

House Bill 2595

Sponsored by Representative BUCKLEY (Pre-session filed.)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Requires Senate confirmation of appointed members of State Board of Agriculture. Prohibits board members representing public interest from having significant financial interest in production of agricultural commodities. Requires that two agricultural commodity producers serving on board be persons engaged in marketing their production primarily for consumption within state.

Declares board members to be public officials for purposes of government ethics provisions. Requires board members to file annual verified statement of economic interest.

A BILL FOR AN ACT

1
2 Relating to the State Board of Agriculture; creating new provisions; and amending ORS 244.050 and
3 561.372.

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

5 **SECTION 1.** ORS 561.372 is amended to read:

6 561.372. (1) In order that there may be the closest correspondence between State Department
7 of Agriculture policies and programs, the public interests and the resolution of practical agricultural
8 problems of the state, there is created the State Board of Agriculture.

9 (2) The Director of Agriculture, the Dean of the College of Agricultural Sciences of Oregon
10 State University and the chairperson of the Soil and Water Conservation Commission shall serve
11 as ex officio members of the board. The director and the dean shall be nonvoting members. The di-
12 rector shall act as secretary of the board. The dean may appoint a person to represent the dean on
13 the board.

14 (3) The Governor shall appoint nine members to the board. The members appointed to the board
15 must be residents of Oregon. Not more than five of the members appointed to the board may belong
16 to the same political party. Party affiliation shall be determined by the appropriate entry on official
17 election registration cards. **Appointments under this subsection are subject to confirmation**
18 **by the Senate as prescribed in ORS 171.562 and 171.565.**

19 (4) The term of each member appointed to the board is four years. A member shall continue to
20 serve until a successor is appointed and qualifies. Before a member's term expires, the Governor
21 shall appoint a successor. If a vacancy occurs, the Governor shall appoint a person to complete the
22 remainder of the unexpired term.

23 (5) A person who serves two consecutive terms on the board is not eligible for appointment to
24 another term on the board until at least one year after the expiration of the second consecutive
25 term.

26 (6) The Governor shall appoint two board members who are not actively involved in, **and do**
27 **not have a significant financial interest in**, the production of agricultural commodities to be
28 representatives of the public interests. The Governor shall appoint seven board members who are
29 actively engaged in the production of agricultural commodities, **at least two of whom must be**

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 **engaged in marketing their commodity production primarily for consumption within this**
2 **state.** The Governor shall seek to ensure that the appointed board members who produce agricul-
3 tural commodities reflect the diverse nature of agricultural commodity production within the state.

4 **(7) Board members are public officials for purposes of ORS chapter 244.**

5 **SECTION 2.** ORS 244.050 is amended to read:

6 244.050. (1) On or before April 15 of each year the following persons shall file with the Oregon
7 Government Ethics Commission a verified statement of economic interest as required under this
8 chapter:

9 (a) The Governor, Secretary of State, State Treasurer, Attorney General, Commissioner of the
10 Bureau of Labor and Industries, district attorneys and members of the Legislative Assembly.

11 (b) Any judicial officer, including justices of the peace and municipal judges, except any pro tem
12 judicial officer who does not otherwise serve as a judicial officer.

13 (c) Any candidate for a public office designated in paragraph (a) or (b) of this subsection.

14 (d) The Deputy Attorney General.

15 (e) The Legislative Administrator, the Legislative Counsel, the Legislative Fiscal Officer, the
16 Secretary of the Senate and the Chief Clerk of the House of Representatives.

17 (f) The Chancellor and Vice Chancellors of the Oregon University System and the president and
18 vice presidents, or their administrative equivalents, in each public university listed in ORS 352.002.

19 (g) The following state officers:

20 (A) Adjutant General.

21 (B) Director of Agriculture.

22 (C) Manager of State Accident Insurance Fund Corporation.

23 (D) Water Resources Director.

24 (E) Director of Department of Environmental Quality.

25 (F) Director of Oregon Department of Administrative Services.

26 (G) State Fish and Wildlife Director.

27 (H) State Forester.

28 (I) State Geologist.

29 (J) Director of Human Services.

30 (K) Director of the Department of Consumer and Business Services.

31 (L) Director of the Department of State Lands.

32 (M) State Librarian.

33 (N) Administrator of Oregon Liquor Control Commission.

34 (O) Superintendent of State Police.

35 (P) Director of the Public Employees Retirement System.

36 (Q) Director of Department of Revenue.

37 (R) Director of Transportation.

38 (S) Public Utility Commissioner.

39 (T) Director of Veterans' Affairs.

40 (U) Executive director of Oregon Government Ethics Commission.

41 (V) Director of the State Department of Energy.

42 (W) Director and each assistant director of the Oregon State Lottery.

43 (X) Director of the Department of Corrections.

44 (Y) Director of the Oregon Department of Aviation.

45 (Z) Executive director of the Oregon Criminal Justice Commission.

