House Bill 3042

Sponsored by Representative WILDE

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.

Authorizes city, town, county or political subdivision to prohibit or regulate application of chemicals by aircraft.

A BILL FOR AN ACT

Relating to local control over the application of chemicals by aircraft.

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

SECTION 1. (1) As used in this section:

(a) “Aircraft” means a manned or unmanned contrivance used or designed for self-propelled, untethered navigation of or flight in the air.

(b) “Pesticide” has the meaning given that term in ORS 634.006.

(c) “Soil treatment” means an “agricultural amendment,” “agricultural mineral,” “fertilizer” or “lime,” as those terms are defined in ORS 633.311.

(2) Notwithstanding ORS 634.057, except as provided in this section, a city, town, county or other political subdivision of this state may, by initiative, referendum or action of the governing body, adopt and enforce prohibitions or regulations regarding the application by aircraft of a soil treatment or pesticide.

(3) Application regulation under this section may include, but need not be limited to, prohibitions or restrictions by area, weather conditions or treatment or pesticide type, and requirements for the preapplication or post-application provision of application information or notice.

(4) A county or other political subdivision of this state may not prohibit a city or town within that county or political subdivision from adopting or enforcing a prohibition or regulation under this section that is more restrictive than a prohibition or regulation adopted by the county or other political subdivision under this section.

(5) This section does not authorize the adoption of an ordinance, rule or regulation regarding any subject listed under ORS 634.057 (1), (2), (4) to (7) or (9) to (12) or to the transport of pesticides by means other than aircraft.

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.

LC 3920