



Oregon

John A. Kitzhaber, MD, Governor

Department of State Police

General Headquarters

Fish and Wildlife Division

255 Capitol Street NE, 4th Floor

Salem, OR 97310

(503) 378-3720

FAX: (503) 363-5475

V/TTY: (503) 585-1452

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To: **The Honorable Brad Witt, Chair, House Agriculture and Natural Resources Committee**

Senate Bill 198A
David Anderson, Lieutenant
Oregon State Police, Fish and Wildlife Division

Good afternoon, for the record my name is David Anderson, Lieutenant with the Oregon State Police assigned to the Fish and Wildlife Division and I currently manage our fisheries enforcement program. I'm here to testify in support of SB 198A. We feel that this bill will benefit not only enforcement, but the public, district attorneys, and the courts.

The growing number of court ordered revocations increases the likelihood that our officers will take enforcement action on an individual acting in violation of the court order. SB 198A will add the necessary language within the commercial fishing laws that confirms the courts authority to order such a revocation, something that will benefit enforcement in the defense of an issued citation. Another benefit of SB 198A is that it will establish the conditions under which the court may revoke a commercial license or permit and the timeframe for such revocation.

Currently, ORS 496.992 provides that violation of any provision of the wildlife laws or any rule adopted pursuant to the wildlife laws, is a Class A Misdemeanor if the offense is committed with a culpable mental state. If no culpable mental state exists, the offense may be cited as a violation. No such provision exists in the commercial fishing laws, ORS 506.991 states in substance that all commercial fishing offenses are Class A Misdemeanors.

SB 198A would amend ORS 506.991 to allow the same flexibility currently found within the wildlife laws. Offenses committed without a culpable mental state could be cited as Class A violations. This change would offer:

- Flexibility and potential cost savings to the individual cited
 - Option to not appear in court
 - Not have to miss a day of work
- Cost savings for district attorneys and courts
 - District attorneys do not handle violation citations
 - Less individuals appearing in court
- Enforcement benefit
 - Potentially less court appearances

