

A-Engrossed
Senate Bill 777

Ordered by the Senate March 21
Including Senate Amendments dated March 21

Sponsored by Senator NASH, Representative LEVY B; Senators BROADMAN, MEEK, PROZANSKI, SMITH DB
(Presession filed.)

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. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: The Act tells the State DOA to change the methods used to determine wolf attack loss grants. The Act requires counties to report to the DOA and the DOA to report to the legislature on payments made. (Flesch Readability Score: 76.2).

[Digest: The Act provides that payments for injury to livestock or working dogs must be based on fair market value and other factors. The Act caps payments. The Act removes payment for lost livestock. (Flesch Readability Score: 70.9).]

[Provides that compensation for injury to livestock or working dogs under the wolf depredation compensation and financial assistance grant program must be based on fair market value and other factors. Caps compensation at \$25,000 per animal. Removes the provision authorizing compensation for missing livestock.]

Directs the State Department of Agriculture to modify the methodology under which participating counties award grants for wolf depredation compensation. Establishes reporting requirements for counties and for the department to report to the Legislative Assembly on financial assistance provided under the program.

A BILL FOR AN ACT

1
2 Relating to the depredation of livestock; amending ORS 610.150.

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

4 **SECTION 1.** ORS 610.150 is amended to read:

5 610.150. (1) As used in this section:

6 (a) **“Area of known wolf activity” means an area designated by the State Department of**
7 **Fish and Wildlife as having known wolf activity.**

8 [(a)] (b) **“Livestock” means ratites, psittacines, horses, mules, jackasses, cattle, llamas, alpacas,**
9 **sheep, goats, swine, bison, domesticated fowl and any fur-bearing animal bred and maintained com-**
10 **mercially, or otherwise, within pens, cages or hutches.**

11 [(b)] (c) **“Working dog” means any animal of the species Canis familiaris used to aid in the**
12 **herding or guarding of livestock.**

13 (2) The State Department of Agriculture shall establish and implement a wolf depredation com-
14 pensation and financial assistance grant program, using moneys in the Wolf Management Compen-
15 sation and Proactive Trust Fund established under ORS 610.155, to provide grants to assist counties
16 to implement county programs under which:

17 (a) Compensation is *[paid]* **provided** to persons who suffer **probable or confirmed** loss or injury
18 to livestock or working dogs due to wolf depredation; and

19 (b) Financial assistance is provided to persons who implement livestock management techniques
20 or nonlethal wolf deterrence techniques designed to discourage wolf depredation of livestock.

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 (3) Subject to available funding in the Wolf Management Compensation and Proactive Trust
2 Fund established under ORS 610.155, a county qualifies for a grant *[under the wolf depredation*
3 *compensation and financial assistance grant program]* if the county:

4 (a) Establishes a county program to^[:] **provide compensation and financial assistance as de-**
5 **scribed in subsection (2) of this section.**

6 *[(A) Compensate persons who suffer loss or injury to livestock or working dogs due to wolf*
7 *depredation; and]*

8 *[(B) Provide financial assistance to persons who implement livestock management techniques or*
9 *nonlethal wolf deterrence techniques designed to discourage wolf depredation of livestock.]*

10 (b) Contributes an amount of moneys equal to 10 percent of the amount necessary to implement,
11 during the calendar year, the county program.

12 (c) Establishes *[a procedure]* **procedures** by which persons **who:**

13 **(A) Are** applying for compensation *[under the county program]*, **as described in subsection**
14 **(2)(a) of this section,** provide evidence of the **probable or confirmed** loss or injury to livestock
15 or working dogs due to wolf depredation^[:] *Evidence of the loss or injury must include], including* a
16 finding by the State Department of Fish and Wildlife or the department's designated agent that wolf
17 depredation was the probable cause of the loss or injury.

18 **(B) Are applying for financial assistance, as described in subsection (2)(b) of this section,**
19 **provide an estimate of the potential cost of any livestock management techniques or nonle-**
20 **thal wolf deterrence techniques the person plans to use.**

21 (d) Establishes a county advisory committee to oversee the county program, consisting of one
22 county commissioner, two members who own or manage livestock and two members who support
23 wolf conservation or coexistence with wolves. The county advisory committee, once established by
24 the county, shall agree upon two county business representatives to serve as additional county ad-
25 visory committee members.

