

**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 to 4 of this 2015 Act are added to and made  
5 a part of ORS chapter 634.**

6 **“SECTION 2. The Pesticide Analytical and Response Center shall  
7 develop and place information regarding pesticides on a State Depart-  
8 ment of Agriculture website that is available for access by the public  
9 without charge. In developing the information, the center shall con-  
10 sider any pesticide information available through the Pesticide Infor-  
11 mation Center Online Database operated by Washington State  
12 University. The Pesticide Analytical and Response Center shall indi-  
13 cate on the website those pesticides that have been designated by the  
14 department as restricted use pesticides.**

15 **“SECTION 3. (1) The State Department of Agriculture, in consul-  
16 tation with the Pesticide Analytical and Response Center, shall estab-  
17 lish a pesticide response telephone line for providing information and  
18 services to members of the public who have concerns about a misuse  
19 or alleged misuse of pesticides. The department shall consult with the  
20 Office of Emergency Management about using the 2-1-1 service as de-  
21 fined in ORS 403.405, to receive calls to the telephone line.**

22 **“(2) The center shall design and maintain the standard operating**

1 **procedures for the telephone line. The department, in consultation**  
2 **with the center and other affected agencies, shall periodically update**  
3 **telephone line operations to comply with any new standard operating**  
4 **procedures.**

5 **“(3) The center shall design the telephone line to identify appropri-**  
6 **ate resources that may be of assistance to callers and to provide call-**  
7 **ers with descriptive and contact information about those resources.**  
8 **The resources may include, but need not be limited to, poison control**  
9 **centers, occupational safety and health personnel, the federal Centers**  
10 **for Disease Control and Prevention and pesticide information centers.**  
11 **The Pesticide Analytical and Response Center shall also design the**  
12 **telephone line to provide callers with information about making re-**  
13 **ports to other state agencies having responsibilities regarding the**  
14 **misuse or possible misuse of pesticides.**

15 **“SECTION 4. The Pesticide Analytical and Response Center shall**  
16 **report biennially to the Legislative Assembly regarding the operations**  
17 **of the pesticide response telephone line required under section 3 of this**  
18 **2015 Act. The report may include, but need not be limited to, any**  
19 **recommendations of the center or the State Department of Agricul-**  
20 **ture for legislation regarding the system.**

21 **“SECTION 5. ORS 634.550 is amended to read:**

22 **“634.550. (1) There is created a Pesticide Analytical and Response Center**  
23 **with a governing board consisting of the following members:**

24 **“(a) The Director of Agriculture or designee.**

25 **“(b) The State Forester or designee.**

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

27 **“(d) The Director of the Department of Environmental Quality or**  
28 **designee.**

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

30 **“(f) The Administrator of the Occupational Safety and Health Division**

1 or designee.

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

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

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

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

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

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

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

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

19 “(b) Centralize receiving of information relating to actual or alleged  
20 health and environmental incidents involving pesticides.

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

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

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

30 “(f) **Adopt standard operating procedures for use by the state**

1 **agencies represented on the board in receiving complaints regarding**  
2 **the misuse or possible misuse of pesticides and for investigation of**  
3 **those complaints.**

4 **“(g) Report semiannually to the Legislative Assembly, or to an in-**  
5 **terim committee dealing with natural resource issues, regarding ac-**  
6 **tivities during the reporting period by the board and by state agencies**  
7 **represented on the board regarding the adoption, implementation,**  
8 **amendment or operation of standard operating procedures adopted**  
9 **under paragraph (f) of this subsection.**

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

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

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

18 **“(6) Upon receipt of a recommendation from the board, a state agency**  
19 **shall respond in a timely manner to inform the board of actions taken or the**  
20 **reasons for taking no action on the recommendation.**

21 **“(7) Any medical information received by a member of the board or by a**  
22 **staff member of the center in the course of carrying out the duties of the**  
23 **center or the board shall be held confidential as provided in ORS 192.553 to**  
24 **192.581 and 433.008.**

25 **“(8) The functions of the board do not supersede the regulatory authority**  
26 **of any agency and are not in lieu of the regulatory authority of any**  
27 **agency.”.**

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