

House Bill 3227

Sponsored by Representative BARRETO, Senator HANSELL; Representatives REARDON, SMITH G, SPRENGER

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 Excessive Elk Damage Pilot Program.
Requires State Department of Fish and Wildlife to report on program to interim committee of Legislative Assembly on or before September 15, 2020.
Sunsets January 2, 2024.
Takes effect on 91st day following adjournment sine die.

A BILL FOR AN ACT

1 Relating to elk damage; and prescribing an effective date.

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

3 **SECTION 1. Notwithstanding any other provision of the wildlife laws, the State Department of Fish and Wildlife shall establish and implement an Excessive Elk Damage Pilot Program that:**

4 **(1) Addresses excessive damage caused by elk on privately owned lands;**

5 **(2) Designates areas in which the program will operate, including at a minimum the areas in or adjacent to Lincoln, Tillamook, Clatsop, Union, Morrow, Wallowa and Umatilla Counties;**

6 **(3) Establishes hunting unit boundaries around private and public lands where excessive elk damage is occurring;**

7 **(4) Sells program tags to a person that registers with the program and complain of excessive elk damage on property owned, leased or rented by the person or on property owned, leased or rented by a business entity that includes the person as a principal partner or shareholder;**

8 **(5) Allows a person to use a program tag to take elk on property owned, leased or rented by a person complaining of excessive elk damage or on property owned, leased or rented by a business entity that includes the person as a principal partner or shareholder;**

9 **(6) For an exchange fee determined by the department by rule, allows exchange of unused general season elk tags or controlled hunt elk tags for program tags;**

10 **(7) Limits the use of program tags to taking antlerless elk;**

11 **(8) Does not limit the total number of program tags available to a person;**

12 **(9) Does not impose a minimum acreage requirement for a person to register with the program;**

13 **(10) Does not impose a fee for a person to register with the program;**

14 **(11) Allows a person that has registered with the program to allow another person to use program tags to take elk on property described in subsection (4) of this section;**

15 **(12) Does not limit the number of persons a person described in subsection (4) of this section may allow to use program tags to take elk;**

16 **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 (13) Allows a person to register with the program at any time prior to the issuance of
2 program tags;

3 (14) Allows a person that uses a program tag to take elk with the aid of an artificial light
4 on property described in subsection (4) of this section if the person that registers with the
5 program:

6 (a) Consents; and

7 (b) Is present;

8 (15) Authorizes department biologists to sell and exchange program tags;

9 (16) Authorizes department biologists to establish the period of validity for program tags
10 through negotiation with persons described in subsection (4) of this section; and

11 (17) Requires a person to record the number of elk taken under program tags on property
12 described in subsection (4) of this section and to report to the local department biologist the
13 number of elk taken under the program tags.

14 **SECTION 2.** (1) The State Department of Fish and Wildlife shall submit a report on the
15 Excessive Elk Damage Pilot Program in the manner provided by ORS 192.245, and may in-
16 clude recommendations for legislation, to an interim committee of the Legislative Assembly
17 related to natural resources on or before September 15, 2020.

18 (2) In the report, the department shall:

19 (a) Assess the effectiveness of the program;

20 (b) State how the department assessed the effectiveness of the program;

21 (c) Provide an elk population summary for each program area;

22 (d) Summarize management objectives for areas affected by the program;

23 (e) Assess elk use of private and public lands within program areas;

24 (f) Summarize elk damage on private lands within program areas;

25 (g) Identify changes in elk distribution within program areas; and

26 (h) Identify changes in elk damage complaints within program areas.

27 **SECTION 3.** (1) Section 1 of this 2019 Act becomes operative on January 1, 2020.

28 (2) The State Fish and Wildlife Commission may adopt rules or take any other action
29 before the operative date specified in subsection (1) of this section that is necessary to im-
30 plement section 1 of this 2019 Act.

31 **SECTION 4.** Sections 1 to 3 of this 2019 Act are repealed on January 2, 2024.

32 **SECTION 5.** This 2019 Act takes effect on the 91st day after the date on which the 2019
33 regular session of the Eightieth Legislative Assembly adjourns sine die.

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