

Senate Bill 777

Sponsored by Senator NASH, Representative LEVY B (Pre-session 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 **as introduced**. The statement includes a measure digest written in compliance with applicable readability standards.

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.

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.

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

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

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

[(B) *Provide financial assistance to persons who implement livestock management techniques or*

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 *nonlethal wolf deterrence techniques designed to discourage wolf depredation of livestock.*]

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

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

5 **(A) Are** applying for compensation [*under the county program*] provide evidence of the **probable**
 6 **or confirmed** loss or injury to livestock or working dogs due to wolf depredation[. *Evidence of the*
 7 *loss or injury must include*], **including** a finding by the State Department of Fish and Wildlife or the
 8 department’s designated agent that wolf depredation was the probable cause of the loss or injury.

9 **(B) Are applying for financial assistance provide an estimate of the potential cost of any**
 10 **livestock management techniques or nonlethal wolf deterrence techniques the person plans**
 11 **to use.**

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

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

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

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

27 [*b*] *Require counties participating in the wolf depredation compensation and financial assistance*
 28 *grant program to:*

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

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

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

41 [(C)] (d) Establish compensation rates for **probable or confirmed** loss or injury to livestock
 42 **animals** or working dogs due to wolf depredation, **of not more than \$25,000 per livestock animal**
 43 **or working dog**, that are based on [*fair market value and*] the recommendation of the county ad-
 44 visory committee described in subsection (3)(d) of this section[.] **as to fair market value and the**
 45 **following:**

1 (A) A multiplier of seven times the fair market value of cow calves and yearlings, sheep
 2 and goats;

3 (B) A multiplier of three times the fair market value of cows not described in subpara-
 4 graph (A) of this paragraph; and

5 (C) The fair market value of horses, other livestock not specifically described in this
 6 paragraph and working dogs.

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

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

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

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

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

25 (a) Prepare a report that specifies the actions taken by counties, compensation [*paid*] **and fi-**
 26 **ancial assistance provided** by counties and financial assistance provided to counties under the
 27 wolf depredation compensation and financial assistance grant program[, *and*];

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

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

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

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