

Enrolled
House Bill 3358

Sponsored by Representative HUFFMAN; Representatives BARKER, BOONE, COWAN, ESQUIVEL, JENSON, MCLANE, G SMITH, THOMPSON, WHISNANT, WITT, Senators ATKINSON, THOMSEN

CHAPTER

AN ACT

Relating to noxious weed control; and declaring an emergency.

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

Whereas noxious weeds are an escalating threat to the 80 percent of Oregon land not yet infested with noxious weeds; and

Whereas the Oregon Noxious Weed Strategic Plan identified stable, reliable funding for county weed programs as a key missing component in the Oregon response to noxious weeds; now, therefore,

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

SECTION 1. The Legislative Assembly finds and declares that:

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

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

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

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

SECTION 2. (1) The State Department of Agriculture shall establish a grant program for the purpose of assisting counties in carrying out weed control district duties, functions and powers under ORS 569.360 to 569.495. After deducting department administrative expenses for the program, the department shall apply the balance of moneys received for the grant program to fund grants as described in this section.

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

(a) Established a weed control district under ORS 569.360 to 569.495;

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

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

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

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

(b) Requiring a participating county to report to the department concerning the use of grant moneys by the county; and

(c) Adopting a methodology for the recovery of the direct and indirect costs necessarily incurred as administrative expenses for the grant program.

SECTION 3. This 2011 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2011 Act takes effect on its passage.

Passed by House May 19, 2011

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Ramona Kenady Line, Chief Clerk of House

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Bruce Hanna, Speaker of House

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Arnie Roblan, Speaker of House

Passed by Senate May 26, 2011

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Peter Courtney, President of Senate

Received by Governor:

.....M.,....., 2011

Approved:

.....M.,....., 2011

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John Kitzhaber, Governor

Filed in Office of Secretary of State:

.....M.,....., 2011

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Kate Brown, Secretary of State