

Senate Bill 1517

Printed pursuant to Senate Interim Rule 213.28 by order of the President of the Senate in conformance with pre-session filing rules, indicating neither advocacy nor opposition on the part of the President (at the request of Senate Interim Committee on Veterans and Emergency Preparedness)

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**.

Authorizes State Department of Fish and Wildlife to annually issue limited number of big game hunting tags without charge to nonprofit organizations for use by veterans qualifying as disabled veterans.

A BILL FOR AN ACT

Relating to veterans; creating new provisions; and amending ORS 496.146.

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

SECTION 1. Section 2 of this 2018 Act is added to and made a part of the wildlife laws.

SECTION 2. (1) As used in this section:

(a) **“Disabled veteran” and “veteran” have the meanings given those terms in ORS 408.225.**

(b) **“Organization” means a nonprofit organization that is exempt from taxation under section 501(c)(3) of the Internal Revenue Code and has the principal purpose of granting hunting and fishing adventures for disabled veterans.**

(c) **“Qualified veteran” means a disabled veteran who is sponsored by an organization and who provides the State Department of Fish and Wildlife with documentation demonstrating that the veteran is a disabled veteran.**

(2) **Annually upon approval by the State Fish and Wildlife Director, notwithstanding ORS 497.112, the department may issue big game tags free of charge to organizations for use by qualified veterans. Tags issued under this section must be for black bear, deer, elk or pronghorn antelope.**

(3)(a) **Except as provided in subsection (4)(a) of this section, the department may not issue more than 20 tags annually under this section.**

(b) **The department may not issue an organization a total of more than five tags annually under this section. However, tags for black bear do not count toward the annual tag limit for an organization. An organization is limited to two tags for black bear annually.**

(4)(a) **If any tags made available under ORS 496.146 (19) to sponsors of hunting trips for terminally ill children have not been requested by a sponsor 30 days prior to the relevant open season, the department may make the unrequested tags available for issuance under this section. If any tags made available under this section have not been requested by an organization 30 days prior to the relevant open season, the department may make the unrequested tags available to sponsors described in ORS 496.146 (19).**

(b) **Not more than 10 of the total tags issued under this section and ORS 496.146 (19) in a year may be for hunting black bear. Not more than 10 of the total tags issued under this**

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 section and ORS 496.146 (19) in a year may be for hunting deer. Not more than 10 of the total
 2 tags issued under this section and ORS 496.146 (19) in a year may be for hunting elk. Not
 3 more than five of the total tags issued under this section and ORS 496.146 (19) in a year may
 4 be for hunting pronghorn antelope.

5 (5) A qualified veteran may obtain only one tag under this section annually. A tag issued
 6 under this section authorizes the taking of a single animal. A qualified veteran need not be
 7 a resident of this state.

8 (6) A qualified veteran may use a tag issued under this section to hunt within any wildlife
 9 management unit except specific area closures identified in department rules regulating the
 10 hunting of big game animals, Hart Mountain National Antelope Refuge and the Starkey Ex-
 11 perimental Forest enclosure.

12 (7) A tag issued under this section does not exempt a qualified veteran from any re-
 13 quirement to:

14 (a) Comply with department rules regarding hunting hours;

15 (b) Hold a valid Oregon hunting license; and

16 (c) Use a lawful weapon to hunt the species for which the tag is issued.

17 **SECTION 3.** ORS 496.146 is amended to read:

18 496.146. In addition to any other duties or powers provided by law, the State Fish and Wildlife
 19 Commission:

20 (1) May accept, from whatever source, appropriations, gifts or grants of money or other property
 21 for the purposes of wildlife management, and use such money or property for wildlife management
 22 purposes.

23 (2) May sell or exchange property owned by the state and used for wildlife management pur-
 24 poses when the commission determines that such sale or exchange would be advantageous to the
 25 state wildlife policy and management programs.

26 (3) May acquire, introduce, propagate and stock wildlife species in such manner as the com-
 27 mission determines will carry out the state wildlife policy and management programs.

28 (4) May by rule authorize the issuance of such licenses, tags and permits for angling, taking,
 29 hunting and trapping and may prescribe such tagging and sealing procedures as the commission
 30 determines necessary to carry out the provisions of the wildlife laws or to obtain information for
 31 use in wildlife management. Permits issued pursuant to this subsection may include special hunting
 32 permits for a person and immediate family members of the person to hunt on land owned by that
 33 person in areas where permits for deer or elk are limited by quota. As used in this subsection,
 34 "immediate family members" means spouses in a marriage, parents, brothers, brothers-in-law, sisters,
 35 sisters-in-law, sons, sons-in-law, daughters, daughters-in-law, stepchildren and grandchildren. A
 36 landowner who is qualified to receive landowner preference tags from the commission may request
 37 two additional tags for providing public access and two additional tags for wildlife habitat programs.
 38 This request shall be made to the Access and Habitat Board with supporting evidence that the ac-
 39 cess is significant and the habitat programs benefit wildlife. The board may recommend that the
 40 commission grant the request. When a landowner is qualified under landowner preference rules
 41 adopted by the commission and receives a controlled hunt tag for that unit or a landowner prefer-
 42 ence tag for the landowner's property and does not use the tag during the regular season, the
 43 landowner may use that tag to take an antlerless animal, when approved by the State Department
 44 of Fish and Wildlife, to alleviate damage that is presently occurring to the landowner's property.

