

REVENUE: No revenue impact

FISCAL: No fiscal impact

Action:	Without Recommendation as to Passage and Be Printed Engrossed
Vote:	4 - 0 - 1
Yeas:	Atkinson, Bates, Beyer, Avakian
Nays:	0
Exc.:	Prozanski
Prepared By:	Sue Marshall, Administrator
Meeting Dates:	5/29, 5/31

WHAT THE MEASURE DOES: Allows Department of Fish and Wildlife 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 the department. Directs department to make the appointment in written form, fix compensation, prescribe duties of agent and adopt by rule a process and criteria for selecting agents and a scope of training. Limits authority of agent to act by terms set forth in the written appointment. Sunsets January 2, 2014.

ISSUES DISCUSSED:

- Lack of specific authority of department to hire private agents to hunt black bears or cougars
- Ballot Measure 18 (1995)
- 2006 Oregon Cougar Management Plan
- Varying opinions of current cougar populations
- Human/cougar conflicts

EFFECT OF COMMITTEE AMENDMENT: Directs commission to adopt by rule, a process and criteria for training agents including: any guidelines, policies or codes of conduct of the department regarding firearms, first aid, all-terrain vehicles, snowmobiles and the use of alcohol or drugs. Allows the department to require finger prints for the purpose of requesting criminal records checks. Applies a sunset of January 2, 2014.

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 to hire agents with dogs to hunt or pursue black bears or cougars. House Bill 2971-B authorizes the department to appoint persons to act as agents for this purpose and requires such hunt or pursuit to be in compliance with adopted management plans and rules.