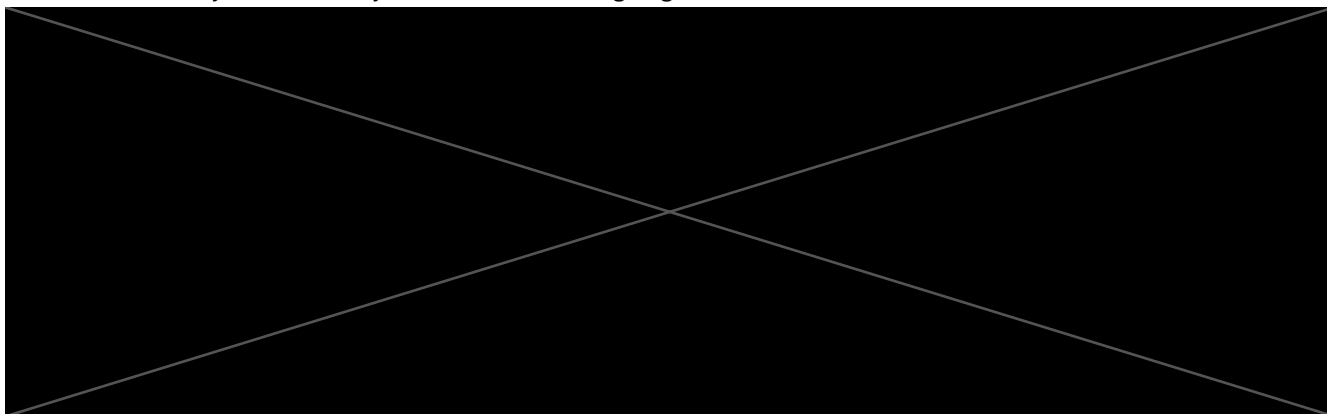


**Subject:** Update on Slow Pay No Pay Program Rules  
**Date:** Monday, June 15, 2026 at 11:17:49 AM Pacific Daylight Time  
**From:** SUMMERS Sunny \* ODA <Sunny.SUMMERS@oda.oregon.gov>

**To:**



**CC:**

Thank you again for your participation in the Slow Pay No Pay Rules Advisory Committee and your thoughtful discussion and comments at the RAC meeting. The notice of proposed rulemaking was filed this morning. All of the information is posted at [www.oda.direct/Rulemaking](http://www.oda.direct/Rulemaking) and you can sign up for our rulemaking email list at that link as well.

There were several questions/comments during the RAC meeting that we would like to follow up on.

**Can ODA recover attorney fees in civil cases?**

No, not unless there is specific authority to do so.

**Dealer bonding discussion**

We discussed bonding requirements for Oregon seed dealers and the question was asked about what was being done in other states. We pulled some information from Washington and Idaho. At this point, this information is provided as a starting point for future conversations about bonding seed dealers in Oregon and is beyond the scope of this rulemaking.

Washington

- <https://agr.wa.gov/services/licenses-permits-and-certificates/summary-descriptions/commission-merchant-act> – WSDA website about licensing program
- <https://cms.agr.wa.gov/WSDAKentico/Documents/Forms/7030-AppForLicenseUnderCommMerchAct.pdf> - application form; pages 2-3 have useful descriptions
- <https://apps.leg.wa.gov/rcw/default.aspx?cite=20.01.210> – statute with the calculation for the bond for a dealer in hay, straw, or seed (RCW 20.01.210(2))

Idaho

- <https://agri.idaho.gov/isda-license/warehouses/>
- <https://agri.idaho.gov/laboratories/seed-laboratory/seed-dealer-licensing/>
- <https://agri.idaho.gov/wp-content/uploads/ISDAGuidance/Seed-Buyer-Licensing->

[Requirements.pdf](#) - shows bond calculation for Seed Buyer Bond

- <https://legislature.idaho.gov/wp-content/uploads/statutesrules/idstat/Title22/T22CH51.pdf>- Seed Indemnity Fund Law
- <https://proddfmmain.ssa.blob.core.windows.net/dfm-admin-website/rules/current/02/020215.pdf> - Seed Indemnity Fund Rules

Both states have different licensing structures and bonding schemes from Oregon (and each other) – if the industry is interested in pursuing bonding, a more in-depth conversation about how Oregon handles seed licenses across all sectors of the seed industry will be needed.

For the purposes of this rulemaking, we have proposed to keep the language/intent as it was originally written in the rule – i.e., that bonding may be required for reissuance of a license that was suspended due to a violation of the Slow Pay No Pay Law (see current OAR 603-047-0300(2) ) and move it to the more logical place with other seed dealer licensing requirements (see OAR 603-056-0050). We also adjusted the bond length requirement to be consistent with the proposed probation period for the same violation, as recommended by the RAC.

**Potential complications with simultaneous civil cases (appealed notices of payment demand) and case in office of administrative hearings (appeals of license suspensions)**

The department recognizes that there may be some risk in this. However, most slow pay no pay claims are straightforward to determine. If there are adequate records to support the issuance of a notice of payment demand as a final order (i.e., appealable through the civil courts), then the department is willing to take the risk that it may be appealed in order to ensure the most timely payment possible to the grower. A person could also ask for injunctive relief while the circuit court proceeding is playing out.

Please reach out if you have any additional questions. Thank you for your participation on the RAC.

Sunny Summers, Senior Policy Advisor  
Oregon Department of Agriculture – Directors Office  
635 Capitol St NE, Salem, OR 97301-2532  
CELL: 503.400.4196 | [Oregon.gov/ODA](https://Oregon.gov/ODA) | Pronouns she, her, hers

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**From:** [Sunny.SUMMERS@oda.oregon.gov](mailto:Sunny.SUMMERS@oda.oregon.gov)

**When:** 9:00 AM - 11:00 AM April 30, 2026

**Subject:** Slow Pay No Pay RAC - North Valley Complex in Wilsonville

**Location:** Microsoft Teams Meeting; NVCCONFRM Multi-purpose \* DAS; NVCCONFRM Training \* DAS

**April 24<sup>th</sup> –**

Attaching documents for meeting. These were also emailed directly.

## **April 14<sup>th</sup> –**

This rules advisory committee (RAC) meeting will be in-person at the North Valley Complex (NVC) - 26755 SW 95th Ave, Wilsonville, OR 97070.

I will email a copy of the draft rules next week as well as post them on the ODA rulemaking webpage as well as the virtual link – <https://oda.direct/rulemaking>.

*RAC meetings are open to the public, and we encourage community members to attend and observe the discussions. However, only invited RAC members will have the opportunity to provide comments during the meetings.*

Sunny Summers  
503.400.4196, [sunny.summers@oda.oregon.gov](mailto:sunny.summers@oda.oregon.gov)

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## **Microsoft Teams meeting**

**Join:** <https://teams.microsoft.com/meet/26041360115662?p=a4mluhGCRiXb2FiddZ>

Meeting ID: 260 413 601 156 62

Passcode: mA7PP2UZ

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## **Dial in by phone**

[+1 503-446-4951](tel:+15034464951), [308563738#](tel:+1308563738) United States, Portland

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