

House Bill 2324

Sponsored by Representative BUCKLEY (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 **as introduced**.

Requires State Fish and Wildlife Commission to provide means for persons to make voluntary contributions to be used for programs that promote livestock safety and wildlife protection.

Establishes Oregonians for Wildlife and Livestock Safety Subaccount in Fish and Wildlife Account.

A BILL FOR AN ACT

1
2 Relating to the State Fish and Wildlife Commission; creating new provisions; and amending ORS
3 496.303.

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

5 **SECTION 1. (1) The State Fish and Wildlife Commission shall provide a means for per-**
6 **sons to make voluntary contributions to be used for outreach and educational programs that**
7 **promote livestock safety and wildlife protection.**

8 **(2) The commission shall seek voluntary contributions in conjunction with the sale of li-**
9 **censes, tags and permits and by such other means as the commission considers appropriate.**
10 **The commission shall establish a means by which persons who do not hunt wildlife but who**
11 **desire to support the programs described in subsection (1) of this section may make volun-**
12 **tary contributions.**

13 **(3) If the commission implements an electronic licensing system, the commission shall**
14 **include in that system a means for persons to make voluntary contributions to support the**
15 **programs described in subsection (1) of this section.**

16 **SECTION 2. ORS 496.303 is amended to read:**

17 496.303. (1) The Fish and Wildlife Account is established in the State Treasury, separate and
18 distinct from the General Fund. All moneys in the account are continuously appropriated to the
19 State Fish and Wildlife Commission. The Fish and Wildlife Account shall consist of the moneys in
20 its various subaccounts and any moneys transferred to the account by the Legislative Assembly.
21 Unless otherwise specified by law, interest earnings on moneys in the account shall be paid into the
22 State Treasury and credited to the State Wildlife Fund.

23 (2)(a) The Fish Screening Subaccount is established in the Fish and Wildlife Account. The sub-
24 account shall consist of:

25 (A) All penalties recovered under ORS 536.900 to 536.920.

26 (B) All moneys received pursuant to ORS 498.306.

27 (C) All gifts, grants and other moneys from whatever source that may be used to carry out the
28 provisions of ORS 498.306.

29 (D) All moneys received from the surcharge on angling licenses imposed by ORS 497.124.

30 (b) All moneys in the subaccount shall be used to carry out the provisions of ORS 315.138,

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.

1 498.306 and 509.620. However, moneys received from the surcharge on angling licenses imposed by
2 ORS 497.124 shall be expended only to carry out the provisions of law relating to the screening of
3 water diversions.

4 (3) The Fish Endowment Subaccount is established in the Fish and Wildlife Account. The sub-
5 account shall consist of transfers of moneys authorized by the Legislative Assembly from the State
6 Wildlife Fund and gifts and grants of moneys from whatever source for the purpose of paying the
7 expense of maintaining fish hatcheries operated by the department.

8 (4) The Migratory Waterfowl Subaccount is established in the Fish and Wildlife Account. All
9 moneys received by the commission from the sale of art works and prints related to the migratory
10 waterfowl stamp shall be deposited in the subaccount. Moneys in the subaccount may be expended
11 only for activities that promote the propagation, conservation and recreational uses of migratory
12 waterfowl and for activities related to the design, production, issuance and arrangements for sale
13 of the migratory waterfowl stamps and related art works and prints. Expenditures of moneys in the
14 subaccount may be made within this state, in other states or in foreign countries, in such amounts
15 as the commission determines appropriate. Expenditures in other states and foreign countries shall
16 be on such terms and conditions as the commission determines will benefit most directly the mi-
17 gratory waterfowl resources of this state.

18 (5) The Halibut Research Subaccount is established in the Fish and Wildlife Account. Based on
19 the annual number of recreational halibut anglers, a portion of the moneys derived from the sale
20 of the salmon, steelhead trout, sturgeon and halibut tag pursuant to ORS 497.121 shall be credited
21 to the subaccount. Moneys in the subaccount may be expended only for halibut population studies
22 and other research.

23 (6) The Upland Bird Subaccount is established in the Fish and Wildlife Account. All moneys
24 received by the State Fish and Wildlife Commission from the sale of upland bird stamps, from the
25 sale of any art works and prints related to the upland bird stamp and from private hunting preserve
26 permit fees shall be deposited in the subaccount. Moneys in the subaccount may be expended only
27 for promoting the propagation and conservation of upland birds and the acquisition, development,
28 management, enhancement, sale or exchange of upland bird habitat, and for activities related to the
29 design, production, issuance and arrangements for sale of the upland bird stamps and related art
30 works and prints. Expenditures of moneys in the subaccount shall be made for the benefit of pro-
31 grams within this state in such amounts and at such times as the commission determines appropriate
32 to most directly benefit the upland bird resources of the state.

33 (7)(a) The Fish and Wildlife Deferred Maintenance Subaccount is established in the Fish and
34 Wildlife Account. Interest earnings on moneys in the subaccount shall be credited to the subaccount.
35 The subaccount shall consist of moneys authorized by the Legislative Assembly from the State
36 Wildlife Fund and moneys obtained by gift, grant, bequest or donation from any other public or
37 private source.

