

A-Engrossed
House Bill 2875

Ordered by the House March 16
Including House Amendments dated March 16

Sponsored by Representatives CLEM, ESQUIVEL; Representative BOONE (Pre-session filed.)

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.

[Specifies that public lands used for wildlife management purposes must be accessible for hunting. Requires State Fish and Wildlife Commission to avoid making management determinations that result in net loss of access to hunting on public lands used for wildlife management purposes.] **Specifies that public lands currently accessible for hunting must remain accessible for hunting unless state agency restricts access for reason of public safety or wildlife management. Directs state agencies to avoid making determinations that result in net loss of access. Requires notice of restriction.** Directs State Fish and Wildlife Director to report to Legislative Assembly on acreage of public lands accessible for hunting.

A BILL FOR AN ACT

1
2 Relating to hunting on public lands.

3 Whereas recreational hunting is an important and traditional recreational activity for thousands
4 of Oregonians; and

5 Whereas hunters have been and continue to be among the foremost supporters of sound wildlife
6 management and conservation practices; and

7 Whereas hunters and hunting organizations provide direct assistance to wildlife managers and
8 enforcement officers; and

9 Whereas hunters contribute toward wildlife conservation, research and management through the
10 purchase of hunting licenses and tags; and

11 Whereas recreational hunting is an important and essential component of wildlife management;
12 and

13 Whereas recreational hunting is an environmentally acceptable activity that can be conducted
14 on state-owned public lands without conflicting with other uses of the same lands; now, therefore,

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

16 **SECTION 1.** **Section 2 of this 2011 Act is added to and made a part of ORS chapter 496.**

17 **SECTION 2.** (1)(a) **As used in this section, "public lands" means any land, or improve-**
18 **ments thereon, owned by the State of Oregon.**

19 **(b) Public lands open to access and use for hunting shall remain open to access and use**
20 **for hunting, except as limited by a state agency for reasons of public safety or wildlife**
21 **management or for any other reason determined by a state agency to be in the public in-**
22 **terest. However, a state agency is not required to give preference to hunting over other uses**
23 **of public lands.**

24 **(2) In implementing subsection (1) of this section, state agencies shall, to the greatest**
25 **extent practicable, avoid making determinations that result in a net loss of access to hunting**

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 on public lands.

2 (3)(a) Before a state agency restricts or closes access to public lands open to access and
3 use for hunting, the state agency shall notify the State Department of Fish and Wildlife in
4 a sufficient amount of time of the plans to restrict or close access to the public lands in
5 order to allow the department to post notice pursuant to paragraph (b) of this subsection.

6 (b) In order to give hunters notice that a state agency plans to restrict or close access
7 to public lands open to access and use for hunting and before a state agency may restrict
8 or close access to the public lands, the department shall post notice on the department's
9 website for 30 days after it receives notification under paragraph (a) of this subsection.

10 (c) Paragraphs (a) and (b) of this subsection do not apply to restrictions or closures for:

11 (A) Emergencies.

12 (B) Fire prevention pursuant to the provisions of ORS 401.165 to 401.236 or 477.535 to
13 477.550.

14 (4) On or before January 1 of each year, the State Fish and Wildlife Director shall submit
15 a report to the Legislative Assembly that describes:

16 (a) The amount, in acres, of public lands open to access and use for hunting that has
17 been closed to hunting by state agencies in the previous calendar year and the reasons for
18 each closure; and

19 (b) The amount, in acres, of public lands that has been opened to access and use for
20 hunting by state agencies in the previous calendar year.

21 **SECTION 3.** (1) Section 2 of this 2011 Act applies to public lands open to access and use
22 for hunting on or after the effective date of this 2011 Act.

23 (2) The first report due under the provisions of section 2 (4) of this 2011 Act is due on
24 or before January 1, 2013.