



NAUMES, INC.

February 24th, 2021

The Honorable Janelle Byrum, Chair
House Committee on Judiciary
Oregon State Legislature
900 Court St. NE, H-276
Salem, Oregon 97301
c/o Committee Counsel: Channa.Newell@oregonlegislature.gov

Dear Representative Byrum,

I am writing you today in regards to the proposed House Bill 2205. I appreciate the opportunity to comment on the significant challenges these bills represent to the tree fruit and wine industry in Oregon.

Naumes, Inc. strongly opposes HB 2205, which would expose farmers to a nearly unlimited number of lawsuits by individuals or groups for perceived violations of Oregon laws. Farmers can ill afford the extra costs and expenditure of time that this bill threatens. HB 2205 provides no limit on the types of lawsuits that can be brought and agricultural operations, which are already heavily regulated, could see litigation in areas ranging from water use and pesticide applications to labor law.

HB 2205 would also move the interpretation and implementation of Oregon laws away from state agencies and into the courts. The expertise and processes that have developed within the agencies would be bypassed and the already overburdened court system would be called upon to take on an additional load. Interpretation and implementation of the various laws affecting our industry should remain with the state agencies such as the ODA, DOL and OWRD who are experts in their fields.

In addition to the increased exposure of farming operations to litigation, HB 2205 also creates a perverse incentive to bring baseless suits by allowing plaintiffs to collect portions of the civil penalties which may result from the legal actions. This could create a whole industry of suing farmers on everything related to agricultural regulations in order to force settlements and collect penalty payments. Family operations could essentially be extorted by individuals or organizations with baseless lawsuits and bled dry.

Finally, HB 2205 would divert the attention of our state agencies away from their regular duties and towards lawsuit response. The bill requires tight timelines of notice which would require significant resources from agencies who are already stretched. Farmers would much rather have agencies focusing on enforcement and compliance education.

Naumes, Inc. opposes HB 2205 and asks the legislature to protect farmers from the storm of litigation that it threatens.

Sincerely,
Michael D. Naumes

President & CEO
Naumes, Inc.

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