

HOUSE AMENDMENTS TO A-ENGROSSED HOUSE BILL 3560

By JOINT COMMITTEE ON WAYS AND MEANS

June 21

1 On page 1 of the printed A-engrossed bill, delete lines 4 through 23 and delete page 2 and insert:

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

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

6 **“(b) ‘Working dog’ means any animal of the species *Canis familiaris* used to aid in the**
7 **herding or guarding of livestock.**

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

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

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

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

20 **“(a) Establishes a county program to:**

21 **“(A) Compensate persons who suffer loss or injury to livestock or working dogs due to**
22 **wolf depredation; and**

23 **“(B) Provide financial assistance to persons who implement livestock management tech-**
24 **niques or nonlethal wolf deterrence techniques designed to discourage wolf depredation of**
25 **livestock.**

26 **“(b) Contributes an amount of moneys equal to 10 percent of the amount necessary to**
27 **implement, during the calendar year, the county program.**

28 **“(c) Establishes a procedure by which persons applying for compensation under the**
29 **county program provide evidence of the loss or injury to livestock or working dogs due to**
30 **wolf depredation. Evidence of the loss or injury must include a finding by the State De-**
31 **partment of Fish and Wildlife or the department’s designated agent that wolf depredation**
32 **was the probable cause of the loss or injury.**

33 **“(d) Establishes a county advisory committee to oversee the county program, consisting**
34 **of one county commissioner, two members who own or manage livestock and two members**
35 **who support wolf conservation or coexistence with wolves. The county advisory committee,**

1 once established by the county, shall agree upon two county business representatives to
2 serve as additional county advisory committee members.

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

6 “(4) In accordance with the Oregon Wolf Conservation and Management Plan, the Di-
7 rector of Agriculture shall adopt rules to implement the provisions of this section, including
8 but not limited to rules that:

9 “(a) Require that livestock owners and managers experiencing above-normal loss or in-
10 jury to livestock or working dogs due to wolf depredation be given priority by counties for
11 grant moneys received under the wolf depredation compensation and financial assistance
12 grant program.

13 “(b) Require counties participating in the wolf depredation compensation and financial
14 assistance grant program to:

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

18 “(B) Distribute grant program funds, to the extent possible, in an equal and balanced
19 manner between payments to compensate for loss or injury to livestock or working dogs due
20 to wolf depredation and payments to implement livestock management techniques or nonle-
21 thal wolf deterrence techniques designed to discourage wolf depredation of livestock, with a
22 minimum of 30 percent of grant program funds being distributed for livestock management
23 techniques or nonlethal wolf deterrence techniques designed to discourage wolf depredation
24 of livestock; and

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

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

30 “(A) Outside an area of known wolf activity, as designated by the State Department of
31 Fish and Wildlife, confirmed loss or injury to livestock or working dogs shall be compensated
32 regardless of the preexistence of wolf deterrence techniques;

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

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

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

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

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

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

22 “**SECTION 3.** The first report under section 1 (5) of this 2011 Act is due for the 2011-2013
23 biennium.

24 “**SECTION 4.** In addition to and not in lieu of any other appropriation, there is appro-
25 priated to the State Department of Agriculture, for the biennium beginning July 1, 2011, out
26 of the General Fund, the amount of \$100,000, which may be expended to implement sections
27 1 and 2 of this 2011 Act.

28 “**SECTION 5.** This 2011 Act being necessary for the immediate preservation of the public
29 peace, health and safety, an emergency is declared to exist, and this 2011 Act takes effect
30 on its passage.”.

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