

# House Bill 2183

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of House Interim Committee on Agriculture and Natural Resources)

## 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 person growing *Arundo donax* L. for commercial purposes to file bond with Invasive Species Council. Creates exception. Allows council to make grants or loans to eradicate migrating or spreading *Arundo donax* L. Makes violation of bond requirement subject to civil penalty not to exceed \$25,000 for each day violation continues.

## 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) Except as provided in subsection (4) of this section, a person that engages**  
5 **in growing the plant species *Arundo donax* L., commonly known as Giant Cane or Giant**  
6 **Reed, for commercial purposes must have on file with the Invasive Species Council a valid**  
7 **surety bond with one or more sureties licensed to do business in this state in the amount**  
8 **of:**

9 (a) \$1,000,000 if the total area on contiguous lots of real property that the person is using  
10 or has used within the preceding 12 months for growing *Arundo donax* L. is 400 acres or less;  
11 or

12 (b) \$25,000 per acre if the total area on contiguous lots of real property that the person  
13 is using or has used within the preceding 12 months for growing *Arundo donax* L. is more  
14 than 400 acres.

15 (2) The council may provide grants or loans to agencies, organizations or individuals for  
16 eradicating *Arundo donax* L. that migrates or spreads off of a property where the *Arundo*  
17 *donax* is or was grown for commercial purposes. A surety bond that a person files under  
18 subsection (1) of this section must be conditioned to provide payment to the council in the  
19 amount of any grants or loans made under this subsection due to migration or spreading of  
20 *Arundo donax* L. from the property that is discovered during the bond period. A bond de-  
21 scribed in this section must be in effect for at least a one-year period or until depleted by  
22 payments to the council, unless the surety sooner cancels the bond. At the discretion of the  
23 surety, that bond may be continued for an additional period by continuation certificate. The  
24 person shall maintain a bond in force until one year after the person ceases to use the  
25 property for growing *Arundo donax* L.

26 (3) The State Department of Agriculture may impose a civil penalty, not to exceed  
27 \$25,000, on a person that fails to comply with a bonding requirement imposed under this  
28 section. Each day that a person continues to fail to comply with the bonding requirement is  
29 a separate violation subject to a separate civil penalty.

30 (4) Subsection (1) of this section does not apply to the commercial growing of a plant in

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 **a container for use in ornamental landscaping.**

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