

## HOUSE AMENDMENTS TO HOUSE BILL 2445

By COMMITTEE ON RURAL COMMUNITIES, LAND USE, AND WATER

February 27

1 On page 1 of the printed bill, delete lines 8 through 25.

2 On page 2, delete lines 1 through 18 and insert:

3 “**SECTION 1.** ORS 561.560 is amended to read:

4 “561.560. (1) The Director of Agriculture shall issue a written order declaring a quarantine if  
5 the director determines that:

6 “(a) A disease or an infestation has a significantly adverse effect on plants, animals, fowls or  
7 bees;

8 “(b) The disease or infestation is not widely prevalent or distributed within this state;

9 “(c) The disease or infestation exists in another state, territory or country or in any locality  
10 within this state; and

11 “(d) Following the procedure for declaring a quarantine by rule under ORS 561.510 would create  
12 a serious danger of the disease or infestation spreading within the state during the time required  
13 by the procedure.

14 “(2) The written order declaring the quarantine shall prohibit the movement into or within the  
15 state of any plants, animals, fowls, bees or articles that are likely to spread the disease or  
16 infestation. The director may amend the order as the director considers necessary. The director  
17 shall sign the written order and any amendments to the order.

18 “(3) The director shall file all quarantine orders and amendments to the orders with the Secre-  
19 tary of State. *[and shall publish a notice of the quarantine and of any amendments to a quarantine*  
20 *order in a newspaper of general circulation throughout the state. The director may take other action*  
21 *the director considers reasonable to ensure that the affected persons]* **The director shall give notice**  
22 **of the quarantine orders and amendments to the orders by publication in a newspaper of**  
23 **general circulation in the quarantine area and by one or more additional methods that rea-**  
24 **sonably ensure that affected persons and other members of the public** have knowledge of the  
25 quarantine **order or amendment**. A quarantine order or amendment to an order is effective upon  
26 filing with the Secretary of State. A person may not carry, move or transport any plants, animals,  
27 fowls, bees or articles specified in a quarantine order or amendment from the quarantined area into  
28 or through any part of the state, except as provided in the order or amendment. *[Proofs of the pub-*  
29 *lication of the notices provided for in this section shall be filed in the office of the State Department*  
30 *of Agriculture.]* **The State Department of Agriculture shall keep a record of the methods used**  
31 **to provide notice under this subsection for each quarantine order or amendment to an order.**

32 “(4) A quarantine created by a written order issued under this section may not remain in effect  
33 more than 180 days after the first publication of notice under subsection (3) of this section. How-  
34 ever, a quarantine for a longer period may be declared under ORS 561.510, to take effect at or before  
35 the expiration of the 180-day period.

1 “(5) The Governor by filing an order with the Secretary of State may terminate a quarantine  
2 ordered by the director under this section. If the Governor terminates a quarantine under this sub-  
3 section, the director must obtain the approval of the Governor before issuing any additional  
4 quarantine **order** or amendments under this section for the same disease or infestation.”.

5 Delete lines 35 through 42 and insert:

6 “**SECTION 3.** ORS 561.585 is amended to read:

7 “561.585. When the State Department of Agriculture is required to [*publish*] **give notice of an**  
8 order of quarantine or rules [*or regulations promulgated thereunder in a newspaper, it may in its*  
9 *discretion publish only*] **pertaining to a quarantine by publication in a newspaper, or by the use**  
10 **of one or more methods in addition to publication in a newspaper, the department may at its**  
11 **discretion satisfy the notice requirement by providing** a brief concise summary statement of the  
12 contents of [*such order or regulations*] **the order or rules** and notice that complete copies [*thereof*]  
13 **of the order or rules** are on file and can be obtained from the department[, *certain county clerks*]  
14 and the Secretary of State.”.

15 On page 8, delete lines 25 through 45.

16 On page 9, delete lines 1 through 3 and insert:

17 “**SECTION 19.** ORS 570.415 is amended to read:

18 “570.415. The Director of Agriculture may, at any time the director believes [*such action*] nec-  
19 essary, revoke any order concerning control areas made by the director. [*by giving notice in a*  
20 *newspaper published within or near the control area or lands affected and filing proof thereof with the*  
21 *county clerk of the county*] **The revocation shall become effective upon the director giving notice**  
22 **by publication in a newspaper of general circulation in the control area. The director shall**  
23 **also give notice by one or more additional methods that reasonably ensure that affected**  
24 **persons and other members of the public have knowledge of the revocation.**

25 “**SECTION 20.** ORS 596.402 is amended to read:

26 “596.402. (1) The State Department of Agriculture may also summarily quarantine any legally  
27 described area of this state and prohibit or otherwise restrict any movement of livestock, vehicles,  
28 persons or things into or out of [*such*] **the** area as the department deems necessary for the  
29 eradication or control of a disease in the area, or for the prevention of the spread of [*such*] **a** disease  
30 into other areas of this state.

31 “[*2*] **When the department imposes a quarantine under this section, it shall forthwith but not later**  
32 **than seven days thereafter give notice of the quarantine in a newspaper of general circulation in the**  
33 **quarantined area. A copy of the order of quarantine and any regulations relating thereto shall be filed**  
34 **in the office of the county clerk in each county in which quarantined property is located. The published**  
35 **notice of quarantine shall contain a description of the boundaries of the quarantined area and a notice**  
36 **that copies of the regulations applicable to the quarantine are filed with the county clerk or may be**  
37 **obtained from the department.]**

38 “**(2) No later than seven days after imposing a quarantine under this section, the de-**  
39 **partment shall give notice of the quarantine by publication in a newspaper of general circ-**  
40 **ulation in the quarantine area and by one or more additional methods that reasonably ensure**  
41 **that affected persons and other members of the public have knowledge of the quarantine.**

42 “(3) The provisions of ORS 561.510 to 561.560 [*shall*] **do** not apply to quarantines imposed under  
43 this section.”.