

House Bill 2535

Sponsored by Representative REARDON (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**.

Requires State Department of Agriculture to conduct four-year pilot program for replacing noxious weeds that supply pollen and nectar to pollinating insects with noninvasive forage plants offering similar benefit for pollinating insects.

Requires department to report results of pilot program to interim committee of Legislative Assembly on or before September 15, 2022.

Establishes Pollinator Forage Pilot Program Fund for purpose of carrying out pilot program. Provides for fund moneys not expended for pilot program to be transferred for use in issuing weed control grants to counties.

Makes requirement for pilot program operative January 1, 2018.

Declares emergency, effective July 1, 2017.

A BILL FOR AN ACT

1
2 Relating to noxious weeds; and declaring an emergency.

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

4 **SECTION 1. Section 2 of this 2017 Act is added to and made a part of ORS 569.175 to**
5 **569.195.**

6 **SECTION 2. (1) The State Department of Agriculture shall expend moneys from the**
7 **Pollinator Forage Pilot Project Fund to conduct a pilot program to evaluate options, methods**
8 **and costs to replace noxious weeds that provide high levels of pollen and nectar for**
9 **pollinating insects with noninvasive forage plants that have the same bloom succession,**
10 **growth requirements and habitat preferences and can supply equal or greater sources of**
11 **pollen and nectar for the same pollinating insects. The department shall conduct the pilot**
12 **program in at least one test area west of the Cascade Mountains and at least one test area**
13 **east of the Cascade Mountains.**

14 **(2) The department, acting through its State Weed Board, shall identify noxious weeds**
15 **described in subsection (1) of this section that are widely distributed throughout this state**
16 **and identify noninvasive forage plants capable of replacing those noxious weeds as described**
17 **in subsection (1) of this section. The department may consider any properties within a test**
18 **area that are infested with noxious weeds and are owned and occupied by public bodies as**
19 **defined in ORS 174.109 for participation in the pilot program. The department shall identify**
20 **and prioritize private lands infested with noxious weeds within the test area that may benefit**
21 **from participation in the program and encourage participation in the pilot program by own-**
22 **ers and occupants of those private lands the department considers to be of a higher priority.**
23 **The department shall provide owners and occupants participating in the pilot program with**
24 **seeds or plant starts of noninvasive forage plants, care advice and other goods and services**
25 **the department deems appropriate for promoting the successful growth of the plants. The**
26 **department shall conduct a survey of owners and occupants of lands that are included in the**
27 **pilot program to determine:**

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 (a) The best choices for noninvasive forage plants for various pollinating insects;

2 (b) Good practices for promoting the successful growth of noninvasive forage plants;

3 (c) The comparative effect on pollinating insect populations of pilot program activities
4 and traditional noxious weed control, including but not limited to effects in relation to crit-
5 ical times within a beekeeping cycle; and

6 (d) Any other information the department deems beneficial for assessing the effect of
7 pilot program activities on pollinating insect populations.

8 (3) The department shall carry out the pilot project in consultation and cooperation with
9 the Oregon State University Extension Service, weed control districts and owners and
10 occupiers of private and public lands where noxious weeds described in subsection (1) of this
11 section are present.

12 SECTION 3. The State Department of Agriculture shall conduct the pilot program de-
13 scribed in section 2 of this 2017 Act for a four-year period. The department shall determine
14 and evaluate the results of noxious weed control under the pilot program, including but not
15 limited to the comparative effect on pollinating insect populations, and prepare a report of
16 its findings. The department shall report its findings and any related recommendations for
17 legislation to an interim committee of the Legislative Assembly regarding natural resources
18 in the manner provided under ORS 192.245 no later than September 15, 2022.

19 SECTION 4. (1) The Pollinator Forage Pilot Program Fund is established in the State
20 Treasury, separate and distinct from the General Fund. Interest earned by the Pollinator
21 Forage Pilot Program Fund shall be credited to the fund. Moneys in the fund are contin-
22 uously appropriated to the State Department of Agriculture for the purpose of carrying out
23 sections 2 and 3 of this 2017 Act.

24 (2) In addition to any moneys appropriated by the Legislative Assembly for the specific
25 purpose of carrying out sections 2 and 3 of this 2017 Act, the State Department of Agricul-
26 ture may seek gifts, grants or donations of moneys to the fund from public or private
27 sources.

28 SECTION 5. (1) Sections 2, 3 and 4 of this 2017 Act are repealed January 2, 2023.

29 (2) Any unexpended and unobligated moneys remaining in the Pollinator Forage Pilot
30 Program Fund on January 2, 2023, shall be transferred to the Department of Agriculture
31 Account. Notwithstanding ORS 561.150, the department shall expend any moneys transferred
32 under this subsection for the purpose of issuing grants to counties under ORS 569.520.

33 SECTION 6. Sections 2 and 3 of this 2017 Act become operative January 1, 2018.

34 SECTION 7. This 2017 Act being necessary for the immediate preservation of the public
35 peace, health and safety, an emergency is declared to exist, and this 2017 Act takes effect
36 July 1, 2017.

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