

REVENUE: No revenue impact

FISCAL: Minimal fiscal impact, no statement issued

Action: Do Pass

Vote: 7 - 0 - 2

Yeas: Clem, Esquivel, McKeown, Reardon, Thompson, Unger, Witt

Nays: 0

Exc.: Krieger, Whitsett

Prepared By: Beth Patrino, Administrator

Meeting Dates: 4/23, 5/7

WHAT THE MEASURE DOES: Authorizes court to order Fish and Wildlife Commission (Commission) to revoke commercial fishing licenses or permits issued for period not exceeding two years if person is: (1) convicted of violating commercial fishing laws or fails to comply with requirements of citation; (2) convicted of violating wildlife laws involving game fish; or (3) convicted of theft of commercial crab rings or pots or crabs from pots and rings. Stipulates any person whose license revocation involves buying, selling or dealing of food fish is prohibited from engaging in such activity during period court orders revocation. Provides that violation of commercial fishing laws is Class A violation when offense is committed without culpable mental state and Class A misdemeanor when offense is committed with culpable mental state.

ISSUES DISCUSSED:

- Although courts order revocations now, authority to do so is not clear
- Examples of benefits from additional flexibility in citing violations

EFFECT OF COMMITTEE AMENDMENT: No amendment.

BACKGROUND: The mission of the Oregon Department of Fish and Wildlife is to protect and enhance Oregon's fish and wildlife and their habitats for use and enjoyment by present and future generations. Under current law, the Oregon Fish and Wildlife Commission has the sole authority to revoke a commercial fishing license or permit. Senate Bill 198 A would give the courts statutory authority to order the revocation of commercial fishing licenses and permits.

Under current law, all violations of commercial fishing laws or rules are Class A misdemeanors requiring a court appearance and associated expenses for both the county and individual. Senate Bill 198 A would also provide law enforcement officers with additional flexibility when citing violations of commercial fishing laws.