

D R A F T

SUMMARY

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

Relating to *Arundo donax* L..

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

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

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

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

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

(2) For purposes of ORS 570.210:

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

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

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

(4) The State Department of Agriculture shall adopt rules under

1 **ORS 570.210 for the purpose of enforcing subsection (3) of this section.**
2 **Any remedy under ORS 570.997 resulting from the rule adoption re-**
3 **quired by this subsection is in addition to any other available remedies**
4 **for carrying out or enforcing this section.**

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