

House Bill 3170

Sponsored by Representative HOLVEY

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**.

Requires reporting of commercial or governmental pesticide applications to Department of Environmental Quality. Requires department to make copy of reported information available to state agencies and local governments upon request. Allows department to charge reasonable fee for providing reported information.

A BILL FOR AN ACT

1
2 Relating to pesticide application reporting.

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

4 **SECTION 1. Section 2 of this 2013 Act is added to and made a part of ORS chapter 634.**

5 **SECTION 2. (1) As used in this section, "local government" has the meaning given that**
6 **term in ORS 174.116.**

7 **(2) Each state agency or local government using a public applicator or public trainee to**
8 **apply pesticides shall prepare and maintain records of the pesticide application on forms ap-**
9 **proved by the State Department of Agriculture. The records shall include:**

10 **(a) The name of the state agency or local government for which the pesticide was applied.**

11 **(b) The approximate location of the land or property on which the pesticide was applied.**

12 **(c) The date and approximate time of application.**

13 **(d) The person who supplied the pesticides.**

14 **(e) The trade name and the strength of the pesticides.**

15 **(f) The amount or concentration (pounds or gallons per acre of active ingredient or con-**
16 **centration per approximately 100 gallons).**

17 **(g) The specific property to which the pesticide was applied.**

18 **(h) The summary information of equipment, device or apparatus used and, if applied by**
19 **aircraft, the Federal Aviation Administration number.**

20 **(i) The names of the public applicator or public trainee who did the actual application or**
21 **spraying.**

22 **(3) The state agency or local government shall keep the records for a period of at least**
23 **three years from the date of application of the pesticides and shall make the records avail-**
24 **able during business hours for review and inspection by the department.**

25 **SECTION 3. (1) As used in this section:**

26 **(a) "Local government" has the meaning given that term in ORS 174.116.**

27 **(b) "Pesticide," "pesticide operator," "public applicator" and "public trainee" have the**
28 **meanings given those terms in ORS 634.006.**

29 **(2) A state agency or local government that uses a public applicator or public trainee to**
30 **make a pesticide application shall supply the Department of Environmental Quality with a**

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 copy of the record described in section 2 of this 2013 Act for that application. A pesticide
2 operator shall supply the department with a copy of the record described in ORS 634.146 for
3 that application. The state government agency, local government or pesticide operator must
4 supply the report of a pesticide application to the department no later than one year after
5 the date of the application.

6 (3) The department shall collect the records supplied to the department under this sec-
7 tion. Upon request, the department may supply the record information to another state
8 agency or a local government. Record information created under ORS 634.146 (1)(a), (g) or
9 (i) that is supplied to the department under this section or supplied by the department to
10 another state agency or a local government is a trade secret as defined in ORS 192.501 (2).
11 The department may charge a state agency or local government a reasonable fee for pro-
12 viding record information.

13 SECTION 4. Sections 2 and 3 of this 2013 Act apply to pesticide applications made on or
14 after the effective date of this 2013 Act.