

HB 2687 A STAFF MEASURE SUMMARY

Carrier: Sen. Golden

Senate Committee On Natural Resources

Action Date: 04/12/23

Action: Do pass the A-Eng bill.

Vote: 5-0-0-0

Yeas: 5 - Girod, Golden, Prozanski, Smith DB, Taylor

Fiscal: Has minimal fiscal impact

Revenue: No revenue impact

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Meeting Dates: 4/5, 4/12

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 "person," "public applicator," and "public trainee" to include employees of Indian tribes for the purposes of pesticide control statutes. Authorizes employees of Indian tribes who perform or carry out the work of a pesticide applicator to be issued public applicator licenses or public trainee certificates. Requires the Oregon Department of Agriculture (ODA) to enter into a mutually acceptable agreement with an Indian tribe or business entity to enable ODA administration and enforcement before issuing or renewing any pesticide license or certificate to an eligible employee. Declares emergency, effective on passage.

ISSUES DISCUSSED:

- Oregon Department of Agriculture (ODA) does not currently have authority to license a tribal member
- Tribal investment of time and resources into cross-boundary invasive species control projects
- Shared stewardship of public lands adjacent to tribal lands
- Cooperative agreement between federal agencies and ODA for pesticide regulation and control

EFFECT OF AMENDMENT:

No amendment.

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 applicator and the type of pesticides. Obtaining a license involves a combination of exams, experience, and insurance requirements. ODA does not currently have the authority to issue public applicator licenses or public trainee certificates to employees of Indian tribes seeking to apply pesticides on land outside of tribal boundaries. 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 pesticide-related public applicator licenses and public trainee certificates to employees of federally recognized Indian tribes.