

B-Engrossed
House Bill 3560

Ordered by the House June 21
Including House Amendments dated April 20 and June 21

Sponsored by Representative G SMITH; Representatives BENTZ, ESQUIVEL, GARRARD, JENSON, JOHNSON, KRIEGER, SCHAUFLER, WHISNANT, Senators BOQUIST, FERRIOLI, GEORGE, GIROD, KRUSE, NELSON, TELFER, THOMSEN, WHITSETT (at the request of Oregon Cattlemen's Association)

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.

Directs State Department of Agriculture to establish and implement wolf depredation compensation and financial assistance grant program for purposes of compensating persons who suffer loss or injury to **livestock or working dogs** due to wolf depredation and providing financial assistance to persons who implement livestock management techniques or nonlethal wolf *[control]* **deterrence** techniques designed to discourage wolf depredation of livestock. Creates Wolf Management Compensation and Proactive Trust Fund. Continuously appropriates fund moneys to department for purpose of establishing and implementing program.

Appropriates moneys from General Fund to department to implement program.
Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to wolves; appropriating money; and declaring an emergency.

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

4 **SECTION 1. (1) As used in this section:**

5 (a) **"Livestock" means ratites, psittacines, horses, mules, jackasses, cattle, llamas,**
6 **alpacas, sheep, goats, swine, bison, domesticated fowl and any fur-bearing animal bred and**
7 **maintained commercially, or otherwise, within pens, cages or hutches.**

8 (b) **"Working dog" means any animal of the species *Canis familiaris* used to aid in the**
9 **herding or guarding of livestock.**

10 (2) **The State Department of Agriculture shall establish and implement a wolf depredation**
11 **compensation and financial assistance grant program, using moneys in the Wolf Management**
12 **Compensation and Proactive Trust Fund established under section 2 of this 2011 Act, to**
13 **provide grants to assist counties to implement county programs under which:**

14 (a) **Compensation is paid to persons who suffer loss or injury to livestock or working dogs**
15 **due to wolf depredation; and**

16 (b) **Financial assistance is provided to persons who implement livestock management**
17 **techniques or nonlethal wolf deterrence techniques designed to discourage wolf depredation**
18 **of livestock.**

19 (3) **Subject to available funding in the Wolf Management Compensation and Proactive**
20 **Trust Fund established under section 2 of this 2011 Act, a county qualifies for a grant under**
21 **the wolf depredation compensation and financial assistance grant program if the county:**

22 (a) **Establishes a county program to:**

23 (A) **Compensate persons who suffer loss or injury to livestock or working dogs due to**

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 wolf depredation; and

2 (B) Provide financial assistance to persons who implement livestock management tech-
3 niques or nonlethal wolf deterrence techniques designed to discourage wolf depredation of
4 livestock.

5 (b) Contributes an amount of moneys equal to 10 percent of the amount necessary to
6 implement, during the calendar year, the county program.

7 (c) Establishes a procedure by which persons applying for compensation under the county
8 program provide evidence of the loss or injury to livestock or working dogs due to wolf
9 depredation. Evidence of the loss or injury must include a finding by the State Department
10 of Fish and Wildlife or the department's designated agent that wolf depredation was the
11 probable cause of the loss or injury.

12 (d) Establishes a county advisory committee to oversee the county program, consisting
13 of one county commissioner, two members who own or manage livestock and two members
14 who support wolf conservation or coexistence with wolves. The county advisory committee,
15 once established by the county, shall agree upon two county business representatives to
16 serve as additional county advisory committee members.

17 (e) Establishes a procedure by which persons applying for financial assistance under the
18 county program provide an estimate of the potential cost of the livestock management
19 techniques or nonlethal wolf deterrence techniques designed to discourage wolf depredation.

20 (4) In accordance with the Oregon Wolf Conservation and Management Plan, the Director
21 of Agriculture shall adopt rules to implement the provisions of this section, including but
22 not limited to rules that:

23 (a) Require that livestock owners and managers experiencing above-normal loss or injury
24 to livestock or working dogs due to wolf depredation be given priority by counties for grant
25 moneys received under the wolf depredation compensation and financial assistance grant
26 program.

