

A-Engrossed
House Bill 3364

Ordered by the House April 22
Including House Amendments dated April 22

Sponsored by Representative KENY-GUYER, Senator MONNES ANDERSON; Representatives BARNHART, GORSEK, GREENLICK, HOLVEY, LIVELY, Senators BURDICK, STEINER HAYWARD

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.

[Amends list of state agencies and public universities required to adopt integrated pest management practices. Establishes Interagency Integrated Pest Management Coordinating Committee consisting of state agencies and public universities required to implement integrated pest management practices and of two public members. Requires committee to adopt definitions and policies and to create model integrated pest management plan based on definitions and policies. Makes definitions and policies adopted by committee mandatory for integrated pest management plans of state agencies and public universities required to implement pest management practices. Establishes requirements for integrated pest management plan coordinators, giving of notice regarding pesticide applications and keeping of pesticide application records. Requires state agencies and public universities to report to committee biennially regarding integrated pest management plan activities. Requires committee to report every four years to legislative committee dealing with environmental issues.]

Requires appointment of State Integrated Pest Management Coordinator.

Establishes Integrated Pest Management Coordinating Committee consisting of State Integrated Pest Management Coordinator, representative of Oregon University System and integrated pest management coordinators of state agencies and public universities required to implement integrated pest management practices. Establishes duties of committee. Authorizes committee to engage in joint work with Invasive Species Council. Requires committee to report biennially to legislative committee related to pest management. Specifies matters to be included in report.

Authorizes committee to seek public and private funding. Authorizes State Department of Agriculture to accept moneys on behalf of committee.

Amends list of state agencies required to implement integrated pest management practices. Amends definition of "integrated pest management" for state agencies and public universities required to implement integrated pest management practices. Amends integrated pest management coordinator qualifications for state agencies and public universities required to implement integrated pest management practices.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to integrated pest management; creating new provisions; amending ORS 634.650, 634.660
3 and 634.665; and declaring an emergency.

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

5 **SECTION 1. Sections 2 and 3 of this 2013 Act are added to and made a part of ORS 634.650**
6 **to 634.665.**

7 **SECTION 2. The Dean of the College of Agricultural Sciences of Oregon State University**
8 **shall appoint a faculty member of the college who has administrative and technical experi-**
9 **ence in integrated pest and production management matters to act as the State Integrated**
10 **Pest Management Coordinator. The coordinator shall serve at the pleasure of the dean.**

11 **SECTION 3. (1) There is established an Integrated Pest Management Coordinating Com-**
12 **mittee, consisting of:**

13 **(a) The State Integrated Pest Management Coordinator;**

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 **(b) The integrated pest management coordinator for each state agency listed in ORS**
2 **634.660;**

3 **(c) A representative of the Oregon University System, appointed by the State Board of**
4 **Higher Education; and**

5 **(d) The integrated pest management coordinator for each public university listed in ORS**
6 **352.002.**

7 **(2) The State Integrated Pest Management Coordinator shall chair the committee. The**
8 **committee may elect a vice chair. The committee may assign duties to the chair and vice**
9 **chair and provide them with the powers necessary to perform those duties.**

10 **(3) A majority of the committee members is a quorum for the purpose of conducting**
11 **business. Action by the committee requires approval by a majority of the committee mem-**
12 **bers.**

13 **(4) The committee shall meet three times per year at the call of the chair for the pur-**
14 **poses of:**

15 **(a) Sharing information concerning the latest methods and approaches to integrated pest**
16 **management used to reduce the risks posed by pests and concerning strategies related to**
17 **pest management;**

18 **(b) Sharing information concerning program successes and knowledge gained in the im-**
19 **plementation of integrated pest management programs;**

20 **(c) Developing an adaptive management approach to the improvement of integrated pest**
21 **management by state agencies and public universities;**

22 **(d) Identifying issues regarding risk reduction and evolving innovative approaches to ad-**
23 **dressing the issues;**

24 **(e) Reporting on, and developing a set of performance metrics to adequately describe,**
25 **state agency and public university progress in implementing integrated pest management;**

26 **(f) Sharing information concerning the integrated pest management programs of each**
27 **state agency or public university in order to foster information exchange concerning the**
28 **latest technological advances and protocols and to promote a consistent format for the pro-**
29 **grams;**

30 **(g) Achieving reductions in risks from pests and from strategies relating to pest man-**
31 **agement; and**

32 **(h) Evaluating the need for notification of pesticide use and the policies for notification**
33 **as part of state agency and public university integrated pest management programs.**

34 **(5) In addition to the meetings required under subsection (4) of this section, the com-**
35 **mittee may convene as the committee deems appropriate for the purpose of coordinating**
36 **state integrated pest management efforts with the work of the Invasive Species Council.**
37 **The committee and the council shall jointly address the technical and management approach**
38 **challenges shared by programs to reduce risks from pests and reduce threats from invasive**
39 **species.**

40 **(6) The committee may identify threats of common interest to the committee and the**
41 **council, determine the resources needed for addressing the threats and provide the infor-**
42 **mation to state agencies and public universities.**

43 **(7) The committee shall prepare a biennial report to an interim committee of the Legis-**
44 **lative Assembly relating to pest management matters. The report shall describe the status**
45 **of state agency and public university integrated pest management programs. The committee**

1 shall biennially provide an opportunity for public comment and input for the report. The re-
2 port on the state agency and public university integrated pest management programs shall
3 include, but need not be limited to:

4 (a) A description of the meetings, if any, between the State Integrated Pest Management
5 Coordinator and state agencies or public universities;

6 (b) A description of the meetings of the committee;

7 (c) A description of advances, innovations and training activities in methodologies for
8 reducing risks from pests;

9 (d) A description of key problem matters, the approaches taken to address the matters
10 and concerns remaining outstanding;

11 (e) Performance metric results for the implementation of integrated pest management,
12 including but not limited to state agency and public university progress toward the goal of
13 protecting the economy, ecosystems and water quality of this state and protecting the health
14 and welfare of children, the elderly and other members of the public;

15 (f) The integrated pest management program status of each state agency and public
16 university that uses state-owned or leased property;

17 (g) Examples of cost-savings and expenditures resulting from integrated pest manage-
18 ment program implementation; and

19 (h) Any recommendations for integrated pest management program improvements, in-
20 cluding but not limited to any proposals for revising the definition of “integrated pest man-
21 agement.”

