

# A-Engrossed House Bill 3362

Ordered by the House April 8  
Including House Amendments dated April 8

Sponsored by Representative REARDON; Representatives BUEHLER, GORSEK, NATHANSON, PILUSO, RAYFIELD, WITT, Senator DEMBROW

## 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.

Establishes pollinator health outreach and education plan. **Establishes pesticide use safety plan.** Increases apiary registration fee. [*Increases pesticide registration fee.*] Dedicates specified amount of fees to research, education and outreach programs.

Declares emergency, effective on passage.

## A BILL FOR AN ACT

1  
2 Relating to pollinator health; creating new provisions; amending ORS 602.090, 602.180 and 634.326  
3 and section 1, chapter 40, Oregon Laws 2014; and declaring an emergency.

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

5 **SECTION 1.** Section 1, chapter 40, Oregon Laws 2014, is amended to read:

6 **Sec. 1. (1)(a)** Oregon State University, in consultation with the State Department of Agriculture,  
7 ture, shall develop educational materials regarding the best practices for avoiding adverse effects  
8 from pesticides on populations of bees and other pollinating insects.

9 (b) The educational materials must include, but need not be limited to, measures that pesticide  
10 applicators and pesticide trainees can take to protect honeybees and bumblebees.

11 (c) The university and the department shall design the requirements to ensure that any pesticide  
12 applicator applying or supervising the application of a pesticide is knowledgeable regarding alter-  
13 natives to, the appropriateness of, and precautions for pesticide use that may be injurious to the  
14 health of bees and other pollinating insects.

15 (d) The department shall make the educational materials described in this section a part of the  
16 education required for taking the pesticide applicator licensing examination under ORS 634.122.

17 **(2) Oregon State University, in consultation with the State Department of Agriculture,**  
18 **shall develop a pollinator health outreach and education plan to educate the public regarding**  
19 **the best practices for avoiding adverse effects from pesticides on populations of bees and**  
20 **other pollinating insects. The plan shall include:**

21 (a) **Educational materials that are appropriate and effective for a broad audience, in-**  
22 **cluding, but not limited to, pesticide applicators, consultants, dealers, operators and trainees**  
23 **and private applicators, as those terms are defined in ORS 634.006, and members of the**  
24 **public; and**

25 (b) **A communication strategy for dissemination of educational materials using media**  
26 **sources, state agencies, associations and organizations.**

**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       **(3) The State Department of Agriculture shall develop a bee incident reporting system**  
2 **to facilitate public reporting of incidents related to pollinator health to the department.**

3       **(4) Oregon State University, in consultation with the State Department of Agriculture,**  
4 **shall develop a pesticide use safety plan to educate the public regarding best practices in the**  
5 **use of pesticides. The plan shall include:**

6       **(a) Educational materials that are appropriate and effective for a broad audience, in-**  
7 **cluding, but not limited to, pesticide applicators, consultants, dealers, operators and trainees**  
8 **and private applicators, as those terms are defined in ORS 634.006, and members of the**  
9 **public; and**

10       **(b) A communication strategy for dissemination of educational materials using media**  
11 **sources, state agencies, associations and organizations.**

12       **SECTION 2.** ORS 602.090 is amended to read:

13       602.090. (1) Every person who owns or is in charge of five or more colonies of bees located  
14 within this state, shall cause the colonies to be registered with the State Department of Agriculture  
15 as in this section provided.

16       (2) Application for registration shall be made on a form furnished by the department. The reg-  
17 istration shall cover each colony of bees owned by the applicant, and shall give the [*locations of such*  
18 *colonies and the name,*] address and telephone number of the owner and the name, address and  
19 telephone number of the person in charge if the person in charge is not the owner. The registration  
20 shall be made before June 1 of each year for all colonies. Each registrant shall furnish an address  
21 to which any notice required by this chapter to be given may be sent, and shall agree that any no-  
22 tice sent by the department to such address shall be deemed to be notice in fact.

23       (3) The application for registration shall be accompanied by a fee not to exceed \$10 **per appli-**  
24 **cation and \$0.50 per colony.** For each registration after July 1, the fee shall not exceed \$20 **per**  
25 **application and \$0.50 per colony.** The department, by rule, shall establish the fees subject to be the  
26 maximum limits prescribed in this subsection.

27       (4) When the ownership of bees which have been subject to the charge provided in this section  
28 is changed, the department shall transfer the registration to the new owner without charges.  
29 However, if the bees have not been previously registered, the new owner shall pay the registration  
30 fee without penalty.

31       (5) The department shall maintain records of registered beekeepers and the number of colonies  
32 registered.

