



## Open Government Impact Statement

80th Oregon Legislative Assembly  
2020 Regular Session

## Measure: HB 4168 - B

Only impacts on Original or Engrossed  
Versions are Considered Official

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### SUMMARY

Requires Governor to facilitate mediation sessions between representatives of forest industry and representatives of environmental interests. Identifies purposes and completion goal for and provides for confidentiality of mediation sessions. Requires joint legislative committee hearing during 2021 regular session to receive Governor's testimony regarding mediation process.

Allows person to register with State Forestry Department to receive notice of pesticide applications by helicopter to forestland near person's residence or water intake used by person.

Requires notice to department of proposed or imminent pesticide application by helicopter to forestland. Requires department to give notice of application to persons registered to receive notice.

Requires notice to department upon completion or partial completion of pesticide application. Provides escalating penalties for failures to report. Caps penalties at \$5,000 per day.

Requires Pesticide Analytical and Response Center to accept requests from certain entities for records and data concerning pesticide application by helicopter to forestland. Imposes fine of \$1,000 for failure of pesticide operator to timely supply records or data.

Prohibits impeding pesticide application by helicopter to forestland. Makes violation subject to fine of \$1,000 for first offense or \$5,000 for repeat offense within five years.

Prohibits pesticide application by helicopter to forestland in proximity to certain locations.

Requires State Board of Forestry to make certain rules applicable in Siskiyou Georegion.

Requires development and maintenance of comprehensive inventory of points of diversion for water on forestland.

Appropriates moneys to Office of Governor for biennium ending June 30, 2021, for purpose of paying expenses related to mediation sessions.

Appropriates moneys to State Forestry Department for biennium ending June 30, 2021, for carrying out department duties, functions and powers under Act with regard to private forests.

Limits expenditures for biennium ending June 30, 2021, by State Forestry Department from moneys including federal funds from United States Forest Service for fire protection and research projects, but excluding federal funds not previously authorized for expenditure and lottery funds, for carrying out department duties, functions and powers under Act with regard to private forests.

Declares emergency, effective on passage.



## **OPEN GOVERNMENT IMPACT**

Legislative Counsel has not adopted standards for drafting measures that establish exemptions from disclosure of public records.

This measure exempts from public disclosure a pesticide operator's daily spray records and geographic information system data concerning a pesticide application by helicopter to forestland received by the Pesticide Analytical and Response Center from the pesticide operator.

If those public records that could be subject to public disclosure were instead subject to mandatory disclosure under public records law, the public could gain additional information regarding certain aerial pesticide applications.