

**PROPOSED AMENDMENTS TO
HOUSE BILL 3429**

1 On page 1 of the printed bill, line 2, after the semicolon insert “creating
2 new provisions; and”.

3 Delete lines 4 through 27 and delete page 2 and insert:

4 **“SECTION 1. Sections 2 and 3 of this 2015 Act are added to and
5 made a part of ORS chapter 634.**

6 **“SECTION 2. (1) The State Department of Agriculture, in consul-
7 tation with the Pesticide Analytical and Response Center, shall estab-
8 lish a pesticide response telephone line for collecting information from
9 the public about a misuse or possible misuse of pesticides. The de-
10 partment shall consult with the Office of Emergency Management
11 about using the 2-1-1 service as defined in ORS 403.405, to receive calls
12 to the telephone line.**

13 **“(2) The center shall design and maintain the standard operating
14 procedures for the telephone line. The department, in consultation
15 with the center and other affected agencies, shall periodically update
16 telephone line operations to comply with any new standard operating
17 procedures.**

18 **“SECTION 3. The State Department of Agriculture shall report
19 biennially to the Legislative Assembly regarding the operations of the
20 pesticide response telephone line required under section 2 of this 2015
21 Act. The report may include, but need not be limited to, any recom-
22 mendations of the department or the Pesticide Analytical and Re-**

1 **sponse Center for legislation regarding the system.**

2 **“SECTION 4.** ORS 634.550 is amended to read:

3 “634.550. (1) There is created a Pesticide Analytical and Response Center
4 with a governing board consisting of the following members:

5 “(a) The Director of Agriculture or designee.

6 “(b) The State Forester or designee.

7 “(c) The State Fish and Wildlife Director or designee.

8 “(d) The Director of the Department of Environmental Quality or
9 designee.

10 “(e) The Director of the Oregon Health Authority or designee.

11 “(f) The Administrator of the Occupational Safety and Health Division
12 or designee.

13 “(g) The State Fire Marshal or designee.

14 “(h) The Director of the Poison Control and Drug Information Program
15 of the Oregon Health and Science University or designee.

16 “(i) One citizen from the state at large appointed jointly by the Director
17 of Agriculture and the Director of the Oregon Health Authority.

18 “(2) The Director of Agriculture shall appoint an administrator for the
19 Pesticide Analytical and Response Center, who shall be responsible to the
20 board for performance of the duties of the center and the board.

21 “(3) The Director of Agriculture or designee and the Director of the
22 Oregon Health Authority or designee shall alternate as chairperson of the
23 board for terms of one year each. When one is serving as chairperson, the
24 other shall serve as vice chairperson.

25 “(4) The board shall seek expert consultation from the extension service
26 toxicology program, the Oregon Institute of Occupational Health Sciences
27 and such other sources as may be needed.

28 “(5) The functions of the board are to:

29 “(a) Direct the activities and priorities of the administrator of the center.

30 “(b) Centralize receiving of information relating to actual or alleged

1 health and environmental incidents involving pesticides.

2 “(c) Mobilize expertise necessary for timely and accurate investigation
3 of pesticide incidents and analyses of associated samples.

4 “(d) Identify trends and patterns of problems related to pesticide use.

5 “(e) Make recommendations for action to a state agency when a majority
6 of the board considers that such action may be warranted on the basis of the
7 findings of an incident investigation or on the basis of identification of a
8 trend or pattern of problems. Recommended actions may include, but not be
9 limited to, regulatory action, modification of administrative rules, proposal
10 of new legislation, public education and consultation to industry.

11 “(f) **Adopt standard operating procedures for use by the state**
12 **agencies represented on the board in receiving complaints regarding**
13 **the misuse or possible misuse of pesticides and for investigation of**
14 **those complaints.**

15 “(g) **Report biennially to the Legislative Assembly, or to an interim**
16 **committee dealing with natural resource issues, regarding activities**
17 **during the reporting period by the board and by state agencies re-**
18 **presented on the board regarding the adoption, implementation,**
19 **amendment or operation of standard operating procedures adopted**
20 **under paragraph (f) of this subsection.**

21 “[*f*] (h) Report in a standardized format the results of the investigations
22 of pesticide incidents.

23 “[*g*] (i) Establish by consensus, procedures for carrying out its respon-
24 sibilities within the limits of available resources.

25 “[*h*] (j) Prepare and submit to each odd-numbered year regular session
26 of the Legislative Assembly a report of the activities of the center that in-
27 cludes a record of recommendations made by the board and the actions re-
28 sulting from the board’s work.

29 “(6) Upon receipt of a recommendation from the board, a state agency
30 shall respond in a timely manner to inform the board of actions taken or the

1 reasons for taking no action on the recommendation.

2 “(7) Any medical information received by a member of the board or by a
3 staff member of the center in the course of carrying out the duties of the
4 center or the board shall be held confidential as provided in ORS 192.553 to
5 192.581 and 433.008.

6 “(8) The functions of the board do not supersede the regulatory authority
7 of any agency and are not in lieu of the regulatory authority of any
8 agency.”

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