

Rep. Ken Helm
House District 34
H-490



HB 2883 A

Restrictions on Outfitters and Guides for Violations of Wildlife Laws

We hold Oregon outfitters and guides to an elevated standard and expect them to lead by example. Sometimes they fail to do so. Thus, to deter poaching activities by outfitters and guides, HB 2883 A creates two restrictions on an individual who is convicted of a violation of wildlife laws involving the taking of wildlife *with a culpable mental state*.

This individual:

1. Cannot apply for or obtain a license, tag, or permit **once** a court orders the Fish and Wildlife Commission to revoke their prior license, tag or permit;

The -3 amendments authorize courts to order revocations of licenses, tags, and permits but **do not require courts to do so.*

2. **May** have his or her registration denied by the State Marine Board *if* a court orders the revocation of his or her prior certification;

Instead of permanently prohibiting an individual from registering as an outfitter and guide, the -3 amendments grant the Board **permissive authority to make such a denial.*

So long as:

- a. The individual has been convicted of a violation of the wildlife laws in ORS 496.992 that involves the taking of wildlife *with a culpable mental state* (defined in ORS 161.085); **and**
- b. Was acting as an outfitter and guide **or** offering to act as an outfitter or guide (*Section 2*) **or** providing or assisting an outfitter and guide (*Section 3*) at the time the violation occurred.

**The -3 amendments add language to cover both those outfitters and guides registered with the State Marine Board and those who offer to act as an outfitter and guide (see *Section 2*) or provide or assist an outfitter and guide (see *Section 3*).*

In addition, HB 2883 A:

- Grants the Board discretion to suspend an outfitter and guide's certificate for up to 60 months, instead of 24 months, pursuant to ORS 704.040(5); and
- Removes the registration ineligibility provision in ORS 704.040(4) to avoid administrative redundancies for the Board.