

**HB 2031 B STAFF MEASURE SUMMARY**

**Carrier:** Sen. Golden

**Senate Committee On Natural Resources and Wildfire Recovery**

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**Action Date:** 05/12/21

**Action:** Do pass with amendments to the A-Eng bill. (Printed B-Eng.)

**Vote:** 3-1-1-0

**Yeas:** 3 - Golden, Patterson, Prozanski

**Nays:** 1 - Heard

**Exc:** 1 - Kennemer

**Fiscal:** Has minimal fiscal impact

**Revenue:** No revenue impact

**Prepared By:** Beth Patrino, LPRO Analyst

**Meeting Dates:** 5/5, 5/12

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**WHAT THE MEASURE DOES:**

Modifies the definition of "pesticide applicator" or "applicator" to mean an individual using, spraying, or applying restricted-use or highly toxic pesticides; or spraying or applying pesticides for others. Requires Oregon Department of Agriculture (ODA) to adopt rules relating to the other use of pesticides for pesticide trainee. Authorizes ODA to suspend or refuse to issue or renew license or certificate if it determines that the applicant, licensee, or certificate holder has violated: a rule adopted by ODA for the administration or enforcement of ORS Chapter 634 (Pesticide Control) or a provision of specified federal law or federal regulation. Authorizes ODA Director to impose a civil penalty for violation of any provision of Chapter or rules related to restricted-use pesticides. Makes violation of ODA rule related to restricted-use pesticides a Class A misdemeanor.

**ISSUES DISCUSSED:**

- Oregon Department of Agriculture role in overseeing the sale and use of pesticides
- Updated federal requirements regarding pesticide applicators who use certain pesticides

**EFFECT OF AMENDMENT:**

Revises definition of "pesticide applicator" or "applicator."

**BACKGROUND:**

The Oregon Department of Agriculture (ODA) enforces the Oregon Pesticide Control Act (ORS Chapter 634). The Act regulates the use of pesticides, including pesticide registration and labeling, applicator licensing and certification, and protocols regarding a pesticide use reporting system that requires users to report the name of the pesticide used, the quantity of pesticide product applied, the purpose and type of site of application, and the month of application.

House Bill 2031 B would modify the definition of "pesticide applicator" and "applicator" used in the Oregon Pesticide Control Act, authorize ODA to suspend or refuse to issue or renew license or certificate in specified circumstances. The measure would also authorize the ODA Director to impose a civil penalty for violation of any provision of the Pesticide Control Act or ODA rules related to restricted-use pesticides and make the violation of an ODA rule related to restricted-use pesticides a Class A misdemeanor.