

# House Bill 2813

Sponsored by COMMITTEE ON ENERGY AND ENVIRONMENT

## 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**.

Declares plant commonly known as Giant Cane or Giant Reed to be noxious weed, plant pest and invasive species meriting eradication.

Prohibits planting, growing or harvesting Giant Cane or Giant Reed as commercial agricultural or horticultural activity. Requires State Department of Agriculture adoption of prohibition enforcement rules for which violation is subject to civil penalty, not to exceed \$10,000.

## A BILL FOR AN ACT

1  
2 Relating to *Arundo donax* L..

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

4 **SECTION 1. (1) The plant species *Arundo donax* L., commonly known as Giant Cane or**  
5 **Giant Reed, is declared to be:**

6 (a) A noxious weed as defined in ORS 569.175 and for purposes of ORS 569.355 and 569.360  
7 to 569.495;

8 (b) A plant pest as defined in ORS 570.205; and

9 (c) An invasive species as defined in ORS 570.755.

10 (2) For purposes of ORS 570.210:

11 (a) The failure to control *Arundo donax* L. will have an identifiable effect on plants, with  
12 a resulting unacceptable level of economic impact in this state; and

13 (b) The preferable control measure for abating the public nuisance of the plant pest  
14 *Arundo donax* L. is eradication.

15 (3) The planting, growing or harvesting of *Arundo donax* L. as a commercial agricultural  
16 or horticultural activity is prohibited.

17 (4) The State Department of Agriculture shall adopt rules under ORS 570.210 for the  
18 purpose of enforcing subsection (3) of this section. Any remedy under ORS 570.997 resulting  
19 from the rule adoption required by this subsection is in addition to any other available rem-  
20 edies for carrying out or enforcing this section.

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**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.