

REVENUE: No revenue impact

FISCAL: Minimal fiscal impact, no statement issued

Action: Do Pass
Vote: 7 - 0 - 0
Yeas: Boquist, Clem, Dingfelder, Macpherson, Maurer, Smith P., Roblan
Nays: 0
Exc.: 0
Prepared By: Beth Patrino, Administrator
Meeting Dates: 5/15

WHAT THE MEASURE DOES: Allows imposition of civil penalty of up to \$10,000 for violation of pesticide application, sale or labeling laws resulting from gross negligence or willful misconduct. Declares emergency, effective upon passage.

ISSUES DISCUSSED:

- Recent enforcement action
- Consistency of penalty provision with other Oregon Department of Agriculture programs

EFFECT OF COMMITTEE AMENDMENT: No amendment.

BACKGROUND: ORS 634.900 currently limits the amount of civil penalty that may be imposed for violations of Oregon's pesticide laws. These limits are a maximum of \$1,000 for the first violation and a maximum of \$2,000 for subsequent violations. A recent violation of pesticide use in eastern Oregon raised concern that the current civil penalty does not provide an adequate deterrent in cases where there is gross negligence or willful misconduct related to the use of pesticides.

SB 883 allows the imposition of civil penalty of up to \$10,000 for violation of pesticide application, sale or labeling laws resulting from gross negligence or willful misconduct.