

HB 2687 -2 STAFF MEASURE SUMMARY

House Committee On Agriculture, Land Use, Natural Resources, and Water

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Meeting Dates: 1/26, 3/9

WHAT THE MEASURE DOES:

Modifies definitions of 'public applicator' and 'public trainee' to include federally recognized Indian tribes for the purposes of pesticide control statutes. Authorizes the Oregon Department of Agriculture to issue public applicator licenses and public trainee certificates to employees of federally recognized Indian tribes for purposes of pesticide application on certain lands adjacent to tribal lands. Specifies conditions under which a federally recognized Indian tribe is not required to obtain a license as a pesticide operator. Takes effect on 91st day following adjournment sine die.

FISCAL: May have fiscal impact, but no statement yet issued

REVENUE: May have revenue impact, but no statement yet issued

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

-2 Replaces the measure. Defines "Indian tribe" as a federally recognized Indian tribe in Oregon, provided that the tribe engages in applicable pesticide use on lands other than Indian country. Modifies definitions of "landowner", "noncommercial pesticide trainee", "pesticide consultant", "public applicator", and "public trainee" to include federally recognized Indian tribes for the purposes of pesticide control statutes. Extends statute regulations on pesticide operator's licenses to Indian tribes. Requires the Department of Agriculture to enter into a mutually acceptable agreement with an Indian tribe, business entity of an Indian tribe, or an employee of such before issuing or renewing any pesticide license or certificate to these entities in order to administer and enforce pesticide license provisions and rules. Declares emergency, effective on passage.

REVENUE: May have revenue impact, but no statement yet issued

FISCAL: May have fiscal impact, but no statement yet issued

BACKGROUND:

Individuals and businesses must be licensed by the Oregon Department of Agriculture (ODA) prior to performing certain pesticide-related activities. There are different types of licenses depending on the employer of the operator and the type of pesticides. Obtaining a license involves a combination of exams, experience, and insurance requirements. On tribal land, pesticide regulations are enforced by a tribal designee or by the U.S. Environmental Protection Agency.

House Bill 2687 would authorize ODA to issue public pesticide applicator licenses and public trainee certificates to employees of federally recognized Indian tribes and would establish conditions under which no such license is needed.