

# Senate Bill 296

Sponsored by Senator FERRIOLI (at the request of Association of Oregon Hunting Preserves) (Pre-session filed.)

## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Modifies provisions related to distance between private hunting preserves.

## A BILL FOR AN ACT

Relating to private hunting preserves; creating new provisions; and amending ORS 497.248.

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

**SECTION 1.** ORS 497.248 is amended to read:

497.248. (1) No person shall engage in the business of operating a private hunting preserve for the hunting of privately owned or propagated game birds unless the person first obtains from the State Fish and Wildlife Commission a private hunting preserve license.

(2) The commission shall issue a private hunting preserve license to an applicant [*therefor*] if the commission finds that the operation of the preserve will meet the following requirements:

(a) The preserve is on one continuous tract of land owned by the applicant or leased by the applicant and contains:

(A) Not more than 640 acres, if the preserve is located in the area west of the summit of the Cascade Mountains; or

(B) Not more than 1,280 acres, if the preserve is located in the area east of the summit of the Cascade Mountains.

(b)(A) The preserve is located at least [*one-half mile*] **three air miles** from any other licensed private hunting preserve.

**(B) Notwithstanding subparagraph (A) of this paragraph, the preserve may be located less than three air miles from another licensed private hunting preserve if the preserves are owned, leased or managed by the same person. This exception applies only to the person holding the private hunting preserve license and not to the preserve, and may not be transferred to another person.**

(c) No portion of the preserve is located closer than one-half mile to any park, wilderness area, refuge or wildlife management area operated by any agency of the state or federal government.

(d) The exterior boundaries of the preserve are clearly defined and posted with signs erected around the extremity at intervals of 1,320 feet or less. The signs shall comply with requirements prescribed by the State Department of Fish and Wildlife.

(e) The applicant has facilities to propagate or hold not less than 500 of each wildlife species to be released for hunting.

(f) The applicant will not prevent or attempt to prevent public hunting on lands adjacent to the preserve.

(3)(a) The commission, by rule, shall prescribe the time, manner and place of hunting on private

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1 preserves, the wildlife species to be hunted, requirements for the care and marking of wildlife raised  
2 on the preserve, the release of wildlife received from another state, the procedures for marking  
3 indigenous wildlife incidentally taken on the preserve and the fees therefor, and record keeping and  
4 reporting procedures.

5 (b) Pursuant to paragraph (a) of this subsection, the commission shall:

6 (A) Allow private hunting preserve operators to use plastic poultry leg bands for marking  
7 wildlife species to be released for hunting.

8 (B) Allow the transportation of game birds killed on a private hunting preserve if the birds are  
9 cleaned, wrapped, packaged and accompanied by a transportation form from the preserve that states  
10 the number and sex of the birds being transported.

11 (C) Require private hunting preserve operators to have at least 10 resident private hunting  
12 preserve permits, 10 nonresident private hunting preserve permits and 10 wild bird seals. This re-  
13 quirement shall apply to each operator, regardless of the number of preserves operated by that  
14 person.

15 (4) No person shall hunt on a private hunting preserve unless the person first obtains from the  
16 commission a hunting license or a private hunting preserve permit.

17 **SECTION 2. The amendments to ORS 497.248 by section 1 of this 2011 Act apply only to**  
18 **private hunting preserves for which a person first obtains a private hunting preserve license**  
19 **on or after the effective date of this 2011 Act.**

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