

HOUSE AMENDMENTS TO SENATE BILL 360

By COMMITTEE ON AGRICULTURE, LAND USE, NATURAL RESOURCES, AND
WATER

May 23

On page 1 of the printed bill, delete lines 6 through 20 and insert:

“SECTION 2. (1) As used in this section, ‘campus’ and ‘school’ have the meanings given those terms in ORS 634.700.

“(2) Notwithstanding ORS 634.116 (13) and (15)(b), an employee of the agencies, instrumentalities, subdivisions, counties, cities, towns, municipal corporations, districts, governmental bodies, Indian tribes or utilities described in ORS 634.116 (12) is not required to hold a license as a public applicator or a certificate as a public trainee when applying a pesticide using a machine-powered device if:

“(a) The pesticide is not a restricted-use pesticide;

“(b) The machine-powered device is powered by an electric battery and holds no more than five gallons of pesticide;

“(c) The application is not made on the campus of a school; and

“(d) The employee has completed training as provided in subsection (3) of this section.

“(3) An employer shall provide training to an employee before the employee uses a machine-powered device for pesticide application as described in subsection (2) of this section. The training must utilize applicable training materials that address the safe:

“(a) Handling, application and storage of pesticides that are not restricted-use pesticides; and

“(b) Use of machine-powered devices for pesticide application.

“(4) An employer shall create and maintain records for each employee that has completed the training described in subsection (3) of this section for the duration of the employee’s employment. The employer shall make the records available to the State Department of Agriculture for inspection upon request.

“(5) Nothing in this section relieves an employee or employer from complying with any other applicable law or administrative rule pertaining to pesticides.”.
