2009 Regular Legislative Session FISCAL ANALYSIS OF PROPOSED LEGISLATION Prepared by the Oregon Legislative Fiscal Office

MEASURE NUMBER: HB 3089 STATUS: A Engrossed

SUBJECT: Wildlife management

GOVERNMENT UNIT AFFECTED: Department of Fish and Wildlife

PREPARED BY: Dawn Farr **REVIEWED BY:** Paul Siebert

DATE: May 4, 2009

<u>2009-2011</u> <u>2011-2013</u>

EXPENDITURES:

See Comments.

REVENUES:

See Comments.

EFFECTIVE DATE: January 1, 2010.

LOCAL GOVERNMENT MANDATE: This bill does not affect local governments' service levels or shared revenues sufficient to trigger Section 15, Article XI of the Oregon Constitution.

COMMENTS: The bill directs that public lands used for wildlife management purposed be open to access for hunting except as limited by the Fish and Wildlife Commission; directs that the Commission shall, to extent practicable, avoid making management determinations that result in a net loss of access to hunting on public lands; directs the Department of Fish and Wildlife (ODFW) to report on acres closed or open to hunting; authorizes expenditure of funds from the Access and Habitat Program for acquisition of easements; directs the Fish and Wildlife Commission to consider giving additional preference points to residents issued pioneer hunting licenses; and, allows the Commission to adopt rules establishing a scheduled of penalties for wildlife provision violations.

ODFW indicates that the fiscal impact associated with the bill is expected to be minimal and absorbable with existing resources or indeterminate. The bill provision that directs the Fish and Wildlife Commission to report to the legislature is expected to involve a minimal amount of existing staff time. The provision that authorizes expenditure of funds from the Access and Habitat Program for acquisition of easements is expected to result in an indeterminate fiscal. ODFW indicates that they are currently able to use easements for habitat improvement projects, but not for access projects. Typically, ODFW establishes contracts with landowners to allow public hunting access or to improve habitat which can range in cost from \$2,000 to \$50,000 Other Funds. The Department estimates that easements will likely be for a longer period of time than a contract, and require a higher level up-front investment, but lower out of pocket expenditures in later years. As the utilization and timing of easements purchases is not known, the resulting fiscal impact is indeterminate. ODFW anticipates that the staff time to prepare easements will be more than that of a contract; however, the number of easements requests the Department will receive is unknown, therefore, the fiscal impact is indeterminate. The civil penalty components of the bill will likely increase penalty revenue paid to ODFW; however increases in Other Funds revenues from the changes in the bill will likely be minimal, less than \$50,000 per biennium.