

D R A F T

SUMMARY

Allows commodity commission to amend rules relating to number and geographic representation of commissioners.

A BILL FOR AN ACT

Relating to commodity commission member qualifications; amending ORS 576.206 and 576.225.

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

SECTION 1. ORS 576.206 is amended to read:

576.206. (1) Upon the establishment of a commodity commission, the Director of Agriculture shall appoint five temporary members to the commission. In appointing the temporary members, the director shall give consideration to any recommendations by other commodity commissions, commodity growers and commodity grower associations. A majority of the temporary members must be producers of the commodity that is the subject of the commission and at least one member must be a handler of the commodity.

(2) The temporary members shall adopt rules for the commission in accordance with ORS chapter 183, including but not limited to rules establishing the number and geographic representation of the commissioners and rules providing for the removal of commissioners. The terms of the temporary members expire on the date that one or more commissioners are appointed under subsection (3) of this section. A qualified temporary member is eligible for appointment to a term on the commission under subsection (3) of this section.

(3) **Except as provided in ORS 576.225 (3)**, the director shall appoint the commissioners for a commodity commission in accordance with the rules adopted under subsection (2) of this section. In appointing the commissioners, the director shall give consideration to any recommendations by other commodity commissions, commodity growers and commodity grower associations.

(4) A majority of the commissioners must be producers of the commodity that is the subject of the commission. At least one commissioner must be a handler of the commodity. One commissioner must be a member of the public not associated with the production or handling of the commodity. All commissioners other than handlers and the member of the public must be producers.

(5) The term of a commissioner appointed under subsection (3) of this section is four years unless a shorter term is established by commission rule. A commissioner is eligible for reappointment unless otherwise provided by commission rule. Before the expiration of a commissioner's term, the director shall appoint a successor to assume office upon expiration of the term. If there is a vacancy on a commission for any cause, the director shall appoint a person to the unexpired term.

(6) The commission shall select one member to serve as chairperson and another member to serve as vice chairperson, with such duties and powers as the commission deems appropriate to those offices.

(7) A temporary member of a commission or a commissioner is entitled to compensation and expenses in the manner and amounts provided in ORS 292.495. Claims for compensation earned and expenses incurred in performing the functions of the commission shall be paid out of funds available to the commission.

SECTION 2. ORS 576.225 is amended to read:

576.225. (1) A member of a commodity commission must, during the term of office of the member:

(a) Be a citizen of the United States.

(b) Be a bona fide resident of the state.

1 (c) Have an active interest in the positive development and economic
2 growth of the commodity industry in Oregon.

3 (2) A producer member of a commission must have paid an assessment
4 adopted by the commission, if any, on the commodity in each of the preceding
5 three calendar years. A handler member of a commission must have collected
6 an assessment adopted by the commission, if any, on the commodity in each
7 of the preceding three calendar years.

8 **(3) In addition to any other authority of a commodity commission**
9 **to adopt rules under ORS 576.304, at any time following the initial ap-**
10 **pointment of all commissioners for a commodity commission under**
11 **ORS 576.206 (3), and subject to ORS 576.215, the commission may**
12 **amend the rules adopted by the temporary commission members under**
13 **ORS 576.206 (2) to change the number and geographic representation**
14 **of the commissioners. Any rule amendment adopted under this sub-**
15 **section shall apply to commissioner appointments made by the Direc-**
16 **tor of Agriculture after the effective date of the rule amendment.**