

Secretary of State
STATEMENT OF NEED AND FISCAL IMPACT
A Notice of Proposed Rulemaking Hearing accompanies this form.

FILED
3-8-16 7:34 AM
ARCHIVES DIVISION
SECRETARY OF STATE

Department of Agriculture, Raspberry and Blackberry Commission
Agency and Division

611
Administrative Rules Chapter Number

Eliminates term limits and clarifies that director may reappoint commissioners.

Rule Caption (Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.)

In the Matter of:

Amend OAR 611-030-0010

Statutory Authority:

ORS 576

Other Authority:

ORS 576.206(5), ORS 183.335

Statutes Implemented:

ORS 576.206

Need for the Rule(s):

Over time, the number of raspberry and blackberry growers willing to apply and be appointed to serve as commissioners has reduced in proportion to the reduction in number of acres planted. As a result, commissioner positions have gone unfilled which impacts the commission's ability to reach a quorum and conduct business. Commissioners who would like to be reappointed have not been able to qualify due to the term limits. Removing term limits will allow commissioners the option to apply for reappointment by the Director of the Oregon Department of Agriculture. The rule also clarifies that commissioners may be reappointed for consecutive terms.

Documents Relied Upon, and where they are available:

ORS 576 (available online)

OAR 611-030-0010 (available online)

Oregon Raspberry & Blackberry Commission February 18, 2016 Meeting Minutes (available from the Oregon Raspberry & Blackberry Commission Administrative Office 541-758-4043)

Fiscal and Economic Impact:

There will be no Fiscal and Economic impact on the Commission or the raspberry and blackberry industry.

Statement of Cost of Compliance:

1. Impact on state agencies, units of local government and the public (ORS 183.335(2)(b)(E)):

Removing term limits will streamline the commissioner appointment process for the Oregon Department of Agriculture.

2. Cost of compliance effect on small business (ORS 183.336):

a. Estimate the number of small business and types of businesses and industries with small businesses subject to the rule:

There will be no small businesses or industries affected by the rule change.

b. Projected reporting, recordkeeping and other administrative activities required for compliance, including costs of professional services:

There will be no additional recordkeeping or other administrative activities required for the compliance, nor any additional costs for professional services.

c. Equipment, supplies, labor and increased administration required for compliance:

There will be no additional costs to the Commission or the raspberry and blackberry industry.

How were small businesses involved in the development of this rule?

The Commission consists of raspberry and blackberry growers/farmers and raspberry and blackberry industry representatives, which are considered small businesses. The Commission discussed and voted on this matter at a public meeting.

Yes

If not, why?:

The Oregon Raspberry & Blackberry Commission acted as an advisory committee and discussed and voted on this matter at a public meeting.

04-25-2016 5:00 p.m.	Connie Gutt	conniegutt@comcast.net
Last Day (m/d/yyyy) and Time for public comment	Printed Name	Email Address