

**SB 1550 -1, -2, -3, -5 STAFF MEASURE SUMMARY**

**Senate Committee On Environment and Natural Resources**

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**Prepared By:** Beth Patrino, LPRO Analyst

**Meeting Dates:** 2/9, 2/14

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**WHAT THE MEASURE DOES:**

Authorizes Fish and Wildlife Commission (Commission) to adopt record keeping requirements for persons who deal in food fish for commercial purposes, including taking, landing, buying, or selling. Record keeping requirements may include information sufficient to show the source and disposition of food fish and any other information the Commission deems necessary to trace the chain of possession of food fish. Requires records be made available upon request to Commission and Director of Department of Agriculture (ODA) during normal business hours. Authorizes Commission to: (1) undertake inquiries regarding the source, production, processing, or distribution of food fish; (2) undertake inquiries requested by the ODA director for purpose of showing how source, production, processing, and distribution of food fish may affect public health and safety; (3) notify the ODA director of inquiries that may affect food fish regulated by ODA; and (4) provide the ODA director with a certified copy of a report for each inquiry.

**ISSUES DISCUSSED:**

**EFFECT OF AMENDMENT:**

-1 Replaces measure. Authorizes State Fish and Wildlife Commission (Commission) to adopt record keeping requirements for persons who deal in food fish for commercial purposes, including taking, landing, buying, or selling. Record keeping requirements may include information sufficient to show the source and disposition of food fish and any other information the Commission deems necessary to trace the chain of possession of food fish. Requires person who must keep records under this section to make records available for inspection by Commission, Department of Fish and Wildlife, or the Department of Agriculture (ODA). Authorizes ODA to request copies of, or information from, records for purposes of programs under ORS Chapter 616 or other food safety laws. Authorizes ODA to enter premises where records are kept during normal business hours.

-2 Authorizes person required by Commission to keep records to do so in electronic form and to satisfy request to inspect records by supplying a copy of record in electronic form to the requester. Requires that person making records available for inspection in electronic form to provide records no later than 24 hours after receiving inspection request.

-3 Prohibits Commission from applying record keeping requirements to tribal members exercising the treaty reserved rights of an Indian tribe.

-5 Authorizes State Fish and Wildlife Commission (Commission) to adopt record keeping requirements for persons who engage in food fish for commercial purposes, including taking, landing, buying, or selling. Specifies required records may include information sufficient to show the source and disposition of food fish and any other information the Commission deems necessary to trace the chain of possession of food fish. Prohibits Commission from applying record keeping requirements to tribal members exercising the treaty reserved rights of an Indian tribe. Requires person who must keep records under this section to make records available for inspection by Commission, Department of Fish and Wildlife, or the Department of Agriculture (ODA). Authorizes ODA to request copies of, or information from, records for purposes of programs under ORS Chapter 616 or other food safety laws. Authorizes ODA to enter premises where records are kept during normal business hours. Authorizes person to keep records in electronic form and to satisfy request for inspection of records by supplying a copy of the records in electronic form. Allows Commission and ODA to inspect records not kept in electronic form during normal business hours.

**BACKGROUND:**

The mission of the Oregon Fish and Wildlife Department is to protect and enhance Oregon's fish and wildlife and their habitats for use and enjoyment by present and future generations. A seven-member Oregon Fish and Wildlife Commission that is appointed by the Governor oversees the department and state fish and wildlife programs and policies under the provisions of ORS Chapters 496 - 513. The Commission establishes seasons, methods, and bag limits for recreational and commercial take of fish and wildlife.

Under ORS 506.011(5) "food fish" are defined to include any animal over which the Oregon Fish and Wildlife Commission has jurisdiction under ORS 506.036. The Oregon commercial fishing laws (found in ORS chapters 506, 507, 508, 509, 511, and 513) allow commercial fishers to deliver their catch to a wholesale fish dealer, a wholesale bait dealer, or to sell it off their vessel under a limited fish sellers permit.