

HB 2799 A STAFF MEASURE SUMMARY

House Committee On Agriculture, Land Use, Natural Resources, and Water

Action Date: 03/27/23

Action: Do pass with amendments and be referred to Ways and Means by prior reference.
(Printed A-Eng.)

Vote: 9-0-0-0

Yeas: 9 - Boice, Gamba, Hartman, Helm, Levy B, Marsh, McLain, Owens, Scharf

Fiscal: Fiscal impact issued

Revenue: Revenue impact issued

Prepared By: Anna Glueder, LPRO Analyst

Meeting Dates: 2/28, 3/27

WHAT THE MEASURE DOES:

Directs the Oregon Department of Transportation (ODOT) to establish and administer a program to award grants to public and private entities for erecting and maintaining wildlife-friendly livestock safety fencing along state highways that facilitate safe passage of wildlife. Requires ODOT to adopt rules related to the grant program and specifies that the rules must include the grant eligibility criteria, application process, selection process, and method of grant distribution as well as a methodology for identifying state highway portions at high risk for public-livestock collisions. Requires ODOT to convene an advisory group consisting of relevant stakeholders which must advise the department on the identification of high risk portions of the state highways and eligibility criteria, applicant selection process, and expectations for grant awardees. Appropriates \$500,000 General Fund moneys to ODOT for grant awards and administration. Declares emergency, effective July 1, 2023.

ISSUES DISCUSSED:

- Prioritization of fencing locations
- Fence requirements
- Responsibility of fence maintenance

EFFECT OF AMENDMENT:

Requires that the rules established by Oregon Department of Transportation include requirements for wildlife-friendly fencing that facilitates safe passage of wildlife. Appropriates \$500,000 General Fund moneys to ODOT for grant awards and administration.

BACKGROUND:

In Oregon, the requirement for ranchers to keep livestock fenced depends on whether livestock are kept on open or closed range areas. Open range areas do not require livestock fencing and drivers involved in livestock collisions may be held financially liable for damages caused to the animal. When located within a closed range area (also called a livestock district) ranchers are required to keep animals on the owner's property. If a livestock collision occurs in such a district, the owner can be held responsible if negligent behavior has occurred such as the absence of or failure to properly maintain livestock fencing.

House Bill 2799 A would direct the Oregon Department of Transportation to establish and administer a grant program directed towards erecting and maintaining livestock safety fencing along state highways.