

**HB 3401 A STAFF MEASURE SUMMARY**  
**House Committee On Agriculture and Land Use**

**Carrier:** Rep. Boshart Davis

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**Action Date:** 04/09/19  
**Action:** Do pass with amendments. (Printed A-Eng.)  
**Vote:** 6-0-1-0  
**Yeas:** 6 - Clem, Helm, McLain, Post, Smith DB, Williams  
**Exc:** 1 - Boshart Davis  
**Fiscal:** Has minimal fiscal impact  
**Revenue:** No revenue impact  
**Prepared By:** Laura Kentnesse, LPRO Analyst  
**Meeting Dates:** 4/2, 4/9

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**WHAT THE MEASURE DOES:**

Abolishes the Oregon Orchardgrass Seed Producers Commission (Seed Commission) on the later of July 1, 2019 or one day after the effective date of this Act and transfers all records and property to the Oregon Tall Fescue Commission (Fescue Commission). Clarifies that assessments levied by the Seed Commission prior to abolishment will be collected, enforced, or written-off by the Fescue Commission. Requires the Fescue Commission to windup and conclude the affairs of the Seed Commission. Requires any remaining Seed Commission moneys to be transferred to the Fescue Commission for use in programs that benefit orchardgrass producers. Requires the Department of Agriculture to identify the commodities assessed by the Seed Commission that may be assessed by the Fescue Commission within 90 days of the effective date of this Act. Allows commodity commissions to hire independent contractors for non-discretionary administrative and other services, including collections, scheduling, and payment processing. Eliminates the provision specifying commodity commissions are not precluded from being the employer of an independent contractor for purposes of unemployment compensation. Declares emergency, effective on passage.

**ISSUES DISCUSSED:**

- Commodity commissions are established, modified, and abolished by legislative action
- 2011 abolishment of the Highland Bentgrass Commission and Small Grains Commission
- Decline in orchardgrass seed producers in recent years
- Insufficient funds to hire a new administrator for the Seed Commission in July of 2019
- Role of the Oregon Tall Fescue Commission

**EFFECT OF AMENDMENT:**

Allows an administrator to be an independent contractor.

**BACKGROUND:**

The nine-member Oregon Orchardgrass Seed Producers Commission is one of 21 commodity commissions in Oregon, established to support commodity industries vital to the state economy. Orchardgrass is a tall-growing, cool-season, perennial bunchgrass that is used for forage, such as pasture, hay, greenchop, and silage.

House Bill 3401 A would abolish the Oregon Orchardgrass Seed Producers Commission and provide for the Oregon Tall Fescue Commission to windup its remaining affairs.