

**A-Engrossed**  
**House Bill 2020**

Ordered by the House April 30  
Including House Amendments dated April 30

Sponsored by COMMITTEE ON RULES

**SUMMARY**

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

Establishes Invasive Species Control Account. Continuously appropriates moneys from account to Invasive Species Council for purpose of *[issuing grants]* **funding efforts** to eradicate **or control** new infestations **and infections** of invasive species.

Authorizes State Treasurer, upon request of Invasive Species Council, to issue lottery bonds. Provides for net proceeds of lottery bond sale to be deposited into Invasive Species Control Account. Limits account expenditures by council for 2009-2011 biennium.

Declares emergency, effective July 1, 2009.

**A BILL FOR AN ACT**

1  
2 Relating to invasive species; appropriating money; limiting expenditures; and declaring an emer-  
3 gency.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1. The Legislative Assembly finds and declares that:**

6 **(1) The land, waters and other natural resources of this state are severely affected by**  
7 **an increasing number of invasions by harmful nonnative species;**

8 **(2) Invasions by harmful nonnative species are damaging to the environment and cause**  
9 **economic hardship within this state;**

10 **(3) The Invasive Species Council is a leader for the conducting of a coordinated and**  
11 **comprehensive effort to prevent the entry of invasive species into this state and to eliminate,**  
12 **reduce and mitigate the effects of invasive species present in this state;**

13 **(4) The Invasive Species Council has a strong network of local, state, federal, tribal and**  
14 **private entities that actively and cooperatively combat the threat posed by harmful invasive**  
15 **species;**

16 **(5) Rapid response and eradication are the most effective, least costly and most feasible**  
17 **strategies for combating harmful invasive species and preventing expansion by those invasive**  
18 **species;**

19 **(6) Invasive species present a serious threat that adversely affects industries vital to the**  
20 **economy of this state, including but not limited to the agriculture, forestry, fishing and**  
21 **tourism industries;**

22 **(7) Failure to eradicate or control new infestations and infections of invasive species will**  
23 **reduce the productivity of industries in this state and adversely affect marketing by those**  
24 **industries, resulting in a loss of business and the loss of existing jobs; and**

25 **(8) The eradication or control of new infestations or infections of invasive species using**

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 funding provided through the Invasive Species Council will benefit the economy of this state  
2 by preventing the loss of existing jobs, by promoting and expanding business and by pre-  
3 venting the decline of business.

4 **SECTION 2.** (1) As used in this section, “invasive species” has the meaning given that  
5 term in ORS 561.685.

6 (2) The Invasive Species Control Account is established in the State Treasury, separate  
7 and distinct from the General Fund. Interest earned by the Invasive Species Control Ac-  
8 count shall be credited to the account. Moneys in the account are continuously appropriated  
9 to the Invasive Species Council for the purpose of carrying out this section.

10 (3) The Invasive Species Council may expend moneys from the account to provide funding  
11 for efforts by agencies, organizations and individuals to eradicate or control new infestations  
12 and infections of invasive species. The council shall adopt criteria and procedures for the  
13 funding of efforts to eradicate or control new infestations and infections of invasive species.

14 (4) Invasive species eradication and control effort costs that may be funded from the  
15 account include, but are not limited to, costs associated with:

- 16 (a) Surveys to delimit areas infested or infected by invasive species;
- 17 (b) Inspections;
- 18 (c) Enforcement actions;
- 19 (d) Diagnosis of infestation and infection problems;
- 20 (e) Rapid response planning and coordination;
- 21 (f) Administration;
- 22 (g) Eradication or control of infestations and infections;
- 23 (h) Treatment and disposal of infested or infected materials;
- 24 (i) Cleaning and disinfecting of infested or infected premises or vessels; and
- 25 (j) Payment of indemnity to owners of infested or infected materials destroyed under an  
26 eradication or control program.

27 (5) In addition to any costs described under subsection (4) of this section, if the State  
28 Department of Agriculture pays an administrative expense of the council related to the  
29 provision of funding from the account, account moneys may be expended to reimburse that  
30 administrative expense in an amount equal to the lesser of the actual expense paid by the  
31 department or 10 percent of the funding that was provided from the account.

32 **SECTION 3.** For the biennium beginning July 1, 2009, upon request of the Invasive Spe-  
33 cies Council, the State Treasurer may issue lottery bonds pursuant to ORS 286A.560 to  
34 286A.585 in the amount of \$10 million for the purpose of providing funding for efforts to  
35 eradicate or control new infestations or infections of invasive species. Net proceeds of lottery  
36 bonds issued under this section shall be deposited in the Invasive Species Control Account.  
37 Bond-related costs incurred by the Invasive Species Council and the State Treasurer for the  
38 lottery bonds issued under this section must be paid from the gross proceeds of the lottery  
39 bonds and from allocations for the purposes of ORS 286A.576 (1)(c).

40 **SECTION 4.** Notwithstanding any other law limiting expenditures, the amount of \$5  
41 million is established for the biennium beginning July 1, 2009, as the maximum limit for the  
42 expenditure of moneys from the Invasive Species Control Account under section 2 of this  
43 2009 Act by the Invasive Species Council.

44 **SECTION 5.** This 2009 Act being necessary for the immediate preservation of the public  
45 peace, health and safety, an emergency is declared to exist, and this 2009 Act takes effect

1 **July 1, 2009.**

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