

House Bill 3187

Sponsored by Representative WITT

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**.

Establishes Oregon Wildlife Council.

Establishes Oregon Wildlife Council Subaccount within Fish and Wildlife Account.

A BILL FOR AN ACT

1
2 Relating to wildlife management; creating new provisions; and amending ORS 496.303.

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

4 **SECTION 1. (1) The Oregon Wildlife Council is established within the State Department**
5 **of Fish and Wildlife.**

6 **(2) The council consists of nine members that include the State Fish and Wildlife Direc-**
7 **tor, or a designated representative of the director, and eight appointed members. The Gov-**
8 **ernor shall appoint eight members as follows:**

9 **(a) Four individuals who have regularly purchased hunting or fishing licenses in this**
10 **state and have purchased the licenses at least once during each of the last three years. At**
11 **least one individual must have purchased a hunting license and at least one individual must**
12 **have purchased a fishing license.**

13 **(b) One individual who represents businesses in this state that are substantially impacted**
14 **by hunting and fishing.**

15 **(c) One individual representing agricultural producers in this state.**

16 **(d) One individual with a media or marketing background who is not an employee of the**
17 **department.**

18 **(e) One individual representing rural areas of this state whose economies are substan-**
19 **tially impacted by hunting and fishing.**

20 **(3) In appointing members, the Governor shall strive to select members who represent**
21 **all major geographic areas of this state.**

22 **(4) An appointed member shall serve for a term of four years or until a successor is ap-**
23 **pointed, whichever is longer, and may not serve more than two terms.**

24 **(5) The Governor may remove an appointed member for incompetence, dereliction of**
25 **duty, malfeasance, nonfeasance or any other good cause.**

26 **(6) Each year the council shall select a member of the council as chairperson and, at the**
27 **discretion of the council, other members as officers. The council by rule shall specify terms**
28 **and provide appropriate duties and powers for the chairperson and any officers.**

29 **(7) A majority of the members of the council constitutes a quorum for the transaction**
30 **of business.**

31 **(8) The council shall meet at times and places specified by the call of the chairperson or**

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 of a majority of the members of the council and at least quarterly.

2 (9) A member is not entitled to compensation under ORS 292.495. At the discretion of the
3 council, a member may be reimbursed from funds available to the council for actual and
4 necessary travel and other expenses incurred in performing the member's official duties,
5 subject to the limits described in ORS 292.495.

6 (10) The council shall:

7 (a) Develop and implement, with a third-party marketing or advertising agency, a com-
8 prehensive media-based public information program to promote the essential roles of hunting
9 and fishing in wildlife conservation and to educate the public about hunting and fishing. The
10 program must inform the public that hunting and fishing are:

11 (A) Necessary for the conservation, preservation and management of this state's natural
12 resources.

13 (B) A valued and integral part of the cultural heritage of this state, which should forever
14 be preserved.

15 (C) An important part of this state's economy.

16 (b) Report biennially on the program, in the manner provided by ORS 192.245, to an ap-
17 propriate committee or interim committee of the Legislative Assembly related to natural
18 resources.

19 **SECTION 2.** (1) The Governor shall appoint the initial members of the Oregon Wildlife
20 Council described in section 1 of this 2021 Act within 90 days after the effective date of this
21 2021 Act.

22 (2) The State Fish and Wildlife Director shall call the first meeting of the Oregon Wildlife
23 Council.

24 **SECTION 3.** ORS 496.303 is amended to read:

25 496.303. (1) The Fish and Wildlife Account is established in the State Treasury, separate and
26 distinct from the General Fund. All moneys in the account are continuously appropriated to the
27 State Fish and Wildlife Commission. The Fish and Wildlife Account shall consist of the moneys in
28 its various subaccounts and any moneys transferred to the account by the Legislative Assembly.
29 Unless otherwise specified by law, interest earnings on moneys in the account shall be paid into the
30 State Treasury and credited to the State Wildlife Fund.

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

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

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

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

37 (D) All moneys received from the sale of angling licenses dedicated by ORS 497.124.

38 (b) All moneys in the subaccount shall be used to carry out the provisions of ORS 315.138,
39 498.306 and 509.620. However, moneys received from the sale of angling licenses dedicated by ORS
40 497.124 shall be expended only to carry out the provisions of law relating to the screening of water
41 diversions.

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

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

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

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

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

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

38 (9)(a) The Mountain Sheep Subaccount is established in the Fish and Wildlife Account, consist-
39 ing of moneys collected under ORS 497.112 (2)(a) to (c).

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

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

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

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

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

11 (12) The commission shall keep a record of all moneys deposited in the Fish and Wildlife Ac-
12 count. The record shall indicate by separate cumulative accounts the sources from which the mon-
13 eys are derived and the individual activity or programs against which each withdrawal is charged.

14 (13) The Oregon Conservation Strategy Subaccount is established in the Fish and Wildlife Ac-
15 count. All moneys received by the commission from the sale of habitat conservation stamps and from
16 the sale of any art works and prints related to the habitat conservation stamp shall be deposited in
17 the subaccount. Moneys in the subaccount may be expended only to promote and implement habitat
18 and species restoration, enhancement and viewing activities identified in the "Oregon Conservation
19 Strategy," 2006, by the State Department of Fish and Wildlife, and for activities related to the de-
20 sign, production, issuance and arrangements for sale of the habitat conservation stamps and related
21 art works and prints.

22 **(14)(a) The Oregon Wildlife Council Subaccount is established in the Fish and Wildlife**
23 **Account.**

24 **(b) The subaccount consists of moneys deposited into the subaccount from any source.**
25 **Interest earned on moneys in the subaccount must be credited to the subaccount.**

26 **(c) Moneys in the subaccount may be expended for activities described in section 1 of this**
27 **2021 Act. Not more than five percent of the moneys deposited into the subaccount in one**
28 **year may be expended for administrative costs.**

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