

HB 2576 A STAFF MEASURE SUMMARY
House Committee On Agriculture and Natural Resources

Carrier: Rep. Rayfield

Action Date: 03/23/17
Action: Do pass with amendments. (Printed A-Eng.)
Vote: 8-0-1-0
Yeas: 8 - Barreto, Clem, Esquivel, McLain, Power, Smith DB, Sprenger, Witt
Exc: 1 - McKeown
Fiscal: No fiscal impact
Revenue: No revenue impact
Prepared By: Misty Freeman, LPRO Analyst

WHAT THE MEASURE DOES:

Clarifies exemption to prohibition on trade of protected species of wildlife to bona fide scientific or educational institution for scientific or educational purposes includes sale of covered animal species part or product by or to bona fide scientific or educational institutions when sale made pursuant to written gift agreement or similar instrument entered into before July 1, 2017. Authorizes Oregon Department of Fish and Wildlife (ODFW) to permit purchase, sale or donation of lawfully acquired covered animal species part or product by or to bona fide scientific or educational institution for scientific or educational purposes on or after July 1, 2017. Requires institution to keep documentation of transaction and provide copy to ODFW.

ISSUES DISCUSSED:

- Ballot measure 100
- Exemption for scientific or educational institution
- Naming of covered animal species

EFFECT OF AMENDMENT:

Clarifies terms of exemption for scientific or educational institutions. Allows sale of covered animal species part or product by or to bona fide scientific or educational institutions when sale made pursuant to written gift agreement or similar instrument entered into before July 1, 2017. Authorizes Oregon Department of Fish and Wildlife (ODFW) to permit purchase, sale or donation of lawfully acquired covered animal species part or product by or to bona fide scientific or educational institution for scientific or educational purposes on or after July 1, 2017. Requires institution to keep documentation of transaction and provide copy to ODFW. Removes reference to Convention on International Trade in Endangered Species in definition of covered animal species.

BACKGROUND:

In November 2016, Oregon voters passed Ballot Measure 100, which prohibits the purchase, sale, or possession with intent to sell of parts or products from elephant, rhinoceros, whale, tiger, lion, leopard, cheetah, jaguar, pangolin, sea turtle, shark, or ray, subject to civil penalties. The measure created exceptions to the prohibition, including law enforcement activities; activities authorized by federal law; certain antiques over 100 years old; certain musical instruments; noncommercial transfers through estates, trusts, gifts; and possession by tribal members. An exception was also made for donations for scientific or educational purposes.

House Bill 2576A would clarify the exemption from Measure 100 provisions for a bona fide scientific or educational institution for scientific or educational purposes. The measure would exempt such a sale if it included a written gift agreement or similar instrument that was entered into before July 1, 2017. The measure would also allow the Oregon Department of Fish and Wildlife (ODFW) to permit such an institution to engage in the purchase, sale or donation of a lawfully acquired covered animal species part or product on or after July 1, 2017, and requires the institution to keep documentation of the transaction and provide a copy to ODFW.