

HB 2687 A STAFF MEASURE SUMMARY

Carrier: Rep. Owens

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

Action Date: 03/09/23

Action: Do pass with amendments. (Printed A-Eng.)

Vote: 9-0-0-0

Yeas: 9 - Boice, Gamba, Hartman, Helm, Levy B, Marsh, McLain, Owens, Scharf

Fiscal: Has minimal fiscal impact

Revenue: No revenue impact

Prepared By: Anna Glueder, LPRO Analyst

Meeting Dates: 1/26, 3/9

WHAT THE MEASURE DOES:

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 statutory requirements 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.

ISSUES DISCUSSED:

- Implications of measure for applicator training requirements
- Particular need for measure by Burns Paiute Tribe
- Intent of amendment

EFFECT OF AMENDMENT:

Replaces the measure.

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 A 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.