

A-Engrossed
House Bill 2633

Ordered by the House April 10
Including House Amendments dated April 10

Sponsored by Representative HELM; Representative 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.

Allows person who submits application for compensation under wolf depredation compensation and financial assistance grant program to amend application.

Provides that compensation rates for probable or confirmed loss or injury to livestock or working dogs must be based on 100 percent of fair market value of certain animals and 200 percent of fair market value of certain other animals.

A BILL FOR AN ACT

Relating to the depredation of livestock; amending ORS 610.150.

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

SECTION 1. ORS 610.150 is amended to read:

610.150. (1) As used in this section:

(a) "Area of known wolf activity" means an area designated by the State Department of Fish and Wildlife as having known wolf activity.

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

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

(2) The State Department of Agriculture shall establish and implement a wolf depredation compensation and financial assistance grant program, using moneys in the Wolf Management Compensation and Proactive Trust Fund established under ORS 610.155, to provide grants to assist counties to implement county programs under which:

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

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

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

(a) Establishes a county program to[:]

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

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 *[(B) Provide financial assistance to persons who implement livestock management techniques or*
2 *nonlethal wolf deterrence techniques designed to discourage wolf depredation of livestock]* **provide**
3 **compensation and financial assistance as described in subsection (2) of this section.**

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

6 (c) Establishes [*a procedure*] **procedures** by which persons applying, **under the county pro-**
7 **gram, provide** [*for*]:

8 **(A) For** compensation, [*under the county program provide*] evidence of the loss or injury [*to*
9 *livestock or working dogs due to wolf depredation. Evidence of the loss or injury must include*], **in-**
10 **cluding** a finding by the State Department of Fish and Wildlife or the department's designated agent
11 that wolf depredation was the probable cause of the loss or injury.

12 **(B) For financial assistance, an estimate of the potential cost of the livestock manage-**
13 **ment techniques or nonlethal wolf deterrence techniques.**

14 **(d) Establishes procedures by which persons who have applied for compensation may**
15 **amend the application within one month after submitting the application without submitting**
16 **a new application.**

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

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

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

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

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

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

37 **(b) Prepare annual reports that describe the counties' actions taken under the county**
38 **grant programs, including the amounts provided as compensation and financial assistance.**

39 [*(B)*] **(c)** Distribute grant program funds, to the extent possible, in an equal and balanced manner
40 between [*payments to compensate for loss or injury to livestock or working dogs due to wolf*
41 *depredation and payments to implement livestock management techniques or nonlethal wolf deterrence*
42 *techniques designed to discourage wolf depredation of livestock]* **compensation and financial as-**
43 **sistance**, with a minimum of 30 percent of grant program funds being distributed for [*livestock*
44 *management techniques or nonlethal wolf deterrence techniques designed to discourage wolf*
45 *depredation of livestock; and*] **financial assistance.**

1 [(C)] (d) Establish compensation rates for **probable or confirmed** loss or injury to livestock or
2 working dogs [*due to wolf depredation*] that are based on [*fair market value and*]:

3 (A) The recommendation of the county advisory committee described in subsection [(3)(d)] (3)(e)
4 of this section[.]; **and**

5 (B)(i) **One hundred percent of the fair market value of yearling cattle and sheep, of adult**
6 **male cattle and sheep and of working dogs.**

7 (ii) **Two hundred percent of the fair market value of breeding female cattle and sheep and**
8 **of juvenile cattle and sheep that are less than one year old.**

9 [(c)] (e) Establish eligibility requirements for compensation under county programs that ensure,
10 contingent upon available funds, that:

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

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

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

26 (5) Each biennium the State Department of Agriculture shall prepare a report that specifies the
27 actions taken by counties, compensation **and financial assistance** [*paid*] **provided** by counties and
28 [*financial assistance*] **grants** provided to counties under the wolf depredation compensation and fi-
29 nancial assistance grant program, and shall submit the report to the Legislative Assembly and post
30 the report on the department's website for public access.

31 (6) The [*State Department of Agriculture*] **department** may use moneys in the Wolf Management
32 Compensation and Proactive Trust Fund established under ORS 610.155 to pay expenses incurred in
33 administering the wolf depredation compensation and financial assistance grant program.

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