural issues under jurisdiction of the department. The measure would also remove language regarding foreclosure mediations as well as remove a regulation on a price cap for mediation services.