33       **SECTION 3.** ORS 602.180 is amended to read:

34       602.180. (1) **Except as provided in subsection (2) of this section,** the State Department of  
35 Agriculture shall deposit all fees paid to it under this chapter into the Department of Agriculture  
36 Service Fund. Such fees are continuously appropriated to the department for the purpose of admin-  
37 istering and enforcing this chapter, including release and publication of information and material to  
38 better acquaint the bee industry with the law and regulations promulgated thereunder.

39       **(2) All moneys collected pursuant to ORS 602.090 shall be spent on pollinator research**  
40 **that is predominantly focused on honeybees.**

41       **NOTE:** Section 4 was deleted by amendment. Subsequent sections were not renumbered.

42       **SECTION 5.** ORS 634.326 is amended to read:

43       634.326. (1) The State Department of Agriculture shall deposit all fees paid to it under the pro-  
44 visions of this chapter in the Department of Agriculture Service Fund. Such moneys are contin-  
45 uously appropriated to the department for the purpose of administering and enforcing the provisions

1 of this chapter.

2 (2) An amount of the fees and moneys referred to in subsection (1) of this section not to exceed  
3 10 percent of registration fees received under ORS 634.016 may be used by the department pursuant  
4 to agreements entered into between the department and the Dean of the College of Agricultural  
5 Sciences of Oregon State University, with the advice of the Minor Crops Advisory Committee for  
6 the purposes set forth in subsection (3) of this section.

7 (3) The amounts provided for in subsection (2) of this section shall be used by the Dean of the  
8 College of Agricultural Sciences of Oregon State University for research projects and investigations  
9 agreed upon by the dean and the department directed toward obtaining pesticide use registrations  
10 needed by growers to produce crops economically in Oregon.

11 **(4) The department shall apply \$10 of each registration fee collected pursuant to ORS  
12 634.016 to fulfill the provisions of section 1 (2), chapter 40, Oregon Laws 2014.**

13 **SECTION 6.** ORS 634.326, as amended by section 5 of this 2015 Act, is amended to read:

14 634.326. (1) The State Department of Agriculture shall deposit all fees paid to it under the pro-  
15 visions of this chapter in the Department of Agriculture Service Fund. Such moneys are contin-  
16 uously appropriated to the department for the purpose of administering and enforcing the provisions  
17 of this chapter.

18 (2) An amount of the fees and moneys referred to in subsection (1) of this section not to exceed  
19 10 percent of registration fees received under ORS 634.016 may be used by the department pursuant  
20 to agreements entered into between the department and the Dean of the College of Agricultural  
21 Sciences of Oregon State University, with the advice of the Minor Crops Advisory Committee for  
22 the purposes set forth in subsection (3) of this section.

23 (3) The amounts provided for in subsection (2) of this section shall be used by the Dean of the  
24 College of Agricultural Sciences of Oregon State University for research projects and investigations  
25 agreed upon by the dean and the department directed toward obtaining pesticide use registrations  
26 needed by growers to produce crops economically in Oregon.

27 (4) The department shall apply \$10 of each registration fee collected pursuant to ORS 634.016  
28 to fulfill the provisions of section 1 [(2)] (4), chapter 40, Oregon Laws 2014.

29 **SECTION 7. (1) The amendments to ORS 634.326 by section 5 of this 2015 Act apply to  
30 registration fees due under ORS 634.016 on or after the effective date of this 2015 Act and  
31 before January 1, 2019.**

32 **(2) The amendments to ORS 634.326 by section 6 of this 2015 Act apply to registration fees  
33 due under ORS 634.016 on or after January 1, 2019.**

34 **SECTION 8. (1) The amendments to section 1, chapter 40, Oregon Laws 2014, and ORS  
35 602.090, 602.180 and 634.326 by sections 1 to 5 of this 2015 Act become operative on January  
36 1, 2016.**

37 **(2) The amendments to ORS 634.326 by section 6 of this 2015 Act become operative on  
38 January 1, 2019.**

39 **(3) The State Department of Agriculture may take any action before the operative date  
40 specified in subsection (1) of this section that is necessary for the department to exercise,  
41 on and after the operative date specified in subsection (1) of this section, all of the duties,  
42 functions and powers conferred on the department by the amendments to section 1, chapter  
43 40, Oregon Laws 2014, and ORS 602.090, 602.180 and 634.326 by sections 1 to 5 of this 2015 Act.**

44 **SECTION 9. This 2015 Act being necessary for the immediate preservation of the public  
45 peace, health and safety, an emergency is declared to exist, and this 2015 Act takes effect**

1 **on its passage.**

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