22 (8)(a) The committee may seek funding from public or private sources to enable the
23 committee to develop pest risk and integrated pest management metrics or to develop new
24 technologies, strategies and approaches for addressing specific pest threats. Unless re-
25 stricted by the donor, the committee may use moneys donated under this subsection for any
26 purpose described in this subsection.

27 (b) The State Department of Agriculture may accept funds donated under this subsection
28 on behalf of the committee. The moneys shall be credited to a subaccount within the De-
29 partment of Agriculture Service Fund and, notwithstanding ORS 561.144 and 634.326, shall
30 be dedicated for funding activities of the committee. The Director of Agriculture shall draw
31 warrants for the issuance of payments from the account as authorized by vote of a majority
32 of the committee.

33 **SECTION 4.** ORS 634.650 is amended to read:

34 634.650. As used in ORS 634.650 to 634.665:

35 [(1) “Integrated pest management” means a coordinated decision-making and action process that
36 uses the most appropriate pest control methods and strategy in an environmentally and economically
37 sound manner to meet agency pest management objectives. The elements of integrated pest management
38 include:]

39 [(a) Preventing pest problems;]

40 [(b) Monitoring for the presence of pests and pest damage;]

41 [(c) Establishing the density of the pest population, which may be set at zero, that can be tolerated
42 or correlated with a damage level sufficient to warrant treatment of the problem based on health, public
43 safety, economic or aesthetic thresholds;]

44 [(d) Treating pest problems to reduce populations below those levels established by damage
45 thresholds using strategies that may include biological, cultural, mechanical and chemical control

1 *methods and that shall consider human health, ecological impact, feasibility and cost effectiveness;*
2 *and]*

3 *[(e) Evaluating the effects and efficacy of pest treatments.]*

4 (1) **“Integrated pest management” means a science-based decision-making process that:**

5 (a) **Identifies and reduces risks from pests and from pest management-related strategies;**

6 (b) **Coordinates the use of pest biology, environmental information and comprehensive**
7 **technology to prevent unacceptable levels of pest damage by economical means and poses the**
8 **least possible risk to people, property, resources and the environment; and**

9 (c) **Uses a pest management approach that focuses on the prevention of pests through a**
10 **combination of techniques that may include, but need not be limited to:**

11 (A) **Surveillance and monitoring;**

12 (B) **Early detection and rapid response;**

13 (C) **Mechanical control;**

14 (D) **The selective use of pesticides;**

15 (E) **Cultural practices;**

16 (F) **Modified land management;**

17 (G) **Biological controls;**

18 (H) **Evaluation of the effects and efficacy of pest treatments; and**

19 (I) **Control practices selected and applied to achieve desired pest management objectives**
20 **in a manner that minimizes risks to human health, nontarget organisms, native fish and**
21 **wildlife habitat, watersheds and the environment.**

22 (2) **“Pest” means any vertebrate or invertebrate animal, pathogen, parasitic plant, weed or sim-**
23 **ilar or allied organism which can cause disease or damage to crops, trees, shrubs, grasses or other**
24 **plants, humans, animals or property.**

25 **SECTION 5.** ORS 634.660 is amended to read:

26 634.660. Each of the following state agencies **or public universities** shall implement integrated
27 pest management practices when carrying out *[the agency’s]* duties **of the agency or public uni-**
28 **versity** related to pest control:

29 (1) State Department of Agriculture~~], including the control of noxious weeds].~~

30 (2) State Department of Fish and Wildlife.

31 (3) Department of Transportation.

32 (4) State Parks and Recreation Department.

33 (5) State Forestry Department.

34 (6) Department of Corrections.

35 (7) Oregon Department of Administrative Services.

36 (8) ~~[The]~~ Department of State Lands.

37 **(9) Department of Environmental Quality.**

38 **(10) Oregon Health Authority.**

39 ~~[(9)]~~ **(11) Each public university listed in ORS 352.002, for the public university’s own building**
40 **and grounds maintenance.**

41 **SECTION 6.** ORS 634.665 is amended to read:

42 634.665. (1) Each state agency or *[institution]* **public university listed or referred to** under ORS
43 634.660 shall provide integrated pest management training for employees responsible for pest man-
44 agement.

45 (2) Each state agency or *[institution]* **public university listed or referred to** under ORS 634.660

1 shall designate an integrated pest management coordinator. The integrated pest management coor-
2 dinator:

3 (a) **Must be a state or public university employee;**

4 (b) **Shall manage the integrated pest management program of the agency or [institution.] public**
5 **university; and**

6 (c) **May serve more than one state agency or public university.**

7 **SECTION 7. The Integrated Pest Management Coordinating Committee shall submit the**
8 **first biennial report required under section 3 (7) of this 2013 Act no later than December 1,**
9 **2014.**

10 **SECTION 8. This 2013 Act being necessary for the immediate preservation of the public**
11 **peace, health and safety, an emergency is declared to exist, and this 2013 Act takes effect**
12 **on its passage.**

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