



HUMANE VOTERS | OREGON

Testimony of Humane Voters Oregon on House Bill 2068
Senate Committee on Natural Resources and Wildlife Recovery

April 26, 2021

Chair Golden, Vice Chair Heard and Members of the Committee:

Humane Voters Oregon is a nonprofit organization that works in Oregon's political process and elections to promote humane treatment of animals. We are not affiliated with any other state or national organization.

Humane Voters Oregon opposes House Bill 2068 because it tends to privatize the state's wildlife. If the bill nevertheless moves forward, we urge adoption of the -2 amendments, which would at least prevent the clearest form of privatization by making clear that landowners cannot sell the rights to any of their allotted preference tags or the access rights to use them.

HB 2068 would make permanent a program under which landowners receive "preference tags" for hunting deer, elk and antelope on their land. The tags are issued to landowners and their designees in areas where the number of tags available to the public is limited because the wildlife being hunted is limited. The program allows landowners to "transfer[]" some of the tags, without any prohibition on profiting from such transfers.¹ (Section 1(3), (6).) The tags are in addition to other tags landowners receive to kill wildlife causing damage to their property.²

Privatization of wildlife is an important issue. The success of the United States in recovering its wildlife populations from near decimation in the 19th and early 20th centuries is largely attributed to what is now called the North American Model of Wildlife Conservation. Among principles of the Model are:

- "Wildlife is a public resource * * * * independent of the land or water where wildlife may live."
- "Markets for game are eliminated."
- "The democracy of hunting * * * * allocates access to wildlife without regard for wealth, prestige, or land ownership."

(U.S. Fish and Wildlife Service, North American Model of Wildlife Conservation,
<https://www.fws.gov/hunting/north-american-model-of-wildlife-conservation.html>.)

¹ According to the Department of Fish and Wildlife, the tags are transferred by registering the recipient's name with the Department and having the recipient then purchase the tags from the Department, but as far as we can tell nothing precludes a landowner from charging for registering a recipient's name or for providing access to the landowner's land.

² See Testimony of Kevin Blakely (ODFW) on SB 630.

The Department of Fish and Wildlife purports to follow the North American Model.³ The Model's principle of public ownership (in trust for all Oregonians) is reflected in Oregon law. ORS 498.002; *Simpson v. Dept. Of Fish and Wildlife*, 242 Or. App. 287 (2011).

HB 2068 deviates from the principles of the North American Model and public ownership of wildlife because it would continue a program that gives landowners and their designees special rights to Oregon's wildlife and allow landowners to profit from the sale of those special rights.⁴

If HB 2068 nevertheless moves forward, we urge you to adopt the proposed -2 amendments, which would at least make clear that landowners cannot sell any portion of their allotted tags or the access rights to use them. We do not know the extent to which a market exists for Oregon's landowner preference tags or for access to use those tags. In any case, it seems simple enough to make clear in the statute that access to landowner preference tags and the land to use them cannot be sold by landowners receiving the tags. The proposed -2 amendments would do that.

Thank you for considering our comments.

Brian Posewitz

Brian Posewitz
Director

³ ODFW Governor's Recommended Budget (2021-23), p. 676 ("The Wildlife Management Program is the primary vehicle for implementation of the North American Model of Wildlife Management (Model). The Program's statutes and rules are based on the seven co-equal goals of the Model, which are unique to North America and have served as the basis for conserving species and funding wildlife management.")

⁴ Because most states follow the North American Model, landowner preference programs are also controversial in other states. ([New bull elk tag bill would privilege landowners and nonresidents over Montana hunters](#), Montana Missoulian (March 1, 2021).)