



Oregon

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Department of Fish and Wildlife

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MEASURE: SB 198
EXHIBIT: 6
S ENVIRONMENT & NAT RESOURCES
DATE: 2-18-13 PAGES: 1
SUBMITTED BY: Curt Melcher

Date: February 18, 2013

To: The Honorable Jackie Dingfelder, Chair, Senate
Environment and Natural Resources Committee



**Testimony by
Curt Melcher, Deputy Director
Oregon Department of Fish and Wildlife**

Good afternoon Chair Dingfelder and members of the committee. For the record, my name is Curt Melcher, Deputy Director with the Oregon Department of Fish and Wildlife. I appreciate the opportunity to provide testimony on Senate Bill 198. Senate Bill 198 amends Oregon Revised Statute 508.485 to give courts the statutory authority to revoke commercial fishing licenses and permits issued to individuals under the commercial fishing laws.

Currently, ORS 508.485 only gives the Oregon Fish and Wildlife Commission the authority to revoke any license or permit issued under the commercial fishing laws. However, there have been a few Oregon courts that routinely hear commercial fishing offenses and have revoked an individual's commercial fishing licenses or permits. As a matter of procedure, the courts forward these revocation orders to the Department. Because these are court ordered revocations, the Department has honored them. Oregon courts from three coastal counties suspended 33 commercial fishing licenses over the last two years.

The Oregon State Police Fish and Wildlife Division have encountered individuals that were engaged in commercial fishing while under a court ordered revocation rather than a Oregon Fish and Wildlife Commission revocation. Therefore, in these instances it could be argued that the suspension was not valid since no statutory authority exists allowing the courts to make such a revocation.

Adoption of the provisions outlined in SB 198 would eliminate ambiguity in the current law and give the courts clear statutory authority to order such revocations.

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