

A-Engrossed
House Bill 4139

Ordered by the House February 13
Including House Amendments dated February 13

Sponsored by Representative REARDON; Representatives BARTON, KENY-GUYER (Presession 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.

[Requires State Department of Agriculture to classify certain pesticides as restricted-use pesticides. Repeals requirement January 2, 2021. Provides for possible earlier removal of pesticide from restricted-use classification at discretion of Director of Agriculture.]

Requires *[department, in cooperation with]* Oregon State University, **in consultation with State Department of Agriculture**, to develop educational materials regarding best practices for avoiding adverse effects of pesticides on populations of bees and other pollinating insects. Requires department to make educational materials part of *[training required of pesticide trainee as qualification to sit]* **education required** for pesticide applicator licensing examination.

[Requires department to biennially report to interim committee of Legislative Assembly regarding population health of bees and other pollinating insects.]

Establishes Task Force on Pollinator Health. Requires task force to study issues related to pollinator health and to report findings and any recommendations for legislation to interim committee of Legislative Assembly no later than October 1, 2014.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to pollinator health; and declaring an emergency.

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

4 **SECTION 1. Oregon State University, in consultation with the State Department of Ag-**
5 **riculture, shall develop educational materials regarding the best practices for avoiding ad-**
6 **verse effects from pesticides on populations of bees and other pollinating insects. The**
7 **educational materials must include, but need not be limited to, measures that pesticide**
8 **applicators and pesticide trainees can take to protect honeybees and bumblebees. The uni-**
9 **versity and the department shall design the requirements to ensure that any pesticide**
10 **applicator applying or supervising the application of a pesticide is knowledgeable regarding**
11 **alternatives to, the appropriateness of, and precautions for pesticide use that may be**
12 **injurious to the health of bees and other pollinating insects. The department shall make the**
13 **educational materials described in this section a part of the education required for taking**
14 **the pesticide applicator licensing examination under ORS 634.122.**

15 **SECTION 2. (1) The Task Force on Pollinator Health is established, consisting of 10**
16 **members appointed as follows:**

17 **(a) The President of the Senate, after consultation with the Speaker of the House of**
18 **Representatives, shall appoint one nonvoting member from among members of the Senate.**

19 **(b) The Speaker of the House of Representatives, after consultation with the President**
20 **of the Senate, shall appoint one nonvoting member from among members of the House of**
21 **Representatives who are from a different political party than the member appointed by the**

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 **President of the Senate.**

2 **(c) The Governor shall appoint eight voting members as follows:**

3 **(A) One member who is a university faculty member specializing in the science of**
4 **pollinator health.**

5 **(B) One member representing an advocacy group for nurseries and greenhouse produc-**
6 **ers.**

7 **(C) One member representing an advocacy group for farmers.**

8 **(D) One member representing an advocacy group dedicated to the protection of**
9 **pollinators and invertebrates.**

10 **(E) One member representing an advocacy group dedicated to environmental protection.**

11 **(F) One member representing an advocacy group for retailers.**

12 **(G) One member, who is certified as a master gardener under the Oregon State Univer-**
13 **sity Master Gardener program, representing the public.**

14 **(H) One member, who is a beekeeper, representing the public.**

15 **(2) The task force shall undertake activities to examine issues relevant to pollinator**
16 **health, including but not limited to:**

17 **(a) Studying proposed and enacted pesticide regulations from other states and countries**
18 **that are more protective of pollinator health than the pesticide regulations of the United**
19 **States Environmental Protection Agency.**

20 **(b) Studying public education and outreach plans regarding pollinator health that have**
21 **been successful in other states.**

22 **(c) Evaluating the effectiveness of applicator licensing and other legal requirements, and**
23 **of incentives, in matters affecting pollinator health.**

24 **(d) Identifying possible funding streams for efforts to promote or protect pollinator**
25 **health.**

26 **(e) Investigating the means used by other states to gather data on populations of bees**
27 **or other pollinating insects.**

28 **(f) Evaluating existing best management practices for applying neonicotinoids in a man-**
29 **ner that avoids harming pollinating insects.**

30 **(3) The task force may take actions necessary and proper to carry out the work of the**
31 **task force, including but not limited to scheduling hearings and taking testimony on matters**
32 **related to pollinator health.**

33 **(4) A majority of the voting members of the task force constitutes a quorum for the**
34 **transaction of business.**

35 **(5) Official action by the task force requires the approval of five or more voting members**
36 **of the task force.**

37 **(6) The task force shall elect one of its voting members to serve as chairperson.**

38 **(7) If there is a vacancy for any cause, the appointing authority shall make an appoint-**
39 **ment to become immediately effective.**

40 **(8) The task force shall meet at times and places specified by the call of the chairperson**
41 **or of a majority of the voting members of the task force.**

42 **(9) The task force may adopt rules necessary for the operation of the task force.**

43 **(10) The task force shall submit a report in the manner provided by ORS 192.245, and**
44 **may include recommendations for legislation, to an interim committee of the Legislative**
45 **Assembly related to agriculture no later than October 1, 2014. The task force may provide**

1 progress reports to an interim committee related to agriculture prior to October 1, 2014.

2 (11) The Legislative Administration Committee shall provide staff support to the task
3 force.

4 (12) Members of the task force who are not members of the Legislative Assembly are not
5 entitled to compensation, but may be reimbursed for actual and necessary travel and other
6 expenses incurred by them in the performance of their official duties in the manner and
7 amounts provided for in ORS 292.495. Claims for expenses incurred in performing functions
8 of the task force shall be paid out of funds appropriated to the committee for purposes of
9 the task force.

10 (13) All agencies of state government, as defined in ORS 174.111, are directed to assist
11 the task force in the performance of its duties and, to the extent permitted by laws relating
12 to confidentiality, to furnish such information and advice as the members of the task force
13 consider necessary to perform their duties.

14 SECTION 3. Section 2 of this 2014 Act is repealed on the date of the convening of the 2015
15 regular session of the Legislative Assembly as specified in ORS 171.010.

16 SECTION 4. This 2014 Act being necessary for the immediate preservation of the public
17 peace, health and safety, an emergency is declared to exist, and this 2014 Act takes effect
18 on its passage.

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