

Enrolled
House Bill 2875

Sponsored by Representatives CLEM, ESQUIVEL; Representative BOONE (Presession filed.)

CHAPTER

AN ACT

Relating to hunting on public lands.

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

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

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

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

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

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

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

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

SECTION 2. (1)(a) As used in this section, “public lands” means any land, or improvements thereon, owned by the State of Oregon.

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

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

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

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

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

(A) Emergencies.

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

(C) Critical wildlife management activities.

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

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

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

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

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

Passed by House March 22, 2011

Received by Governor:

Repassed by House June 9, 2011

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Approved:

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Ramona Kenady Line, Chief Clerk of House

.....M,....., 2011

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Bruce Hanna, Speaker of House

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John Kitzhaber, Governor

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Arnie Roblan, Speaker of House

Filed in Office of Secretary of State:

Passed by Senate June 7, 2011

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Peter Courtney, President of Senate

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Kate Brown, Secretary of State