



SB 199 Testimony on behalf of AOC- Association of Oregon Counties

Senate Natural Resources Committee

February 13, 2023

Chair Golden, Vice Chair Girod and members of the Senate Natural Resources Committee:

My name is Branden Pursinger, Legislative Affairs Manager on natural resource related issues for the Association of Oregon Counties. The Association of Oregon Counties (AOC), representing Oregon's county governments, offers the following comments in opposition to SB 199.

First let me state that Predatory Animal is defined in statute under ORS 610.002. The statute lays out that a predatory animal includes: "*Feral Swine, rabbits, rodents, coyotes and nongame birds which may be destructive to agricultural crops, products, and activities.*" This list is further expanded in Administrative Rule to include "*Beavers, muskrats, gray squirrels, gophers, mountain beaver, marmots, nutria and porcupine.*"

Section 16 of SB 199 also deals with "noxious rodents." Noxious Rodents according to the United States Department of Agriculture are "*any species that can cause damage or disease, is a threat or concern to the public and is a member of the family Rodentia.*" This includes: ground squirrels, tree squirrels, chipmunks, rabbits, hares, moles, gophers, nutria, beavers, rats and mice (both native or invasive), voles and marmots.

As you can see, SB 199 touches on many different animals found in Oregon.

SB 199 requires vector control to follow the yet to be written requirements or prohibitions laid out by the Fish and Wildlife Commission. County governments are the entities that are responsible for vector control services. Vector control is the way governments work to limit or eradicate the animals or insects which transmit diseases and pathogens. This bill as written would prohibit counties from combatting the rodents and predatory animals that carry diseases until the Commission wrote the rules that needed to be followed. The OAR process is one known to take months. Counties would be prohibited under this bill to address disease spreading rodents in our jurisdictions. Rats and mice that carry Rat-Bite Fever, Leptospirosis, Salmonellosis, Hantavirus just to name a few would all have to remain until the ODFW Commission rules are written and adopted. Public Health and Safety is not something that can be delayed. When issues arise, we need the ability to go in and address the problems right away.

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The bill would prohibit county officials from addressing a noxious rodent or predatory animal as soon as their presence comes to our knowledge without following the rules laid out by the commission and, in the base bill, without the use of General Fund dollars by the county. It is unknown what those rules would entail, but the rules could include a prohibition in taking or dealing with specific species, genders, different rules depending on the time of the year, etc. Counties need the ability to address the squirrels in our courthouses, gophers in the lawn, rodents on our constituent's property or at our landfills, predatory animals that are causing damage to piers, docks, agricultural lands... Counties cannot wait to address the issues when we know about them. We need to address the noxious rodents and predatory animals right away. Our constituents depend on it.

On top of these concerns, there is also the concern of the fiscal impact this bill will have on counties.

Counties either work with the USDA to address our wildlife issues or we deal with the issues "in-house."

Following all regulations laid out currently, counties pay a specific portion of their general fund to cover the costs of wildlife impacts on our counties and constituencies. Any changes in the way the state would require the service to be conducted will cause our costs to increase.

The base bill would also prohibit counties from using General Funds for this expense. ORS 610.015, the statute that allows counties to expend funds on wildlife services, is being amended to remove ORS 610.105 from the list of permissible expenses. ORS 610.105 states that any person who owns, leases, occupies, possess any land, place, building, structure, wharf, pier or dock which is infected with ground squirrels, noxious rodents or predatory animals needs to be addressed as soon as their presence comes to the knowledge of said individual.

If we do not provide this service, constituents would be required to expend their own funds. This is a service that counties provide and one that we must continue.

There is a -1 amendment being proposed. The -1 amendment addresses the ability for counties to use general fund dollars on noxious rodents and predatory animals, however the requirement to wait until the Administrative Rules are in place remains. Counties would be able to expend funds, but not actually address the predatory animals or noxious rodents in our communities. We would not be able to have vector control deal with diseases if they arise during the rulemaking process. After the OAR process concludes, depending on what the rules say, Counties would be unable to address the beavers that clog our culverts, the nongame birds eating agricultural crops, rodents roaming the streets if the rules place limitations on our work.



Although we counties are appreciative that the -1 amendment addresses our General Fund concern, not all county concerns are alleviated, and therefore, AOC is opposed to SB 199 even with the adoption of the -1 Amendments.

Thank you for the opportunity to address the committee and share AOC's opposition on SB 199.

Branden Pursinger

Legislative Affairs Manager - Natural Resources

Association of Oregon Counties