

House Bill 3158

Sponsored by Representatives MCLANE, WITT, ESQUIVEL; Representative SPRENGER

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Requires State Fish and Wildlife Commission to implement program to encourage reporting of wildlife law violations.

A BILL FOR AN ACT

1
2 Relating to incentives for reporting wildlife law violations; amending ORS 497.112.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1.** ORS 497.112 is amended to read:

5 497.112. (1) The State Fish and Wildlife Commission is authorized to issue, upon application, to
6 persons desiring to hunt wildlife the following general tags and shall charge the applicable fees
7 under the fee schedule in ORS 497.061:

8 (a) Resident annual elk tag to hunt elk.

9 (b) Nonresident annual elk tag to hunt elk.

10 (c) Special annual elk tag for holders of pioneer combination licenses or disabled veteran hunt-
11 ing licenses to hunt elk.

12 (d) Resident annual deer tag to hunt deer.

13 (e) Nonresident annual deer tag to hunt deer.

14 (f) Resident annual black bear tag to hunt black bear.

15 (g) Nonresident annual black bear tag to hunt black bear.

16 (h) Resident annual mountain sheep tag to hunt mountain sheep.

17 (i) Nonresident annual mountain sheep tag to hunt mountain sheep.

18 (j) Resident annual mountain goat tag to hunt mountain goat.

19 (k) Nonresident annual mountain goat tag to hunt mountain goat.

20 (L) Resident annual cougar tag to hunt cougar.

21 (m) Nonresident annual cougar tag to hunt cougar.

22 (n) Resident annual antelope tag to hunt antelope.

23 (o) Nonresident annual antelope tag to hunt antelope.

24 (p) Resident annual turkey tag to hunt turkey.

25 (q) Resident annual youth turkey tag to hunt turkey.

26 (r) Nonresident annual youth turkey tag to hunt turkey.

27 (s) Nonresident annual turkey tag to hunt turkey.

28 (t) Outfitter and guide annual deer tag for a nonresident to hunt deer.

29 (u) Outfitter and guide annual elk tag for a nonresident to hunt elk.

30 (2)(a) Notwithstanding ORS 496.146 (10), the commission is authorized to issue each year one
31 special tag that is auctioned to the highest bidder in a manner prescribed by the commission for

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1 each of the following:

2 (A) Mountain sheep;

3 (B) Antelope; and

4 (C) Mountain goat.

5 (b) In addition to the tags referred to in paragraph (a) of this subsection, the commission is au-
6 thORIZED to issue each year one special tag that is raffled in a manner prescribed by the commission
7 for each of the following:

8 (A) Mountain sheep;

9 (B) Antelope; and

10 (C) Mountain goat.

11 (c) Moneys received under this subsection for:

12 (A) Mountain sheep tags shall be placed in the Mountain Sheep Subaccount established in ORS
13 496.303;

14 (B) Antelope tags shall be placed in the Antelope Subaccount established in ORS 496.303; and

15 (C) Mountain goat tags shall be placed in the Mountain Goat Subaccount established in ORS
16 496.303.

17 (d) Notwithstanding ORS 496.146 (10), the commission, upon the recommendation of the Access
18 and Habitat Board to fulfill the board's charge of providing incentives to increase public access and
19 habitat improvements to private land, is authorized to issue each year up to 10 elk and 10 deer tags
20 to hunt deer or elk. The tags shall be auctioned or raffled to the highest bidder in a manner pre-
21 scribed by the commission. The Access and Habitat Board, in recommending any tags, shall include
22 a proposal as to the land on which each tag can be used and a percentage of funds received from
23 the tags that may revert to the landowner if the tag is limited to private land. However, the per-
24 centage cannot be more than 50 percent and the programs must, by written agreement, provide for
25 public access and habitat improvements.

26 (3) The tags referred to in subsection (1) of this section are in addition to and not in lieu of the
27 hunting licenses required by law.

28 (4) The commission may, at the time of issue only, indorse upon the tags referred to in sub-
29 section (1) of this section an appropriate designation indicating whether it is for a game animal to
30 be taken with bow and arrow or with firearms, at the choice of the applicant. The commission may
31 prescribe by rule that the holder of such a tag is not authorized to take the game animal by any
32 other means than the tag so indorsed.

33 (5) Except as provided in subsection (6) of this section, a person is not eligible to obtain, in a
34 lifetime, more than one controlled hunt tag issued by the commission to hunt mountain sheep and
35 one controlled hunt tag issued by the commission to hunt mountain goat.

36 (6) A person is eligible to obtain mountain sheep tags, antelope tags or mountain goat tags de-
37 scribed in subsection (2)(a) and (b) of this section, regardless of whether the person has previously
38 taken a mountain sheep, antelope or mountain goat or previously obtained a mountain sheep tag,
39 antelope tag or mountain goat tag issued pursuant to subsection (1) or (2)(a) or (b) of this section.

40 (7) The number of nonresident mountain goat tags and nonresident mountain sheep tags shall
41 be decided by the commission, but:

42 (a) The number of nonresident mountain goat tags may not be less than five percent nor more
43 than 10 percent of all mountain goat tags issued.

44 (b) The number of nonresident mountain sheep tags may not be less than five percent nor more
45 than 10 percent of all mountain sheep tags issued.

1 (8) The number of tags issued by drawing under subsection (1)(g), (m) and (o) of this section shall
 2 be decided by the commission, but for each class of tag so issued, the number may not be more than
 3 three percent of all tags of that class issued for hunting in a particular area except one nonresident
 4 tag may be issued for each hunt when the number of authorized tags is less than 35. The number
 5 of tags issued under subsection (1)(g) of this section for the general hunting season may be decided
 6 by the commission, but the number may not be more than three percent of all tags issued the pre-
 7 vious year for hunting in a particular area.

8 (9) The number of tags issued by drawing under subsection (1)(b) and (e) of this section shall
 9 be decided by the commission, but for each class of tag so issued, the number may not be more than
 10 five percent of all tags of that class issued for hunting in a particular area except one nonresident
 11 tag may be issued for each hunt when the number of authorized tags is fewer than 35. The com-
 12 mission shall set the percentage by rule each year after holding a public hearing.

13 (10) If a controlled hunt for game mammals is undersubscribed during the primary controlled
 14 hunt drawing, the commission may issue the unallocated tags to licensed hunters at up to four times
 15 the standard tag fee on a first-come, first-served basis. This controlled hunt tag program shall be in
 16 addition to and not replace any existing controlled hunt tag program.

17 (11) The commission by rule may authorize the issuance of free tags to hunt antelope, deer and
 18 elk to provide an incentive to increase compliance with hunting reporting requirements.

19 **(12)(a) As used in this subsection, “successful prosecution” means the arrest and subse-**
 20 **quent conviction of a person.**

21 **(b) The commission shall implement a program to encourage persons to report violations**
 22 **of the wildlife laws. The program shall include, but need not be limited to, provisions offering**
 23 **a free controlled hunt tag to persons who provide information leading to the successful**
 24 **prosecution of another person for the unlawful taking or killing of wildlife. The controlled**
 25 **hunt tag offered under this program shall be issued by the commission to hunt, when prac-**
 26 **ticable, the species that was unlawfully taken or killed in the unit in which the species was**
 27 **unlawfully taken or killed. The commission shall issue the tag for the year immediately fol-**
 28 **lowing the conviction of the person who violated the wildlife laws.**

29 **(c) The commission shall establish by rule criteria for receiving a controlled hunt tag**
 30 **under the program described in paragraph (b) of this subsection.**

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