

House Bill 2829

Sponsored by Representative HELM, Senators ROBLAN, FREDERICK, Representatives HELT, WITT, Senator DEMBROW; Representatives LIVELY, MARSH, PILUSO, SCHOUTEN, WILLIAMS, Senator PROZANSKI

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 Oregon Conservation and Recreation Fund. Appropriates fund moneys to State Department of Fish and Wildlife for carrying out activities serving to protect, maintain or enhance fish and wildlife resources in Oregon. Establishes Oregon Conservation and Recreation Advisory Committee to review department policies regarding use of fund moneys and make recommendations regarding use of fund moneys for implementing and administering department activities. Provides for transferring specified amount of moneys from General Fund to Oregon Conservation and Recreation Fund for biennium beginning July 1, 2019.

Declares emergency, effective July 1, 2019.

A BILL FOR AN ACT

1
2 Relating to the Oregon Conservation and Recreation Fund; and declaring an emergency.

3 Whereas today's challenges facing fish, wildlife and habitat are not being met by the current
4 funding model for the State Department of Fish and Wildlife; and

5 Whereas the Task Force on Funding for Fish, Wildlife and Related Outdoor Recreation and
6 Education was established by House Bill 2402 during the 2015 regular session of the Legislative
7 Assembly (chapter 712, Oregon Laws 2015) and was tasked with developing recommendations for
8 strengthening the department's ability to conserve natural resources, improve hunting and fishing
9 opportunities and connect Oregonians to nature through outdoor recreation and education opportu-
10 nities; and

11 Whereas the December 2016 task force report to the Legislative Assembly recommends potential
12 alternative, sustainable funding sources for the department, potential budget adjustments to ensure
13 relevant department program areas are funded in accordance with legislative direction and oppor-
14 tunities for the department to better achieve its mission through leveraging, coordinating and
15 budgeting funds from alternate and existing sources; and

16 Whereas the task force recommendations are based on the importance of taking immediate
17 action to address the increasing complexity and costs of conservation and management of fish,
18 wildlife and habitat and on the importance of funding related recreational and educational opportu-
19 nities; and

20 Whereas population growth, development, infrastructure needs, climate change and other na-
21 tural and man-made changes all contribute to the increasing complexity and costs faced by the de-
22 partment by placing new pressures on Oregon's fish, wildlife and wild places; and

23 Whereas public attitudes, uses and demands related to recreation and the aesthetic value of the
24 natural world have developed to reflect changing public needs and expectations concerning conser-
25 vation, recreation and education; and

26 Whereas society is becoming disconnected from the natural world and this disconnection im-
27 pacts public health and well-being, as well as the future of fish and wildlife in Oregon; 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 Whereas investments are necessary to ensure that future generations can experience the natural
 2 world, to increase public understanding of the numerous species of fish and wildlife that make
 3 Oregon home, to improve hunting and fishing opportunities while reducing the hunting and fishing
 4 license fees that currently fund most conservation efforts and to recognize diversity by providing
 5 opportunities for all Oregonians to enjoy the state’s rich outdoor heritage; and

6 Whereas the increasing complexity and cost of conservation and management must be shared
 7 by all Oregonians; and

8 Whereas addressing these challenges through implementation of the department’s statutory
 9 mission and responsibilities requires new, diversified and sustainable sources of revenue to supple-
 10 ment existing funding and to ensure that Oregon is a leader in fish and wildlife conservation and
 11 management; and

12 Whereas establishing an Oregon Conservation and Recreation Fund is a critical first step in
 13 providing the department with a vehicle to receive and expend revenues dedicated to conservation,
 14 management, research, habitat improvements, enforcement, outdoor recreation, education and other
 15 activities that serve to protect, maintain or enhance the fish and wildlife resources of Oregon; now,
 16 therefore,

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

18 **SECTION 1. (1) The Oregon Conservation and Recreation Fund is established in the State**
 19 **Treasury, separate and distinct from the General Fund. Interest earned by the Oregon Con-**
 20 **servation and Recreation Fund shall be credited to the fund.**