26 *[(e) Establishes a procedure by which persons applying for financial assistance under the county*
27 *program provide an estimate of the potential cost of the livestock management techniques or nonlethal*
28 *wolf deterrence techniques designed to discourage wolf depredation.]*

29 (4) In accordance with the Oregon Wolf Conservation and Management Plan, the Director of
30 Agriculture shall adopt rules to implement the provisions of this section, including *[but not limited*
31 *to]* rules that **require participating counties to:**

32 (a) *[Require that]* **Prioritize awarding grants to** livestock owners and managers experiencing
33 above-normal **probable or confirmed** loss or injury to livestock or working dogs due to wolf
34 depredation *[be given priority by counties for grant moneys received under the wolf depredation com-*
35 *penetration and financial assistance grant program].*

36 *[(b) Require counties participating in the wolf depredation compensation and financial assistance*
37 *grant program to:]*

38 *[(A) Prepare an annual report that specifies the actions taken by, and compensation paid and fi-*
39 *nancial assistance provided to, counties under the wolf depredation compensation and financial assist-*
40 *ance grant program;]*

41 **(b) Prepare annual reports that describe the counties' actions taken under the county**
42 **grant programs, including the amounts provided as compensation and financial assistance,**
43 **as described in subsection (2) of this section.**

44 *[(B)] (c) Distribute grant program funds, to the extent possible, in an equal and balanced manner*
45 *between [payments to compensate for loss or injury to livestock or working dogs due to wolf*

1 *depredation and payments to implement livestock management techniques or nonlethal wolf deterrence*
2 *techniques designed to discourage wolf depredation of livestock]* **compensation and financial as-**
3 **istance, as described in subsection (2) of this section,** with a minimum of [30] **50** percent of
4 grant program funds being distributed for [*livestock management techniques or nonlethal wolf deter-*
5 *rence techniques designed to discourage wolf depredation of livestock; and]* **financial assistance, as**
6 **described in subsection (2)(b) of this section.**

7 [(C) *Establish compensation rates for loss or injury to livestock or working dogs due to wolf*
8 *depredation that are based on fair market value and the recommendation of the county advisory com-*
9 *mittee described in subsection (3)(d) of this section.*]

10 **(d) Allow county advisory committees described in subsection (3)(d) of this section to**
11 **determine an amount of compensation, as described in subsection (2)(a) of this section, for**
12 **each probable or confirmed loss or injury to a livestock animal or working dog due to wolf**
13 **depredation that is:**

14 **(A) Not more than \$25,000 per livestock animal or working dog;**

15 **(B) Up to five times the fair market value of a cow calf or yearling, sheep or goat;**

16 **(C) Up to three times the fair market value of a cow not described in subparagraph (B)**
17 **of this paragraph; and**

18 **(D) The fair market value of a horse, a livestock animal not specifically described in this**
19 **paragraph or a working dog.**

20 [(c) (e) *Establish eligibility requirements for compensation, as described in subsection (2)(a)*
21 **of this section,** under county programs that ensure, contingent upon available funds, that:

22 (A) *Outside an area of known wolf activity, [as designated by the State Department of Fish and*
23 *Wildlife, confirmed loss or injury to livestock or working dogs shall be compensated]* **the compen-**
24 **sation is provided** regardless of the preexistence of wolf deterrence techniques;

25 (B) *Within an area of known wolf activity, [as designated by the State Department of Fish and*
26 *Wildlife, confirmed loss or injury to livestock or working dogs, as well as missing livestock above the*
27 *level based on loss or injury attributable to causes other than wolf depredation established by the*
28 *county advisory committee described in subsection (3)(d) of this section, shall be compensable]* **the**
29 **compensation is provided only** if owners have demonstrated implementation of best management
30 practices to deter wolves, including reasonable use of nonlethal methods when practicable[, *giving*
31 *priority for compensation of confirmed losses at fair market value and with other compensation claims*
32 *determined according to the recommendation of the county advisory committee*]; and

33 (C) Any compensation [*for loss or injury to livestock or working dogs due to wolf depredation*] is
34 based upon a finding by the local advisory committee that the person did not unreasonably or
35 purposefully create circumstances that attract wolves or encourage conflict between wolves and
36 livestock or working dogs.

37 (5) Each biennium the State Department of Agriculture shall:

38 (a) Prepare a report that specifies the actions taken by counties, compensation [*paid*] **and fi-**
39 **ncial assistance provided** by counties, and **the** financial assistance provided to counties, under
40 the wolf depredation compensation and financial assistance grant program[, *and*];

41 (b) [*shall*] Submit the report, **in the manner provided in ORS 192.245,** to **committees or in-**
42 **terim committees of** the Legislative Assembly **related to natural resources;** and

43 (c) Post the report on the department's website for public access.

44 (6) The State Department of Agriculture may use moneys in the Wolf Management Compensation
45 and Proactive Trust Fund established under ORS 610.155 to pay expenses incurred in administering

1 the wolf depredation compensation and financial assistance grant program.

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