27 (b) Require counties participating in the wolf depredation compensation and financial
28 assistance grant program to:

29 (A) Prepare an annual report that specifies the actions taken by, and compensation paid
30 and financial assistance provided to, counties under the wolf depredation compensation and
31 financial assistance grant program;

32 (B) Distribute grant program funds, to the extent possible, in an equal and balanced
33 manner between payments to compensate for loss or injury to livestock or working dogs due
34 to wolf depredation and payments to implement livestock management techniques or nonle-
35 thal wolf deterrence techniques designed to discourage wolf depredation of livestock, with a
36 minimum of 30 percent of grant program funds being distributed for livestock management
37 techniques or nonlethal wolf deterrence techniques designed to discourage wolf depredation
38 of livestock; and

39 (C) Establish compensation rates for loss or injury to livestock or working dogs due to
40 wolf depredation that are based on fair market value and the recommendation of the county
41 advisory committee described in subsection (3)(d) of this section.

42 (c) Establish eligibility requirements for compensation under county programs that en-
43 sure, contingent upon available funds, that:

44 (A) Outside an area of known wolf activity, as designated by the State Department of
45 Fish and Wildlife, confirmed loss or injury to livestock or working dogs shall be compensated

1 regardless of the preexistence of wolf deterrence techniques;

2 (B) Within an area of known wolf activity, as designated by the State Department of Fish
3 and Wildlife, confirmed loss or injury to livestock or working dogs, as well as missing live-
4 stock above the level based on loss or injury attributable to causes other than wolf
5 depredation established by the county advisory committee described in subsection (3)(d) of
6 this section, shall be compensable if owners have demonstrated implementation of best
7 management practices to deter wolves, including reasonable use of nonlethal methods when
8 practicable, giving priority for compensation of confirmed losses at fair market value and
9 with other compensation claims determined according to the recommendation of the county
10 advisory committee; and

11 (C) Any compensation for loss or injury to livestock or working dogs due to wolf
12 depredation is based upon a finding by the local advisory committee that the person did not
13 unreasonably or purposefully create circumstances that attract wolves or encourage conflict
14 between wolves and livestock or working dogs.

15 (5) Each biennium the State Department of Agriculture shall prepare a report that
16 specifies the actions taken by counties, compensation paid by counties and financial assist-
17 ance provided to counties under the wolf depredation compensation and financial assistance
18 grant program, and shall submit the report to the Legislative Assembly and post the report
19 on the department's website for public access.

20 (6) The State Department of Agriculture may use moneys in the Wolf Management
21 Compensation and Proactive Trust Fund established under section 2 of this 2011 Act to pay
22 expenses incurred in administering the wolf depredation compensation and financial assist-
23 ance grant program.

24 SECTION 2. (1) The Wolf Management Compensation and Proactive Trust Fund is es-
25 tablished separate and distinct from the General Fund. Interest earned on the moneys in the
26 Wolf Management Compensation and Proactive Trust Fund shall be credited to the fund. All
27 moneys in the fund are continuously appropriated to the State Department of Agriculture
28 for the purpose of establishing and implementing the wolf depredation compensation and fi-
29 nancial assistance grant program described in section 1 of this 2011 Act.

30 (2) The fund shall consist of moneys appropriated by the Legislative Assembly for the
31 purposes of the fund and any gifts, grants, donations, endowments or bequests from any
32 public or private source. The State Department of Agriculture may seek out and receive any
33 gifts, grants, donations, endowments or bequests for the purpose of establishing and imple-
34 menting the wolf depredation compensation and financial assistance grant program described
35 in section 1 of this 2011 Act. The department shall deposit such moneys into the fund.

36 SECTION 3. The first report under section 1 (5) of this 2011 Act is due for the 2011-2013
37 biennium.

38 SECTION 4. In addition to and not in lieu of any other appropriation, there is appropri-
39 ated to the State Department of Agriculture, for the biennium beginning July 1, 2011, out
40 of the General Fund, the amount of \$100,000, which may be expended to implement sections
41 1 and 2 of this 2011 Act.

42 SECTION 5. This 2011 Act being necessary for the immediate preservation of the public
43 peace, health and safety, an emergency is declared to exist, and this 2011 Act takes effect
44 on its passage.