

1 STATE OF OKLAHOMA

2 2nd Session of the 52nd Legislature (2010)

3 COMMITTEE SUBSTITUTE  
4 FOR ENGROSSED  
5 SENATE BILL NO. 1956

By: Justice of the Senate

and

6 Armes of the House

7  
8 COMMITTEE SUBSTITUTE

9  
10 An Act relating to agriculture; amending 2 O.S. 2001,  
11 Section 2-30, as last amended by Section 1, Chapter  
12 216, O.S.L. 2004 (2 O.S. Supp. 2009, Section 2-30),  
13 which relates to the Agriculture Mediation Program;  
14 clarifying administrators of program; authorizing  
15 mediation services for certain entities; declaring  
16 program to be independent entity; providing for  
17 funding for certain mediation services; authorizing  
18 contributions to support certain mediation services;  
19 creating the Agriculture Mediation Board; designating  
20 appointing authority for membership of the Board;  
21 providing for membership; authorizing the adoption of  
22 certain procedures; requiring roster of certain  
23 persons; declaring certain aspects to be  
24 confidential; repealing 70 O.S. 2001, Section 3430,  
which relates to the Institute for Issue Management  
and Alternative Dispute Resolution; and declaring an  
emergency.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 2 O.S. 2001, Section 2-30, as last  
amended by Section 1, Chapter 216, O.S.L. 2004 (2 O.S. Supp. 2009,  
Section 2-30), is amended to read as follows:

1 Section 2-30. A. The Oklahoma Agriculture Mediation Program  
2 under the direction of the ~~Institute for Issue Management and~~  
3 ~~Alternative Dispute Resolution established as provided for in~~  
4 ~~Section 3430 of Title 70 of the Oklahoma Statutes~~ Agriculture  
5 Mediation Board as established by subsection D of this section, is  
6 authorized to provide mediation services ~~for all types of~~  
7 ~~agricultural and rural living issues~~ to all individuals, businesses,  
8 and state and federal agencies that are engaged in production  
9 agriculture, and agriculturally or environmentally-related  
10 activities. The Oklahoma Agriculture Mediation Program shall  
11 operate in accord with the Agriculture Credit Act of 1987, as  
12 amended, 7 CFR 785, and applicable state and federal laws.

13 B. The Oklahoma Agriculture Mediation Program shall be formed  
14 as an independent entity. The Oklahoma Department of Agriculture,  
15 Food, and Forestry shall provide office space for the Oklahoma  
16 Agriculture Mediation Program. The State Oklahoma Department of  
17 Agriculture, Food, and Forestry, in cooperation with the Institute  
18 for Issue Management and Alternative Dispute Resolution and  
19 appropriate entities such as the Oklahoma Cooperative Extension  
20 Service, is authorized and directed to develop and implement a plan  
21 to increase public awareness of the Oklahoma Agriculture Mediation  
22 Program. The plan shall be designed to provide information about  
23 the program to producers of agricultural products, agriculture  
24 lenders, and others which might benefit from the program as well as

1 ~~to agricultural lenders~~ may have reason to utilize the services.

2 The plan ~~shall~~ may include but not be limited to the following:

3 1. Providing informational literature to every county extension  
4 office in the state;

5 2. Providing information about the program to agricultural  
6 lenders in this state by any feasible means, including but not  
7 limited to electronic media;

8 3. Securing such public service announcements from broadcast  
9 media as is feasible;

10 4. Cooperating with and providing information to court  
11 officials; and

12 5. Such other measures as may be calculated to develop a  
13 greater awareness of the existence and benefits of the Oklahoma  
14 Agriculture Mediation Program.

15 C. The program is primarily funded by a grant from the United  
16 States Department of Agriculture and may provide mediation free of  
17 charge to the participants. The State Department of Agriculture,  
18 Food, and Forestry, pursuant to the grant recertification provisions  
19 at 7 CFR 785 and this section, may provide contributions or  
20 allocations in support of the Oklahoma Agriculture Mediation  
21 Program, as available. The program may seek supporting  
22 contributions from other stakeholders in support of its operations.

23 D. The Oklahoma Agriculture Mediation Program shall establish  
24 and maintain an Agriculture Mediation Board whose members are

1 engaged in or serving agriculture. The Board shall be comprised of  
2 a five-person Executive Committee and a fifteen-member Advisory  
3 Committee. The five-person Executive Committee shall be comprised  
4 of one designee each from the two largest general farm organizations  
5 of this state, one designee from the largest farm commodity group of  
6 this state, one designee appointed by the Chair of the Senate  
7 Agriculture and Rural Development Committee, and one designee  
8 appointed by the Chair of the House of Representatives Agriculture  
9 and Rural Development Committee. The Advisory Committee shall only  
10 be advisory in capacity and comprised of members drawn from the  
11 following categories and appointed by the Executive Committee:  
12 1. Each of the United States Department of Agriculture  
13 agencies;  
14 2. The Oklahoma Department of Agriculture, Food, and Forestry;  
15 3. The Oklahoma State University Cooperative Extension,  
16 including IFMAPS;  
17 4. The Oklahoma Conservation Commission;  
18 5. An Oklahoma attorney;  
19 6. Two Oklahoma farmers or ranchers;  
20 7. A representative from an agriculture banking institution;  
21 8. A representative from the Oklahoma Conference of Churches;  
22 9. A mediator from the federal, state or private sector; and  
23 10. Such other members from public entities or private  
24 organizations as may be needed.

1        E. The Agriculture Mediation Board shall adopt such procedures  
2 as may be necessary for the management of the program.

3        F. The program will maintain a roster of qualified mediators to  
4 assist in servicing requests for mediation.

5        G. Mediation communications and mediation sessions under this  
6 section shall be confidential pursuant to the Administrative Dispute  
7 Resolution Act, 5 U.S.C. 574 and this section.

8        SECTION 2.        REPEALER        70 O.S. 2001, Section 3430, is  
9 hereby repealed.

10        SECTION 3. It being immediately necessary for the preservation  
11 of the public peace, health and safety, an emergency is hereby  
12 declared to exist, by reason whereof this act shall take effect and  
13 be in full force from and after its passage and approval.

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15        52-2-10583        EK        04/07/10  
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