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NOTICE OF PROPOSED RULEMAKING

INCLUDING STATEMENT OF NEED & FISCAL IMPACT

CHAPTER 644
DEPARTMENT OF AGRICULTURE
OREGON SHEEP COMMISSION

FILED: 04/28/2026 2:46 PM
ARCHIVES DIVISION SECRETARY OF STATE

FILING CAPTION: Amending rule to clarify handler remittance procedure.

LAST DAY AND TIME TO OFFER COMMENT TO AGENCY: 05/22/2026 5:00 PM

The Agency requests public comment on whether other options should be considered for achieving the rule's substantive goals while reducing negative economic impact of the rule on business.

A public rulemaking hearing may be requested in writing by 10 or more people, or by a group with 10 or more members, within 21 days following the publication of the Notice of Proposed Rulemaking in the Oregon Bulletin or 28 days from the date the Notice was sent to people on the agency mailing list, whichever is later. If sufficient hearing requests are received, the notice of the date and time of the rulemaking hearing must be published in the Oregon Bulletin at least 14 days before the hearing.

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NEED FOR THE RULE(S):

The assessment procedure for the Oregon Sheep Commission was based on the American Lamb Board checkoff. In 2022 the ALB modified the remittance procedure regarding a "subsequent" purchaser. The Oregon Sheep Commission is adopting this correction to remove the reference to "subsequent."

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE:

Board meeting minutes from the Oregon Sheep Commission.

STATEMENT IDENTIFYING HOW ADOPTION OF RULE(S) WILL AFFECT RACIAL EQUITY IN THIS STATE:

The Commission does not anticipate any adverse impact from the language change.

FISCAL AND ECONOMIC IMPACT:

Oregon has a total of eight livestock auction yards subject to the assessment process. As with the American Lamb Board, assessments will be remitted directly to the Oregon Sheep Commission, removing any reference to a "subsequent" purchaser. There is no change to the assessment rate.

COST OF COMPLIANCE:

(1) Identify any state agencies, units of local government, and members of the public likely to be economically affected by the rule(s). (2) Effect on Small Businesses: (a) Estimate the number and type of small businesses subject to the rule(s); (b) Describe the expected reporting, recordkeeping and administrative activities and cost required to comply with the rule(s); (c) Estimate the cost of professional services, equipment supplies, labor and increased administration required to comply with the rule(s).

1) The proposed rule change will not economically affect any state agency, local government unit or member of the public. 2 a) The rule relates only to the assessment remittance procedures for Oregon livestock auction yards. b) There will be no additional record-keeping requirements or administrative activities resulting from the change. c) There will be no new or additional administrative costs associated with the rule change.

DESCRIBE HOW SMALL BUSINESSES WERE INVOLVED IN THE DEVELOPMENT OF THESE RULE(S):

Small businesses were not involved in this rulemaking as the change relates only to the sale of sheep by a handler, recognized as auction yard or agent buying sheep from a producer.

WAS AN ADMINISTRATIVE RULE ADVISORY COMMITTEE CONSULTED? NO IF NOT, WHY NOT?

Commission members voted on the change to conform Oregon administrative rule to the process utilized by the American Lamb Board on 5/31/24.

AMEND: 644-010-0010

RULE SUMMARY: Removes a statement referring to handler receiving sheep for resale in order to clarify that it is the first handler and not the final handler who is responsible to remit the assessment to the Oregon Sheep Commission.

CHANGES TO RULE:

644-010-0010
Reporting and Payment of Assessments ¶

(1) Each handler making payment to a producer shall deduct an assessment of $0.50 per head from the sale of each live sheep sold by the producer and remit the assessment of $0.50 per head to the Oregon Sheep Commission at quarterly intervals as defined by OAR 644-010-0015(1). ~~If the handler is receiving sheep for resale, the assessment shall be forwarded to subsequent purchaser. The assessment will be remitted by the final handler at time of final harvest.~~¶
(2) Each person processing or causing to be processed sheep of that person's own production shall pay an assessment at the rate of $0.50 per head to the Oregon Sheep Commission for each live sheep sold for slaughter or custom processing. The assessment shall be remitted to the Commission at quarterly intervals as defined by OAR 644-010-0015(1).¶
(3) A producer who markets sheep to an out-of-state handler is responsible to remit the assessment of $0.50 per head to the Commission as required by ORS 576.345, unless the subsequent purchaser voluntarily agrees to deduct the assessment of $0.50 per head from the proceeds owed to the producer and to remit to the Oregon Sheep Commission as specified under OAR 644-010-0015.¶
(4) The assessment will be collected on any sheep that has been fed or grazed in Oregon for at least 30 consecutive days during the preceding 12 months prior to the date of sale.
Statutory/Other Authority: ORS 576
Statutes/Other Implemented: ORS 576.304(2), 576.325(4)(f)