

SENATE AMENDMENTS TO SENATE BILL 234

By COMMITTEE ON ENVIRONMENT AND NATURAL RESOURCES

April 18

1 On page 1 of the printed bill, line 2, after “Oregon” insert “; creating new provisions; amending
2 ORS 561.144; and appropriating money”.

3 Delete lines 21 through 28 and delete page 2 and insert:

4 “(2) To the extent authorized under federal and state law, or under any memorandum of under-
5 standing or other agreement entered into under subsection (1) of this section, the Director of Agri-
6 culture and the appointee of the Director of Human Services, or their designees:

7 “(a) Notwithstanding ORS 192.410 to 192.505, shall refuse to disclose any biopharm permit ap-
8 plication or related biopharmaceutical crop information received from the United States Department
9 of Agriculture’s Animal and Plant Health Inspection Service, or from any successor to that service,
10 that the United States Department of Agriculture has determined to be confidential business infor-
11 mation.

12 “(b) May review biopharm permit applications and biopharmaceutical crop information submitted
13 to the United States Department of Agriculture.

14 “(c) May administer and conduct site inspections and monitoring of any biopharmaceutical crops
15 grown in Oregon.

16 “(d) If there is evidence that biopharmaceutical crops are endangering Oregon agriculture,
17 horticulture or forest production or public health, may take appropriate enforcement action.

18 “(e) May charge a biopharm permit applicant or holder fees for state oversight, services or ac-
19 tivities under this section. Fees charged under this paragraph may not total more than \$10,000 and
20 must be reasonably calculated to reimburse the state for the actual cost of the oversight, services
21 or activities. Fees collected under this paragraph shall be deposited to the credit of the Department
22 of Agriculture Service Fund and are continuously appropriated to the State Department of Agricul-
23 ture for the purpose of carrying out this section.

24 “**SECTION 3.** ORS 561.144 is amended to read:

25 “561.144. (1) The State Treasurer shall establish a Department of Agriculture Service Fund
26 which shall be a trust fund separate and distinct from the General Fund. The State Department of
27 Agriculture shall deposit all license and service fees paid to it under the provisions of the statutes
28 identified in subsection (3) of this section in the Department of Agriculture Service Fund. The State
29 Treasurer is the custodian of this trust fund which shall be deposited by the treasurer in such de-
30 positories as are authorized to receive deposits of the General Fund, and which may be invested by
31 the treasurer in the same manner as authorized by ORS 293.701 to 293.820.

32 “(2) Interest received on deposits credited to the Department of Agriculture Service Fund shall
33 accrue to and become a part of the Department of Agriculture Service Fund.

34 “(3) The license and service fees subject to this section are those described in ORS 561.400,
35 570.710, 571.057, 571.063, 571.145, 583.004, 583.046, 583.445, 583.510, 583.610, 585.050, 586.270, 586.580,

1 586.650, 596.030, 596.311, 599.235, 599.269, 599.406, 599.610, 601.040, 602.090, 603.025, 603.075, 616.706,
2 618.115, 618.136, 619.031, 621.072, 621.166, 621.266, 621.297, 621.335, 621.730, 622.080, 625.180, 628.240,
3 632.211, 632.425, 632.600, 632.720, 632.730, 632.741, 632.940, 632.945, 633.015, 633.029, 633.318, 633.362,
4 633.461, 633.471, 633.680, 633.700, 633.720, 634.016, 634.116, 634.122, 634.126, 634.132, 634.136, 634.212
5 and 635.030 **and section 2 of this 2007 Act.**"

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