

**PROPOSED AMENDMENTS TO
HOUSE BILL 3315**

1 On page 1 of the printed bill, delete lines 5 through 29 and delete page
2 2 and insert:

3 **“SECTION 1. (1) Subject to rules prescribed by the State Fish and**
4 **Wildlife Commission, in rendering recompensable assistance to an**
5 **agency, the State Department of Fish and Wildlife shall:**

6 **“(a) For fiscal years beginning on or after July 1, 2015, and before**
7 **July 1, 2017, track and prepare statements reporting the number of**
8 **hours spent by department personnel performing recompensable as-**
9 **sistance for any executive department agency, including an hourly**
10 **rate that would be charged, based on the class of department person-**
11 **nel performing the services. The department shall send statements to**
12 **the agency receiving services, but may not charge for services. This**
13 **paragraph does not prohibit the department from charging another**
14 **state agency for services pursuant to an interagency agreement that**
15 **is in effect between the department and the other agency at any time**
16 **during the period beginning July 1, 2015, and ending July 1, 2021.**

17 **“(b) For fiscal years beginning on or after July 1, 2017, track and**
18 **prepare statements reporting the number of hours spent by depart-**
19 **ment personnel performing recompensable assistance for any execu-**
20 **tive department agency, including an hourly rate that would be**
21 **charged, based on the class of department personnel performing the**
22 **services.**

1 “(2)(a) The charges for which statements are prepared and, after
2 July 1, 2017, billed include, but are not limited to, costs of providing
3 professional, investigatory, administrative and clerical services and
4 capital outlay.

5 “(b) An executive department agency may not submit an invoice to
6 a private entity, a member of the public or an applicant for a state-
7 issued permit for services performed by the department, unless the
8 invoice is authorized by a statute, rule or interagency agreement exe-
9 cuted:

10 “(A) Prior to the effective date of this 2015 Act; or

11 “(B) Following consultation with persons representative of those
12 private entities, members of the public or permit applicants that are
13 subject to invoicing under this paragraph.

14 “(3) As used in this section:

15 “(a) ‘Agency’ means any department, board, commission, agency
16 or officer of the executive department.

17 “(b) ‘Executive department’ has the meaning given that term in
18 ORS 174.112.

19 “(c) ‘Recompensable assistance’ means assistance rendered by the
20 department as part of advancing fee-funded programs administered by
21 an agency.

22 “SECTION 2. The State Department of Fish and Wildlife shall esti-
23 mate in advance the expenses that the department will incur during
24 a biennium under section 1 of this 2015 Act, and shall render to exec-
25 utive department agencies and other entities described in section 1 of
26 this 2015 Act an invoice for their share of such expenses for periods
27 within the biennium and in sufficient amounts to provide reasonable
28 cash operating requirements for the department within the biennial
29 period. Each agency or other entity described in section 1 of this 2015
30 Act shall pay to the credit of the department such invoice as an ad-

1 **ministrative expense from funds or appropriations available to the in-**
2 **voiced agency or entity in the same manner as other claims against**
3 **the state are paid. If the estimated expenses for the agency or other**
4 **entity described in section 1 of this 2015 Act are more or less than**
5 **actual expenses for the period covered by the invoice, the difference**
6 **shall be reflected in the next following estimate of expenses.**

7 **“SECTION 3. (1) Section 1 of this 2015 Act becomes operative on**
8 **January 1, 2016.**

9 **“(2) Section 2 of this 2015 Act becomes operative on July 1, 2017.**

10 **“SECTION 4. The State Fish and Wildlife Commission shall adopt**
11 **rules to implement the provisions of sections 1 and 2 of this 2015 Act**
12 **on or before January 1, 2016, and may modify those rules at any time**
13 **thereafter.**

14 **“SECTION 5. On or before January 1, 2017, the State Department**
15 **of Fish and Wildlife shall report to the Legislative Assembly in the**
16 **manner prescribed in ORS 192.245. The report shall include all of the**
17 **following:**

18 **“(1) A list of the types of permits and state agencies that utilize the**
19 **department’s services and for which invoicing will be allowed under**
20 **section 2 of this 2015 Act.**

21 **“(2) A list of all statutes and rules in effect on the date of the report**
22 **that are applicable to the permit review process engaged in by the**
23 **department.**

24 **“(3) A list of all statutes in effect on the date of the report that**
25 **require or justify participation by the department in permitting pro-**
26 **cesses and an explanation of how those statutes contribute to the**
27 **protection of the fish and wildlife of this state.**

28 **“(4) A discussion of any additional options for cost recovery avail-**
29 **able to the department, including but not limited to interagency**
30 **agreements that allow other agency personnel to apply department**

1 standards, modification of statutes applicable to the department or
2 interagency agreements that could reduce the department's involve-
3 ment in permit review and application of standards and requirements,
4 without negatively impacting protections for fish and wildlife.

5 “(5) An explanation of the costs associated with permitting, in-
6 cluding identifying the costs associated with technical review sepa-
7 rately from costs associated with public benefits of the permitting
8 process and the public involvement in the permitting process.

9 “SECTION 6. This 2015 Act being necessary for the immediate
10 preservation of the public peace, health and safety, an emergency is
11 declared to exist, and this 2015 Act takes effect on its passage.”.

12
