

REVENUE: No revenue impact

FISCAL: Minimal fiscal impact, no statement issued

Action:	Do Pass as Amended and Be Printed Engrossed
Vote:	8 - 0 - 2
Yeas:	Hicks, Nolan, Olson, Schaufler, Tomei, Whisnant, Barker, Krieger
Nays:	0
Exc.:	Garrett, Wand
Prepared By:	Aaron Knott, Counsel
Meeting Dates:	5/16, 5/26

WHAT THE MEASURE DOES: Directs Fish and Wildlife Commission (Commission) to revoke licenses, tags, and permits when person is convicted of a Class A misdemeanor relating to the taking or sale of threatened or endangered species. Directs court to determine time period of revocation. Establishes fine equal to maximum for Class A misdemeanor as set in ORS 161.635 when person takes three or more times the daily bag limit or has two or more previous convictions for a Class A misdemeanor relating to violations of wildlife laws or rules. Establishes minimum fine equal to one-half maximum for Class A misdemeanor as set in ORS 161.635 when person takes a raptor with a prior conviction for such, sturgeon longer than six feet, or unlawfully engages in specific activities using wildlife or wildlife parts for profit or personal gain. Requires the imposition of not less than one-fourth of the maximum fine if the offense involves taking a raptor and the person does not have a previous conviction for such. Requires these minimums to be applied in a cumulative manner if more than one subsection applies. Defines “previous conviction” to include conviction entered in same sentencing proceeding if for separate criminal episode. Requires a report to be issued to the Legislative Assembly on the effects of this bill by January 1, 2014.

ISSUES DISCUSSED:

- Court reluctance to impose significant financial penalties
- Sale value of large sturgeon
- Recreational shooting of raptors by a small number of repeat offenders

EFFECT OF COMMITTEE AMENDMENT: Replaces the measure.

BACKGROUND: The state’s wildlife laws are intended to protect and enhance the long term health and equitable utilization of Oregon’s fish and wildlife resources and the habitat on which they depend. Senate Bill 924-B directs the Fish and Wildlife Commission to revoke licenses, tags, and permits when a person is convicted of a Class A misdemeanor relating to the taking or sale of threatened or endangered species and establish both maximum and minimum fines for specified violations of the wildlife laws. The maximum fine for a Class A misdemeanor under ORS 161.635 is \$6,250.