21 **(2) Moneys in the fund are continuously appropriated to the State Department of Fish**
 22 **and Wildlife to carry out activities that serve to protect, maintain or enhance fish and**
 23 **wildlife resources in Oregon. The activities for which the department may expend fund**
 24 **moneys include, but are not limited to:**

25 **(a) Promoting the health of Oregon’s ecosystems and fish and wildlife species by imple-**
 26 **menting conservation programs and strategies identified in the Oregon Conservation Strat-**
 27 **egy, as defined in ORS 541.890, including conservation programs and strategies for the**
 28 **nearshore identified in the marine component of the Oregon Conservation Strategy;**

29 **(b) Improving engagement of the public in hunting and fishing opportunities and in other**
 30 **outdoor recreation opportunities related to and in support of healthy fish, wildlife and**
 31 **habitats;**

32 **(c) Improving educational outreach and engagement of the public, including diverse and**
 33 **underserved communities, related to and in support of healthy fish, wildlife and habitats;**

34 **(d) Engaging in, and providing funding for, joint projects of the department and the State**
 35 **Parks and Recreation Department or other state agencies as recommended by the Oregon**
 36 **Conservation and Recreation Advisory Committee established under section 2 of this 2019**
 37 **Act; and**

38 **(e) Other conservation, management, research, habitat improvement, enforcement, out-**
 39 **door recreation or education activities.**

40 **(3) The fund shall consist of:**

41 **(a) Moneys appropriated to the State Department of Fish and Wildlife for deposit in the**
 42 **fund or otherwise transferred to the fund; and**

43 **(b) Gifts, grants, contributions or other donations for use as described in subsection (2)**
 44 **of this section, that are received by the department from any public or private source and**
 45 **caused to be deposited and credited to the fund.**

1 **SECTION 2.** (1) The Oregon Conservation and Recreation Advisory Committee is estab-
 2 lished as an advisory committee to the State Fish and Wildlife Commission and the State
 3 Department of Fish and Wildlife for the purpose of carrying out the duties described in
 4 subsection (2) of this section. The commission shall determine the number of members of the
 5 committee and the geographical representation by the members. The Governor shall appoint
 6 the members of the committee.

7 (2) The committee shall review department policies regarding the use of Oregon Conser-
 8 vation and Recreation Fund moneys and make recommendations to the commission and the
 9 department regarding the use of fund moneys for implementing and administering depart-
 10 ment activities.

11 (3) Members of the committee may not receive compensation for service as members.
 12 However, subject to any applicable law regulating travel and other expenses of state officers
 13 and employees, a member may be reimbursed for actual and necessary travel and other ex-
 14 penses incurred in the performance of official duties from moneys available to the depart-
 15 ment for the purpose of reimbursement of committee members.

16 (4) The department and the committee jointly shall submit a biennial report to the Leg-
 17 islative Assembly as provided in ORS 293.640 regarding the expenditure of moneys deposited
 18 in the Oregon Conservation and Recreation Fund established under section 1 of this 2019 Act
 19 and on the status of various activities funded by the moneys.

20 **SECTION 3.** In addition to and not in lieu of any other appropriation, there is appropri-
 21 ated to the State Department of Fish and Wildlife, for the biennium beginning July 1, 2019,
 22 out of the General Fund, the amount of \$17,000,000 for deposit in the Oregon Conservation
 23 and Recreation Fund established under section 1 of this 2019 Act.

24 **SECTION 4.** Notwithstanding any other law limiting expenditures, for the biennium be-
 25 ginning July 1, 2019, expenditures by the State Department of Fish and Wildlife from the
 26 Oregon Conservation and Recreation Fund established under section 1 of this 2019 Act are
 27 not limited.

28 **SECTION 5.** This 2019 Act being necessary for the immediate preservation of the public
 29 peace, health and safety, an emergency is declared to exist, and this 2019 Act takes effect
 30 July 1, 2019.