

House Bill 2999

Sponsored by Representatives CLEM, C EDWARDS; Representatives BAILEY, BARNHART, BOONE, BUCKLEY, CANNON, D EDWARDS, GREENLICK, HARKER, KOMP, KRIEGER, NOLAN, READ, RILEY, J SMITH, TOMEI

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**.

Reduces size of identifying hydrologic unit to be used when reporting pesticide use.
Delays sunset date for pesticide use reporting system.
Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to the pesticide use reporting system; creating new provisions; amending sections 4, 19 and
3 22, chapter 1059, Oregon Laws 1999; and declaring an emergency.

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

5 **SECTION 1.** Section 4, chapter 1059, Oregon Laws 1999, is amended to read:

6 **Sec. 4.** The State Department of Agriculture shall establish and implement a pesticide use re-
7 porting system to meet the need described in section 3, chapter 1059, Oregon Laws 1999. In estab-
8 lishing and implementing the system, the department shall:

9 (1) Design, develop and implement the system in order to collect, evaluate, summarize, retain
10 and report information on the use of pesticides in each major category of use in Oregon, including
11 agriculture, forestry, industrial, urban commercial and urban homeowner uses.

12 (2) At least one time each year, collect the best data practicable from each major category of
13 pesticide use in a manner that reduces paperwork and reporting costs.

14 (3) Require all pesticide users to report basic information on their use of pesticides that in-
15 cludes:

16 (a) The location of use. For pesticide use within an urban area, as defined by the department
17 by rule, the pesticide user shall report the location of use by identifying the five-digit zip code for
18 the location. For pesticide use that is not within an urban area, the pesticide user shall report the
19 location of use by identifying the *[third-level]* **fourth-level** hydrologic unit for the location. As used
20 in this paragraph, "*[third-level]* **fourth-level** hydrologic unit" means the *[basin reporting]* **cataloging**
21 **unit** level of the 12-digit hydrologic unit mapping system developed by the Federal Geographic Data
22 Committee.

23 (b) The name and United States Environmental Protection Agency registration number for the
24 pesticide product used.

25 (c) The quantity of pesticide product applied.

26 (d) The purpose of and type of site of the application.

27 (e) The month of the application.

28 (f) Subject to section 8, chapter 1059, Oregon Laws 1999, other data gathered by pesticide
29 applicators that the department considers necessary to achieve the purposes of section 3, chapter
30 1059, Oregon Laws 1999.

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 (4) Develop a mechanism to ensure the accuracy, reliability and validity of the database by
2 providing for an independent review of the pesticide use data and collection procedures by data
3 quality assurance specialists.

4 (5) Develop a specific mechanism to identify household and other urban uses of pesticides. If this
5 mechanism involves sales reporting by retail pesticide dealers, the department shall develop a min-
6 imum monthly sales quantity below which the retail pesticide dealer is exempt from reporting.

7 **SECTION 2.** Section 19, chapter 1059, Oregon Laws 1999, is amended to read:

8 **Sec. 19.** The amendments to ORS [192.502,] 634.306 and 634.372 by sections [16,] 17 and 18, [of
9 this 1999 Act] **chapter 1059, Oregon Laws 1999**, become operative on [December 31, 2009] **January**
10 **2, 2016.**

11 **SECTION 3.** Section 22, chapter 1059, Oregon Laws 1999, is amended to read:

12 **Sec. 22.** Sections 2 to 4, 6 to 11, 15 and 21, [of this 1999 Act] **chapter 1059, Oregon Laws 1999**,
13 are repealed on [December 31, 2009] **January 2, 2016.**

14 **SECTION 4.** **The amendments to section 4, chapter 1059, Oregon Laws 1999, by section 1**
15 **of this 2009 Act apply to reporting information for pesticide use that occurs on or after**
16 **January 1, 2010.**

17 **SECTION 5.** **This 2009 Act being necessary for the immediate preservation of the public**
18 **peace, health and safety, an emergency is declared to exist, and this 2009 Act takes effect**
19 **on its passage.**

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