

HB 2576 B STAFF MEASURE SUMMARY

Carrier: Sen. Olsen

Senate Committee On Environment and Natural Resources

Action Date: 04/27/17

Action: Do pass with amendments to the A-Eng bill. (Printed B-Eng.)

Vote: 5-0-0-0

Yeas: 5 - Dembrow, Linthicum, Olsen, Prozanski, Roblan

Fiscal: No fiscal impact

Revenue: No revenue impact

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WHAT THE MEASURE DOES:

Specifies exemption to prohibition on trade of protected species of wildlife to a bona fide scientific or educational institution for scientific or educational purposes includes the sale of covered animal species part or product by or to such institutions when the sale is made pursuant to a written gift agreement or similar instrument entered into before July 1, 2017. Authorizes the Oregon Department of Fish and Wildlife (ODFW) to permit the 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. Declares emergency, effective upon passage.

ISSUES DISCUSSED:

- Development of ballot measure language
- Types of transactions affected by ballot measure
- Exchange of species among institutions is a common practice

EFFECT OF AMENDMENT:

Adds accredited zoo or aquarium to list of "bona fide scientific or educational institution" definition.

BACKGROUND:

In November 2016, Oregon voters passed Ballot Measure 100, which prohibits the purchase, sale, or possession with intent to sell 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 2576B 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 these institutions 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 require the institution to keep documentation of the transaction and provide a copy to ODFW.