

**PROPOSED AMENDMENTS TO  
SENATE BILL 175**

1 On page 1 of the printed bill, line 2, after “ORS” insert “496.705 and”.

2 On page 2, after line 33, insert:

3 **“SECTION 3.** ORS 496.705 is amended to read:

4 “496.705. (1) The State Fish and Wildlife Commission may institute suit  
5 for the recovery of damages for the unlawful taking or killing of any of the  
6 wildlife referred to in subsection (2) of this section that are the property of  
7 the state.

8 “(2)(a) The damages referred to in subsection (1) of this section are as  
9 follows:

10 “(A) Each game mammal other than moose, mountain sheep, mountain  
11 goat, elk or silver gray squirrel, or deer or antelope described in subpara-  
12 graphs (D) and (E) of this paragraph, \$1,000.

13 “(B) Each moose, mountain sheep or mountain goat, other than those de-  
14 scribed in subparagraphs (F), (G) and (H) of this paragraph, \$10,000.

15 “(C) Each elk, other than those described in subparagraph (I) of this  
16 paragraph, \$1,500.

17 “(D) Each deer with at least four points on one antler, \$7,500.

18 “(E) Each antelope with at least one horn equal to or greater than 14  
19 inches, \$7,500.

20 “(F) Each moose with antlers, \$25,000.

21 “(G) Each mountain sheep that has at least one horn equal to or greater  
22 than one half curl, \$25,000.

1       “(H) Each mountain goat that has at least one horn equal to or greater  
2 than six inches, \$25,000.

3       “(I) Each elk with at least six points on one antler, \$15,000.

4       “(J) Each silver gray squirrel, \$20.

5       “(K) Each game bird other than wild turkey, \$20.

6       “(L) Each wild turkey, \$100.

7       “(M) Each game fish other than salmon, steelhead trout, halibut or  
8 sturgeon, \$10.

9       “(N) Each sturgeon other than those specified in subparagraph (O) of this  
10 paragraph, salmon, steelhead trout or halibut, \$250.

11       “(O) Each oversized sturgeon, as specified by the commission by rule,  
12 \$1,000.

13       “(P) Each fur-bearing mammal other than bobcat or fisher, \$100.

14       “(Q) Each bobcat or fisher, \$700.

15       “(R) Each specimen of any wildlife species whose survival is specified by  
16 the wildlife laws or the laws of the United States as threatened or endan-  
17 gered, \$1,000.

18       “(S) Each specimen of any wildlife species otherwise protected by the  
19 wildlife laws or the laws of the United States, but not otherwise referred to  
20 in this subsection, \$50.

21       “(T) Each bald eagle, golden eagle, goshawk, osprey, peregrine falcon or  
22 any other raptor listed as a threatened species or an endangered species by  
23 the commission by rule, \$5,000.

24       “(U) Each raptor except those specified in subparagraph (T) of this para-  
25 graph, \$2,000.

26       “(b) For purposes of this subsection:

27       “(A) A point must be at least one inch, measured from the main beam of  
28 the antler to the tip of the point.

29       “(B) Horn length must be measured from the base of the hairline to the  
30 tip of the horn.

1       “(3) In any such action, the court shall award to the prevailing party, in  
2 addition to costs and disbursements, reasonable attorney fees.

3       “(4) Such civil damages shall be in addition to other penalties prescribed  
4 by the wildlife laws for the unlawful taking or killing of wildlife.

5       “(5) Any circuit or justice court has jurisdiction to try any case for the  
6 recovery of damages for the unlawful taking or killing of any of the wildlife  
7 as provided by this section.

8       **“(6) Subject to ORS 496.690, this section does not apply to the un-  
9 intentional taking or killing of wildlife incident to an otherwise lawful  
10 activity.”.**

11       In line 34, delete “3” and insert “4”.

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