

House Bill 2188

Ordered printed by the Speaker pursuant to House Rule 12.00A (5). Pre-session filed (at the request of House Interim Committee on Environment and Water)

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**.

Changes definition of integrated pest management for purposes of state agency practices.

A BILL FOR AN ACT

Relating to pest management; amending ORS 634.122 and 634.650.

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

SECTION 1. ORS 634.650 is amended to read:

634.650. As used in ORS 634.650 to 634.665:

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

[(a) Preventing pest problems;]

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

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

[(d) Treating pest problems to reduce populations below those levels established by damage thresholds using strategies that may include biological, cultural, mechanical and chemical control methods and that shall consider human health, ecological impact, feasibility and cost effectiveness; and]

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

(1) "Integrated pest management" means a coordinated decision-making and action process that focuses on the prevention of pest damage through:

(a) A combination of techniques that may include, but need not be limited to, the use of:

(A) Surveillance and monitoring;

(B) Early detection;

(C) Eradication or other rapid response techniques;

(D) Mechanical control;

(E) The selective use of pesticides;

(F) Cultural practices;

(G) Modified land management; and

(H) Biological controls; and

(b) Control practices selected and applied to achieve desired pest management objectives

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 **in a manner that minimizes risks to human health, nontarget organisms, native fish and**
 2 **wildlife habitat, watersheds and the environment.**

3 (2) "Pest" means any vertebrate or invertebrate animal, pathogen, parasitic plant, weed or sim-
 4 ilar or allied organism *[which]* **that** can cause disease or damage to crops, trees, shrubs, grasses or
 5 other plants, humans, animals or property.

6 **SECTION 2.** ORS 634.122 is amended to read:

7 634.122. (1) An applicant for a pesticide applicator's license is entitled to be examined for or to
 8 be issued a license or supplements thereto by the State Department of Agriculture, if the applicant:

9 (a) Is at least 18 years of age; and

10 (b) Proves to the satisfaction of the department that the applicant:

11 (A) Has had experience as a pesticide trainee for the minimum period and in the manner pre-
 12 scribed by the department;

13 (B) Has educational qualifications, experience or training *[which]* **that** is equal to the minimum
 14 standards and requirements established by the department; or

15 (C) Has been licensed in Oregon as a pesticide applicator and actively engaged in such work
 16 during the prior license period, as shall be prescribed by the department.

17 (2) An applicant for a pesticide applicator's license shall be required to demonstrate satisfac-
 18 torily by written examination or any reexamination given by the department, an adequate knowledge
 19 of:

20 (a) The characteristics of pesticides and the effect of their application to particular crops.

21 (b) The practices of application of pesticides.

22 (c) The conditions and times of application of pesticides and the precautions to be taken in
 23 connection therewith.

24 (d) The applicable laws and rules relating to pesticides and their application in this state.

25 (e) Integrated pest management techniques, *as defined* **and control practices, as described in**
 26 ORS 634.650, for pest control.

27 (f) Other requirements or procedures *[which]* **that** will be of benefit to and protect the pesticide
 28 applicator, the persons who use the services of the pesticide applicator and the property of others.

29 (3) Based upon the license application and the request of the applicant, the department may
 30 examine the applicant only in any one or more of the classes of pest control or pesticide application
 31 businesses established by the department under ORS 634.306 (2).

32 (4)(a) A pesticide applicator license fee shall be established by the department not to exceed \$50
 33 for the first class of pest control or pesticide application business as prescribed in ORS 634.306 (2)
 34 and not to exceed \$7.50 for each additional class.

35 (b) After a person makes first application for a license or renewal thereof for a specific license
 36 period, if later during the same license period *[such]* **the** person desires to engage in additional
 37 classes of pest control or pesticide application business as prescribed in ORS 634.306 (2), *[such]* **the**
 38 person shall pay the fee for each additional class established by the department not to exceed \$12.50.

39 (5) Examinations or reexaminations for pesticide applicator's licenses shall be given by the de-
 40 partment at such time and in any of its branch offices or other locations it deems expedient, and
 41 shall be under the supervision of its employees or appointees. The department is authorized to:

42 (a) Appoint, without pay or reimbursement, employees of other state agencies who are author-
 43 ized to give examinations.

44 (b) Prepare and maintain various types of examinations and types and schedules of reexamina-
 45 tions and to take all other measures deemed necessary to *[insure]* **ensure** that persons receiving

1 passing grades thereto have been fairly and reasonably tested as to their ability and that there have
2 been no fraudulent or dishonest means used by the applicants in applying for or in the taking of
3 examinations or reexaminations.

4 (6) If it verifies an applicant has received a passing grade on the examination or reexamination
5 and otherwise has complied with the provisions of this chapter, the department shall issue a pesti-
6 cide applicator's license.

7 (7) Each person who has failed to receive a passing grade or for other reasons was not issued
8 a license as a result of an examination or reexamination given by the department[,] shall pay \$5 to
9 partially reimburse the department for its costs to administer each reexamination to the applicant.

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