

Senate Bill 234

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SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Authorizes Director of Agriculture and appointee of Director of Human Services to enter into memoranda of understanding or other intergovernmental agreements to further collaboration between state and federal agencies, and to increase state input, regarding biopharmaceutical crop issues and requirements of specific interest to state. Authorizes director and appointee involvement in regulation of biopharmaceutical crop permits and operation to extent authorized under memoranda of understanding or other intergovernmental agreements.

A BILL FOR AN ACT

1
2 Relating to production of biopharmaceutical crops in Oregon.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1. As used in this section and section 2 of this 2007 Act:**

5 (1) **"Biopharm permit" means a permit issued by the United States Department of Agri-**
6 **culture for the production of a biopharmaceutical crop.**

7 (2) **"Biopharmaceutical crops" means plants that have been genetically modified using a**
8 **recombinant DNA process to produce vaccines, drugs, enzymes or other medicinal com-**
9 **pounds.**

10 (3) **"Recombinant DNA process" means a process in which segments of deoxyribonucleic**
11 **acid from different organisms are joined together to create recombinant DNA molecules that**
12 **have the capacity to replicate in some host cell, either autonomously or as an integrated part**
13 **of the host genome.**

14 **SECTION 2. (1) The Director of Agriculture and an appointee of the Director of Human**
15 **Services who has experience in health program administration may enter into memoranda**
16 **of understanding or other intergovernmental agreements on behalf of this state for the**
17 **purpose of furthering collaboration between this state and federal agencies that regulate the**
18 **growing of biopharmaceutical crops. A memorandum or other agreement entered into under**
19 **this section shall be designed to increase state input to the federal biopharm permitting**
20 **system on biopharmaceutical crop issues and requirements of specific interest to this state.**

21 (2) **To the extent authorized under any memorandum of understanding or other agree-**
22 **ment entered into under subsection (1) of this section, the Director of Agriculture and the**
23 **appointee of the Director of Human Services, or their designees, may:**

24 (a) **Refuse to disclose any permit application and related information received from the**
25 **Biotechnology Regulatory Services of the United States Department of Agriculture's Animal**
26 **and Plant Health Inspection Service regarding a permit for biopharmaceutical crop growing**
27 **and harvesting, including but not limited to the location of fields and test plots, whether or**
28 **not disclosure of the information would otherwise be permissible under ORS 192.410 to**

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 **192.505 or federal law or regulation.**

2 **(b) Charge the applicant for, or holder of, a biopharm permit fees for state services re-**
3 **lated to the authorization and operation of biopharmaceutical crop production, including but**
4 **not limited to permit review, site inspections, monitoring, administration and enforcement.**

5 **The fees charged under this paragraph may not total more than \$10,000.**

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