

REVENUE: No revenue impact

FISCAL: No fiscal impact

Action:	Do Pass as Amended and Be Printed Engrossed
Vote:	4 - 2 - 1
Yeas:	Boquist, Clem, Smith P., Roblan
Nays:	Dingfelder, Macpherson
Exc.:	Maurer
Prepared By:	Beth Patrino, Administrator
Meeting Dates:	4/10, 4/19

WHAT THE MEASURE DOES: Allows Department of Fish and Wildlife (ODFW) to appoint person to act as agent for the purpose of using one or more dogs to hunt or pursue black bear or cougar. Requires hunt or pursuit to be in compliance with black bear management plan and cougar management plan adopted by rule by the Fish and Wildlife Commission. Prohibits agent from engaging in any other hunting or pursuit while acting on the behalf of ODFW. Directs ODFW to make the appointment in written form, fix compensation, prescribe duties of agent and adopt by rule a process and criteria for selecting agents. Limits authority of agent to act by terms set forth in the written appointment.

ISSUES DISCUSSED:

- Lack of specific authority of ODFW to hire private agents to hunt black bears or cougars
- Ballot Measure 18 (1995)
- 2006 Oregon Cougar Management Plan

EFFECT OF COMMITTEE AMENDMENT: Clarifies authority of ODFW to hire agents to hunt or pursue black bears or cougars. Requires such hunt or pursuit to be in compliance with adopted management plans. Specifies that agent acts on department's behalf, subject to the department's control, to implement specific management programs. Prohibits agent from engaging in other hunt or pursuit while acting on department's behalf. Requires Fish and Wildlife Commission to adopt by rule a process and criteria for selecting persons to act as agents.

BACKGROUND: ORS 498.164 (2) allows the use of bait or one or more dogs to hunt or pursue black bears or cougars by employees or agents of county, state or federal agencies while acting in their official capacities. According to the Department of Justice, the statute does not clearly authorize the Department of Fish and Wildlife (ODFW) to hire agents with dogs to hunt or pursue black bears or cougars. HB 2971-A authorizes ODFW to appoint persons to act as agents for this purpose and requires such hunt or pursuit to be in compliance with adopted management plans.