

Senate Bill 629

Sponsored by Senator FERRIOLI; Senators ATKINSON, BOQUIST, NELSON, TELFER, WHITSETT, Representatives BARKER, BOONE, ESQUIVEL, GILMAN, HUFFMAN, JENSON, KRIEGER, OLSON, SCHAUFLE, G SMITH, STIEGLER, THOMPSON, WHISNANT, WITT (at the request of Don Farrar)

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 **as introduced**.

Requires State Department of Agriculture to establish program for issuing grants to counties for noxious weed control. Allocates and limits expenditure of lottery funds for 2009-2011 biennium for purpose of carrying out grant program.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1 Relating to noxious weed control; limiting expenditures; and declaring an emergency.

2 Whereas more than \$83 million in losses are caused in Oregon annually by noxious weeds; and

3 Whereas noxious weeds are an escalating threat to the 80 percent of Oregon land not yet in-
4 fested with noxious weeds; and

5 Whereas the Oregon Noxious Weed Strategic Plan identified stable, reliable funding for county
6 weed programs as a key missing component in the Oregon response to noxious weeds; now, there-
7 fore,
8

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

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

11 **(1) Noxious weeds present a serious threat that adversely affects industries vital to the**
12 **Oregon economy, including but not limited to the agriculture, forestry, fishing and tourism**
13 **industries;**

14 **(2) Failure to control the spread of noxious weeds in Oregon will reduce the productivity**
15 **of Oregon industries and adversely affect marketing by those industries, resulting in a loss**
16 **of business and the loss of existing jobs;**

17 **(3) The use of aggressive measures to control the spread of noxious weeds will improve**
18 **the actual and perceived quality of Oregon products and further the promotion and expansion**
19 **of markets for those products; and**

20 **(4) The control of noxious weeds through county weed control district programs will**
21 **benefit Oregon's economy by preventing the loss of existing jobs, by promoting and expanding**
22 **Oregon business and by preventing the decline of Oregon business.**

23 **SECTION 2. (1) There is allocated to the State Department of Agriculture from the Ad-**
24 **ministrative Services Economic Development Fund the amount identified in subsection (2)**
25 **of this section.**

26 **(2) Notwithstanding any other law limiting expenditures, the amount of \$1,584,000 is es-**
27 **tablished for the biennium beginning July 1, 2009, as the maximum limit for payment of ex-**
28 **penses by the State Department of Agriculture from the Administrative Services Economic**
29 **Development Fund for the purpose of carrying out the grant program described in section 3**

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 of this 2009 Act.

2 (3) The allocation of moneys from the Administrative Services Economic Development
 3 Fund under this section is subject to the requirements in section 4, Article XV of the Oregon
 4 Constitution, for deposit of specified amounts of the net proceeds from the Oregon State
 5 Lottery into the Education Stability Fund and into the Parks and Natural Resources Fund
 6 and shall be made only after satisfaction or payment of:

7 (a) Amounts allocated to Westside lottery bonds issued under ORS 391.140 or to the re-
 8 serves or any refunding related to the Westside lottery bonds in accordance with the priority
 9 for allocation and disbursement established by ORS 391.130;

10 (b) All liens, pledges or other obligations relating to lottery bonds or refunding lottery
 11 bonds that are due or payable during the biennium beginning July 1, 2009; and

12 (c) Amounts required by any other pledges of, or liens on, net proceeds from the Oregon
 13 State Lottery.

14 **SECTION 3.** (1) The State Department of Agriculture shall establish a grant program for
 15 the purpose of assisting counties in carrying out weed control district duties, functions and
 16 powers under ORS 570.515 to 570.600. The department may use no more than 10 percent of
 17 any moneys appropriated, allocated or otherwise designated for the purpose of carrying out
 18 this section to pay the administrative expenses of the grant program.

19 (2) A county qualifies for a grant under this section if the county has:

20 (a) Established a weed control district under ORS 570.515 to 570.600;

21 (b) Provided county moneys to carry out the duties, functions and powers of the district
 22 in an amount that equals or exceeds the grant amount available to the county under this
 23 section; and

24 (c) Complied with any department rules adopted under this section.

25 (3) The department may establish rules for carrying out the grant program described in
 26 this section. The rules may include, but need not be limited to, rules:

27 (a) Requiring that priority in the use of grant moneys be given to noxious weed control
 28 projects that restore, enhance or protect water quality, watersheds and riparian habitats;
 29 and

30 (b) Requiring a participating county to report to the department concerning the use of
 31 grant moneys by the county.

32 (4) The department shall issue grants to qualifying counties in equal shares on a schedule
 33 determined by the department. The annual share of a qualifying county shall be the lesser
 34 of:

35 (a) \$20,000; or

36 (b) The amount actually received by the department during the year for the purpose of
 37 carrying out this section and remaining after deduction of department administrative costs,
 38 divided by the number of qualifying counties.

39 **SECTION 4.** This 2009 Act being necessary for the immediate preservation of the public
 40 peace, health and safety, an emergency is declared to exist, and this 2009 Act takes effect
 41 on its passage.