

Enrolled
House Bill 2221

Ordered printed by the Speaker pursuant to House Rule 12.00A (5). Pre-session filed (at the request of Governor Theodore R. Kulongoski for State Department of Fish and Wildlife)

CHAPTER

AN ACT

Relating to feral swine.

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

SECTION 1. Sections 2 and 3 of this 2009 Act are added to and made a part of ORS chapter 498.

SECTION 2. (1) A person may not offer for sale or sell a hunt for feral swine on public or private lands.

(2) Violation of subsection (1) of this section is a Class A misdemeanor. A person may not be convicted under this subsection if a civil penalty has been imposed against the person under subsection (3) of this section.

(3)(a) The State Fish and Wildlife Commission may impose a civil penalty of \$1,000 for a violation of subsection (1) of this section.

(b) Civil penalties described in this subsection shall be imposed in the manner provided in ORS 183.745. A civil penalty may not be imposed against a person under this subsection if the person has been convicted under subsection (2) of this section.

(4) Notwithstanding ORS 497.415 (1), (2), (3) and (5) and in addition to any criminal penalty or civil penalty imposed under this section, when a person is convicted under subsection (2) of this section or a civil penalty is imposed under subsection (3) of this section, the commission shall revoke all hunting licenses, tags and permits issued to the person under the wildlife laws, and the person may not apply for or obtain any hunting license, tag or permit for a period of 24 months after the conviction or imposition of the civil penalty.

SECTION 3. (1) A person, or an employee of that person who acts as a land manager, may not knowingly, as defined in ORS 161.085, allow feral swine to roam on land owned or controlled by that person.

(2) A person, or an employee of that person who acts as a land manager, shall take action in a manner consistent with rules adopted by the State Fish and Wildlife Commission to remove any feral swine that roams on land owned or controlled by that person if the person or employee knows that feral swine roam on land owned or controlled by that person. ORS 497.075 does not apply to this subsection.

(3) A person, or an employee of that person who acts as a land manager, shall, within 10 days after discovering feral swine on land owned or controlled by that person, inform the State Department of Fish and Wildlife about the feral swine.

Passed by House April 20, 2009

Repassed by House June 9, 2009

.....
Chief Clerk of House

.....
Speaker of House

Passed by Senate June 4, 2009

.....
President of Senate

Received by Governor:

.....M,....., 2009

Approved:

.....M,....., 2009

.....
Governor

Filed in Office of Secretary of State:

.....M,....., 2009

.....
Secretary of State