- 1 (AA) Director of the Oregon Business Development Department.
- 2 (BB) Director of the Office of Emergency Management.
- 3 (CC) Director of the Employment Department.
- 4 (DD) Chief of staff for the Governor.
- 5 (EE) Administrator of the Office for Oregon Health Policy and Research.
- 6 (FF) Director of the Housing and Community Services Department.
- 7 (GG) State Court Administrator.
- 8 (HH) Director of the Department of Land Conservation and Development.
- 9 (II) Board chairperson of the Land Use Board of Appeals.
- 10 (JJ) State Marine Director.
- 11 (KK) Executive director of the Oregon Racing Commission.
- 12 (LL) State Parks and Recreation Director.
- 13 (MM) Public defense services executive director.
- 14 (NN) Chairperson of the Public Employees' Benefit Board.
- 15 (OO) Director of the Department of Public Safety Standards and Training.
- 16 (PP) Executive director of the Higher Education Coordinating Commission.
- 17 (QQ) Executive director of the Oregon Watershed Enhancement Board.
- 18 (RR) Director of the Oregon Youth Authority.
- 19 (SS) Director of the Oregon Health Authority.
- 20 (TT) Deputy Superintendent of Public Instruction.
- 21 (h) Any assistant in the Governor's office other than personal secretaries and clerical personnel.
- 22 (i) Every elected city or county official.
- 23 (j) Every member of a city or county planning, zoning or development commission.
- 24 (k) The chief executive officer of a city or county who performs the duties of manager or prin-
- 25 cipal administrator of the city or county.
- 26 (L) Members of local government boundary commissions formed under ORS 199.410 to 199.519.
- 27 (m) Every member of a governing body of a metropolitan service district and the executive of-
- 28 ficer thereof.
- 29 (n) Each member of the board of directors of the State Accident Insurance Fund Corporation.
- 30 (o) The chief administrative officer and the financial officer of each common and union high
- 31 school district, education service district and community college district.
- 32 (p) Every member of the following state boards and commissions:
- 33 (A) Board of Geologic and Mineral Industries.
- 34 (B) Oregon Business Development Commission.
- 35 (C) State Board of Education.
- 36 (D) Environmental Quality Commission.
- 37 (E) Fish and Wildlife Commission of the State of Oregon.
- 38 (F) State Board of Forestry.
- 39 (G) Oregon Government Ethics Commission.
- 40 (H) Oregon Health Policy Board.
- 41 (I) State Board of Higher Education.
- 42 (J) Oregon Investment Council.
- 43 (K) Land Conservation and Development Commission.
- 44 (L) Oregon Liquor Control Commission.
- 45 (M) Oregon Short Term Fund Board.

- 1 (N) State Marine Board.
- 2 (O) Mass transit district boards.
- 3 (P) Energy Facility Siting Council.
- 4 (Q) Board of Commissioners of the Port of Portland.
- 5 (R) Employment Relations Board.
- 6 (S) Public Employees Retirement Board.
- 7 (T) Oregon Racing Commission.
- 8 (U) Oregon Transportation Commission.
- 9 (V) Water Resources Commission.
- 10 (W) Workers' Compensation Board.
- 11 (X) Oregon Facilities Authority.
- 12 (Y) Oregon State Lottery Commission.
- 13 (Z) Pacific Northwest Electric Power and Conservation Planning Council.
- 14 (AA) Columbia River Gorge Commission.
- 15 (BB) Oregon Health and Science University Board of Directors.
- 16 (CC) Capitol Planning Commission.
- 17 (DD) Higher Education Coordinating Commission.
- 18 (EE) Oregon Growth Board.
- 19 (FF) Early Learning Council.

20 **(GG) State Board of Agriculture.**

21 (q) The following officers of the State Treasurer:

- 22 (A) Deputy State Treasurer.
- 23 (B) Chief of staff for the office of the State Treasurer.
- 24 (C) Director of the Investment Division.

25 (r) Every member of the board of commissioners of a port governed by ORS 777.005 to 777.725
26 or 777.915 to 777.953.

27 (s) Every member of the board of directors of an authority created under ORS 441.525 to 441.595.

28 (t) Every member of a governing board of a public university with a governing board listed in
29 ORS 352.054.

30 (2) By April 15 next after the date an appointment takes effect, every appointed public official
31 on a board or commission listed in subsection (1) of this section shall file with the Oregon Govern-
32 ment Ethics Commission a statement of economic interest as required under ORS 244.060, 244.070
33 and 244.090.

34 (3) By April 15 next after the filing deadline for the primary election, each candidate described
35 in subsection (1) of this section shall file with the commission a statement of economic interest as
36 required under ORS 244.060, 244.070 and 244.090.

37 (4) Within 30 days after the filing deadline for the general election, each candidate described in
38 subsection (1) of this section who was not a candidate in the preceding primary election, or who
39 was nominated for public office described in subsection (1) of this section at the preceding primary
40 election by write-in votes, shall file with the commission a statement of economic interest as re-
41 quired under ORS 244.060, 244.070 and 244.090.

42 (5) Subsections (1) to (4) of this section apply only to persons who are incumbent, elected or
43 appointed public officials as of April 15 and to persons who are candidates on April 15. Subsections
44 (1) to (4) of this section also apply to persons who do not become candidates until 30 days after the
45 filing deadline for the statewide general election.

1 (6) If a statement required to be filed under this section has not been received by the commis-
 2 sion within five days after the date the statement is due, the commission shall notify the public of-
 3 ficial or candidate and give the public official or candidate not less than 15 days to comply with the
 4 requirements of this section. If the public official or candidate fails to comply by the date set by the
 5 commission, the commission may impose a civil penalty as provided in ORS 244.350.

6 **SECTION 3. The amendments to ORS 561.372 by section 1 of this 2015 Act do not termi-**
 7 **nate or shorten the term of office for any member of the State Board of Agriculture ap-**
 8 **pointed before the effective date of this 2015 Act. When each board position for a member**
 9 **representing the public interest first becomes vacant on or after the effective date of this**
 10 **2015 Act, the Governor shall make an appointment to the position that meets the require-**
 11 **ments of ORS 561.372. The Governor shall make appointments to the first two agricultural**
 12 **commodity producer positions on the board becoming vacant on or after the effective date**
 13 **of this 2015 Act as necessary to meet the requirements of ORS 561.372.**

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