

House Bill 2621

Sponsored by Representative CLEM (at the request of Oregon Community College Association) (Pre-session filed.)

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**.

Exempts use of pesticides at community college for scientific research or academic instruction from integrated pest management plan restrictions.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to pesticide use at community colleges; creating new provisions; amending ORS 634.700;
3 and declaring an emergency.

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

5 **SECTION 1. Section 2 of this 2013 Act is added to and made a part of ORS 634.700 to**
6 **634.750.**

7 **SECTION 2. ORS 634.700 to 634.750 do not limit or prohibit the use of pesticides at a**
8 **community college for purposes of scientific research or academic instruction.**

9 **SECTION 3. ORS 634.700 is amended to read:**

10 634.700. As used in ORS 634.700 to 634.750:

11 (1) "Campus" means the buildings, other structures, playgrounds, athletic fields and parking lots
12 of a school and any other areas on the school property that are accessed by students on a regular
13 basis.

14 (2) "Governing body" means a board of directors, agency or other body or person having
15 policymaking and general oversight responsibility for a community college district, education service
16 district, school district, other unit of education governance, private school or other educational en-
17 tity.

18 (3) "Integrated pest management plan" means a proactive strategy that:

19 (a) Focuses on the long-term prevention or suppression of pest problems through economically
20 sound measures that:

21 (A) Protect the health and safety of students, staff and faculty;

22 (B) Protect the integrity of campus buildings and grounds;

23 (C) Maintain a productive learning environment; and

24 (D) Protect local ecosystem health;

25 (b) Focuses on the prevention of pest problems by working to reduce or eliminate conditions of
26 property construction, operation and maintenance that promote or allow for the establishment,
27 feeding, breeding and proliferation of pest populations or other conditions that are conducive to
28 pests or that create harborage for pests;

29 (c) Incorporates the use of sanitation, structural remediation or habitat manipulation or of me-
30chanical, biological and chemical pest control measures that present a reduced risk or have a low
31 impact and, for the purpose of mitigating a declared pest emergency, the application of pesticides

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 that are not low-impact pesticides;

2 (d) Includes regular monitoring and inspections to detect pests, pest damage and unsanctioned
3 pesticide usage;

4 (e) Evaluates the need for pest control by identifying acceptable pest population density levels;

5 (f) Monitors and evaluates the effectiveness of pest control measures;

6 (g) Excludes the application of pesticides on a routine schedule for purely preventive purposes,
7 other than applications of pesticides designed to attract or be consumed by pests;

8 (h) Excludes the application of pesticides for purely aesthetic purposes;

9 (i) Includes school staff education about sanitation, monitoring and inspection and about pest
10 control measures;

11 (j) Gives preference to the use of nonchemical pest control measures;

12 (k) Allows the use of low-impact pesticides if nonchemical pest control measures are ineffective;
13 and

14 (L) Allows the application of a pesticide that is not a low-impact pesticide only to mitigate a
15 declared pest emergency or if the application is by, or at the direction or order of, a public health
16 official.

17 (4) "Low-impact pesticide" means a product that does not contain a pesticide product or active
18 ingredient described in ORS 634.705 (5).

19 (5) "Pest" means:

20 (a) An insect or other arthropod;

21 (b) A weed, moss, slime or mildew or a plant disease caused by a fungus, bacterium or virus;

22 (c) A nematode, snail, slug, rodent or predatory animal;

23 (d) A bacterium, spore, virus, fungus or other microorganism that is harmful to human health;
24 or

25 (e) Other forms of plant or animal life that may infest or be detrimental to vegetation, humans,
26 animals, structures, managed landscapes or other human environments.

27 (6) "Pest emergency" means an urgent need to eliminate or mitigate a pest situation that
28 threatens:

29 (a) The health or safety of students, staff, faculty members or members of the public using the
30 campus; or

31 (b) The structural integrity of campus facilities.

32 (7) "Registration number" means the pesticide registration number assigned by the United States
33 Environmental Protection Agency.

34 (8) "School" means:

35 (a) A facility operating an Oregon prekindergarten or a federal Head Start program;

36 (b) A public or private educational institution offering education in all or part of kindergarten
37 through grade 12;

38 (c) An education service district as defined in ORS 334.003;

39 (d) A community college as defined in ORS 341.005, **for the community college's own
40 buildings and ground maintenance;**

41 (e) The Oregon School for the Deaf; and

42 (f) A regional residential academy operated by the Oregon Youth Authority.

43 **SECTION 4. This 2013 Act being necessary for the immediate preservation of the public
44 peace, health and safety, an emergency is declared to exist, and this 2013 Act takes effect
45 on its passage.**

