

STAFF MEASURE SUMMARY

Senate Committee On Environment and Natural Resources

Fiscal: Has minimal fiscal impact

Revenue: No Revenue Impact

Action Date: 04/22/15

Action: Do Pass.

Meeting Dates: 04/22

Vote:

Yeas: 4 - Dembrow, Edwards, Prozanski, Thomsen

Exc: 1 - Olsen

Prepared By: Dan Roper, Committee Administrator

WHAT THE MEASURE DOES:

Expands list of properties for which permit to use and explode fireworks to repel birds or other animals may be issued. Requires State Fire Marshal to issue permits for use of fireworks to persons having responsible charge of property who apply to State Fire Marshal if proposed use complies with applicable laws and rules. Requires fireworks to be purchased from a licensed wholesaler and stored in accordance with fire codes adopted by State Fire Marshal. Authorizes State Fire Marshal to revoke a permit if permit holder has violated certain laws or rules applicable to fireworks. Exempts federal and state agencies from permit requirements for use in control of predatory animals. Repeals ORS 480.124 pertaining to use of fireworks for repelling birds or animals.

ISSUES DISCUSSED:

- Current statute interpreted as applying to farm and forest uses
- Prior to 2010 legal challenge, permits were issued to golf courses and landfills
- Today, many landowners can't get permits for fireworks to repel birds and other animals

EFFECT OF COMMITTEE AMENDMENT:

No amendment.

BACKGROUND:

Oregon law provides that an owner or lessee of property located outside of an incorporated city may purchase, maintain, use and explode fireworks on the owned or leased property for the purpose of scaring away or repelling birds or animals which are or may be injurious or destructive to forest or agricultural products or crops. Persons using and exploding fireworks for this purpose must first secure a permit from the State Fire Marshal.

House Bill 2432 would expand the list of properties for which a permit to use and explode fireworks to repel birds or other animals may be issued.