45 (5) May by rule prescribe procedures requiring the holder of any license, tag or permit issued

1 pursuant to the wildlife laws to keep records and make reports concerning the time, manner and
2 place of taking wildlife, the quantities taken and such other information as the commission deter-
3 mines necessary for proper enforcement of the wildlife laws or to obtain information for use in
4 wildlife management.

5 (6) May establish special hunting and angling areas or seasons in which only persons less than
6 18 years of age or over 65 years of age are permitted to hunt or angle.

7 (7) May acquire by purchase, lease, agreement or gift real property and all appropriate interests
8 therein for wildlife management and wildlife-oriented recreation purposes.

9 (8) May acquire by purchase, lease, agreement, gift, exercise of eminent domain or otherwise
10 real property and all interests therein and establish, operate and maintain thereon public hunting
11 areas.

12 (9) May establish and develop wildlife refuge and management areas and prescribe rules gov-
13 erning the use of such areas and the use of wildlife refuge and management areas established and
14 developed pursuant to any other provision of law.

15 (10) May by rule prescribe fees for licenses, tags, permits and applications issued or required
16 pursuant to the wildlife laws, and user charges for angling, hunting or other recreational uses of
17 lands owned or managed by the commission, unless such fees or user charges are otherwise pre-
18 scribed by law. No fee or user charge prescribed by the commission pursuant to this subsection shall
19 exceed \$250.

20 (11) May enter into contracts with any person or governmental agency for the development and
21 encouragement of wildlife research and management programs and projects.

22 (12) May perform such acts as may be necessary for the establishment and implementation of
23 cooperative wildlife management programs with agencies of the federal government.

24 (13) May offer and pay rewards for the arrest and conviction of any person who has violated
25 any of the wildlife laws. No such reward shall exceed \$1,000 for any one arrest and conviction.

26 (14) May by rule prescribe fees for falconry licenses issued pursuant to the wildlife laws, unless
27 such fees are otherwise prescribed by law. Fees prescribed by the commission pursuant to this sub-
28 section shall be based on actual or projected costs of administering falconry regulations and shall
29 not exceed \$250.

30 (15) May establish special fishing and hunting seasons and bag limits applicable only to persons
31 with disabilities.

32 (16) May adopt optimum populations for deer and elk consistent with ORS 496.012. These popu-
33 lation levels shall be reviewed at least once every five years.

34 (17) Shall establish a preference system so that individuals who are unsuccessful in controlled
35 hunt permit drawings for deer and elk hunting have reasonable assurance of success in those
36 drawings in subsequent years. In establishing the preference system, the commission shall consider
37 giving additional preference points to persons who have been issued a resident annual pioneer
38 combination license pursuant to ORS 497.132.

39 (18) May sell advertising in State Department of Fish and Wildlife publications, including annual
40 hunting and angling regulation publications.

41 (19) May, notwithstanding the fees required by ORS 497.112, provide free hunting tags to an
42 organization that sponsors hunting trips for terminally ill children. **Except as provided under**
43 **section 2 of this 2018 Act, the State Department of Fish and Wildlife may not issue more**
44 **than 15 tags annually under this subsection.**

45 (20) Shall, after consultation with the State Department of Agriculture, adopt rules prohibiting

1 the use of the World Wide Web, other Internet protocols or broadcast or closed circuit media to
2 remotely control a weapon for the purpose of hunting any game bird, wildlife, game mammal or
3 other mammal. The rules may exempt the State Department of Fish and Wildlife or agents of the
4 department from the prohibition.

5 (21) May adopt rules establishing a schedule of civil penalties, not to exceed \$6,500 per vio-
6 lation, for violations of provisions of the wildlife laws or rules adopted by the commission under the
7 wildlife laws. Civil penalties established under this subsection must be imposed in the manner pro-
8 vided by ORS 183.745 and must be deposited in the State Wildlife Fund established under ORS
9 496.300.

10 (22) May by rule impose a surcharge not to exceed \$25 for the renewal of a hunting license on
11 any person who fails to comply with mandatory hunting reporting requirements. Amounts collected
12 as surcharges under this subsection must be deposited in the State Wildlife Fund established under
13 ORS 496.300.

14 (23) May by rule establish annual and daily Columbia Basin salmon, steelhead and sturgeon
15 recreational fishing endorsements with a fee not to exceed \$9.75 per annual license and \$1 per day
16 per daily license. An endorsement is required to fish for salmon, steelhead or sturgeon in portions
17 of the Columbia Basin as designated by rule and is in addition to and not in lieu of angling licenses
18 and tags required under the wildlife laws. Amounts collected as fees under this subsection must be
19 deposited in the Columbia River Fisheries Enhancement Fund established under section 7, chapter
20 672, Oregon Laws 2013.

21 (24) May by rule establish multiyear licenses and may prescribe fees for such licenses. Fees
22 prescribed by the commission for multiyear licenses may provide for a discount from the annual li-
23 cense fees that would otherwise be payable for the period of time covered by the multiyear license.

24 (25) May by rule establish a program to offer unique fishing opportunities through drawings,
25 raffles or auctions and charge application and participation fees for the program.

26 **SECTION 4.** ORS 496.146, as amended by section 10, chapter 672, Oregon Laws 2013, section
27 52, chapter 629, Oregon Laws 2015, and section 8, chapter 779, Oregon Laws 2015, is amended to
28 read:

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30 Commission:

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