38 (b) The principal in the subaccount may be utilized only as provided in paragraph (c) of this
39 subsection. Interest earnings on the moneys in the subaccount may be expended only for the main-
40 tenance of fish hatcheries and State Department of Fish and Wildlife facilities other than adminis-
41 trative facilities located in Salem.

42 (c) The department may borrow funds from the principal of the subaccount to maintain adequate
43 cash flow requirements. However, moneys borrowed from the principal must be repaid to the sub-
44 account:

45 (A) Within six months from the date on which the moneys were borrowed.

1 (B) With interest at the standard rate that the State Treasurer charges to state agencies for
2 other loans. Interest paid under this subparagraph shall be paid to the subaccount.

3 (d) For purposes of this subsection, "principal" means moneys authorized by the Legislative
4 Assembly for transfer to the subaccount from the State Wildlife Fund, including any assignment of
5 earnings on moneys in the fund and other moneys obtained by gift, grant, bequest or donation de-
6 posited into the subaccount.

7 (8) The Access and Habitat Board Subaccount is established in the Fish and Wildlife Account.
8 The subaccount shall consist of moneys transferred to the subaccount pursuant to ORS 496.242.
9 Moneys in the subaccount may be used for the purposes specified in ORS 496.242.

10 (9) The Marine Shellfish Subaccount is established in the Fish and Wildlife Account. Interest
11 earnings on moneys in the subaccount shall be credited to the subaccount. All moneys received by
12 the commission from the sale of resident and nonresident shellfish licenses pursuant to ORS 497.121
13 shall be deposited in the subaccount. Moneys in the subaccount shall be used for the protection and
14 enhancement of shellfish for recreational purposes, including shellfish sanitation costs and the cost
15 of enforcement of wildlife laws pertaining to the taking of shellfish. The State Fish and Wildlife
16 Director, or a designee, the Director of Agriculture, or a designee, and the Superintendent of State
17 Police, or a designee, shall jointly make a recommendation to the Governor for inclusion in the
18 Governor's budget beginning July 1 of each odd-numbered year.

19 (10)(a) The Mountain Sheep Subaccount is established in the Fish and Wildlife Account, con-
20 sisting of moneys collected under ORS 497.112 (2)(a) to (c).

21 (b) All moneys in the subaccount shall be used for the propagation and conservation of mountain
22 sheep, for research, development, management, enhancement and sale or exchange of mountain
23 sheep habitat and for programs within the state that in the discretion of the commission most di-
24 rectly benefit mountain sheep resources of this state.

25 (11)(a) The Antelope Subaccount is established in the Fish and Wildlife Account, consisting of
26 moneys collected under ORS 497.112 (2)(a) to (c).

27 (b) All moneys in the subaccount shall be used for the propagation and conservation of antelope,
28 for research, development, management, enhancement and sale or exchange of antelope habitat and
29 for programs within the state that in the discretion of the commission most directly benefit antelope
30 resources of this state.

31 (12)(a) The Mountain Goat Subaccount is established in the Fish and Wildlife Account, consist-
32 ing of moneys collected under ORS 497.112 (2)(a) to (c).

33 (b) All moneys in the subaccount shall be used for the propagation and conservation of mountain
34 goats for research, development, management, enhancement and sale or exchange of mountain goat
35 habitat and for programs within the state that in the discretion of the commission most directly
36 benefit mountain goat resources of this state.

37 (13)(a) The commission shall keep a record of all moneys deposited in the Fish and Wildlife
38 Account. The record shall indicate by separate cumulative accounts the sources from which the
39 moneys are derived and the individual activity or programs against which each withdrawal is
40 charged.

41 (b) Using the record created pursuant to paragraph (a) of this subsection, the commission shall
42 report, in the budget documents submitted to the Legislative Assembly, on the application of in-
43 vestment and interest earnings to the maintenance of fish hatcheries and other State Department
44 of Fish and Wildlife facilities.

45 (14) The Oregon Conservation Strategy Subaccount is established in the Fish and Wildlife Ac-

1 count. All moneys received by the commission from the sale of habitat conservation stamps and from
2 the sale of any art works and prints related to the habitat conservation stamp shall be deposited in
3 the subaccount. Moneys in the subaccount may be expended only to promote and implement habitat
4 and species restoration, enhancement and viewing activities identified in the "Oregon Conservation
5 Strategy," 2006, by the State Department of Fish and Wildlife, and for activities related to the de-
6 sign, production, issuance and arrangements for sale of the habitat conservation stamps and related
7 art works and prints.

8 **(15) The Oregonians for Wildlife and Livestock Safety Subaccount is established in the**
9 **Fish and Wildlife Account. All moneys received by the commission as voluntary contribu-**
10 **tions under section 1 of this 2013 Act shall be deposited in the subaccount. Moneys in the**
11 **subaccount may be expended only for the programs specified in section 1 of this 2013 Act.**

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