

80th OREGON LEGISLATIVE ASSEMBLY--2019 Regular Session

Enrolled

House Bill 2829

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

CHAPTER

AN ACT

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

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

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

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

Whereas the task force recommendations are based on the importance of taking immediate action to address the increasing complexity and costs of conservation and management of fish, wildlife and habitat and on the importance of funding related recreational and educational opportunities; and

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

Whereas public attitudes, uses and demands related to recreation and the aesthetic value of the natural world have developed to reflect changing public needs and expectations concerning conservation, recreation and education; and

Whereas society is becoming disconnected from the natural world and this disconnection impacts public health and well-being, as well as the future of fish and wildlife in Oregon; and

Whereas investments are necessary to ensure that future generations can experience the natural world, to increase public understanding of the numerous species of fish and wildlife that make Oregon home, to improve hunting and fishing opportunities while reducing the hunting and fishing license fees that currently fund most conservation efforts and to recognize diversity by providing opportunities for all Oregonians to enjoy the state's rich outdoor heritage; and

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

Whereas addressing these challenges through implementation of the department's statutory mission and responsibilities requires new, diversified and sustainable sources of revenue to supplement existing funding and to ensure that Oregon is a leader in fish and wildlife conservation and management; and

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

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

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

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

(a) Promoting the health of Oregon's ecosystems and fish and wildlife species by implementing conservation programs and strategies identified in the Oregon Conservation Strategy, as defined in ORS 541.890, including conservation programs and strategies for the nearshore identified in the marine component of the Oregon Conservation Strategy;

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

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

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

(e) Other conservation, management, research, habitat improvement, enforcement, outdoor recreation or education activities.

(3) The fund shall consist of:

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

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

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

(2) The committee shall review department policies regarding the use of Oregon Conservation and Recreation Fund moneys and make recommendations to the commission and the department regarding the use of fund moneys for implementing and administering department activities.

(3) Members of the committee may not receive compensation for service as members. However, subject to any applicable law regulating travel and other expenses of state officers

and employees, a member may be reimbursed for actual and necessary travel and other expenses incurred in the performance of official duties from moneys available to the department for the purpose of reimbursement of committee members.

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

SECTION 3. In addition to and not in lieu of any other appropriation, there is appropriated to the Emergency Board, for the biennium beginning July 1, 2019, out of the General Fund, the amount of \$1,000,000, to be allocated to the State Department of Fish and Wildlife for the purposes of the Oregon Conservation and Recreation Fund. However, the board may not release the appropriation unless the department has deposited into the Oregon Conservation and Recreation Fund at least \$1,000,000 received from sources other than state government, as defined in ORS 174.111, or the federal government.

SECTION 4. (1) The Oregon Conservation and Recreation Fund established under section 1 of this 2019 Act is abolished.

(2) Any moneys remaining in the fund on the operative date specified in section 5 of this 2019 Act that are unexpended, unobligated and not subject to any conditions shall be transferred to the General Fund.

SECTION 5. Section 4 of this 2019 Act becomes operative July 1, 2021.

SECTION 6. Sections 1 and 2 of this 2019 Act are repealed on January 2, 2022.

SECTION 7. This 2019 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2019 Act takes effect July 1, 2019.

Passed by House June 12, 2019

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Timothy G. Sekerak, Chief Clerk of House

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Tina Kotek, Speaker of House

Passed by Senate June 19, 2019

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Peter Courtney, President of Senate

Received by Governor:

.....M.,....., 2019

Approved:

.....M.,....., 2019

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Kate Brown, Governor

Filed in Office of Secretary of State:

.....M.,....., 2019

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Bev Clarno, Secretary of State