



OREGON DEPARTMENT OF AGRICULTURE

HB 4106 - Emergency Rules

Presented to
House Committee on Consumer Protection
and Government Effectiveness
February 9, 2016

Background

HB 4106 amends ORS 183.335(6) to specify that an agency may not rely upon expediency, convenience, best interest of the public, general public need *or* speculation as the basis for its findings of prejudice that authorizes temporary adoption, amendment or suspension of rule.

Impact

Upon initial review of HB 4106, ODA believes the bill would inhibit its ability to issue emergency rules and emergency quarantines.

ODA uses emergency quarantines to control animal or plant disease outbreaks. Emergency rules are a necessary tool for immediately controlling a disease outbreak. Emergency quarantines are generally enacted through temporary rule and are an expedient method of serving the best interest of the public and addressing a general public need.

HB 4106 could significantly impede ODA in carrying out its mission to protect the State of Oregon from plant and animal diseases.

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