

A-Engrossed
Senate Bill 320

Ordered by the Senate April 22
Including Senate Amendments dated April 22

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 for Association of Northwest Steelheaders)

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.

[Authorizes issuance of group license for angling or shellfish to] **Provides that State Fish and Wildlife Commission may authorize** nonprofit organization serving veterans or certain armed forces members **to conduct excursions during which veterans or armed forces members may angle or take shellfish with no-charge daily licenses, tags or permits. Prohibits agent of commission that issues licenses, tags or permits from retaining agent fee for issuance. Sunsets provision on January 2, 2027.**
Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to State Department of Fish and Wildlife licenses; creating new provisions; amending ORS
3 497.162; and declaring an emergency.

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

5 **SECTION 1.** ORS 497.162 is amended to read:

6 497.162. (1) Upon application of the Oregon Youth Authority, the Oregon Health Authority or
7 the Department of Human Services, the State Fish and Wildlife Commission shall issue, without fee,
8 a license to angle for the temporary use of any person in a state institution as described in ORS
9 179.610, any student in a youth correction facility or related camps or programs operated by the
10 Oregon Youth Authority, any child placed by the department and under the care of a foster home
11 or a child-caring agency licensed, certified or otherwise authorized by the department under ORS
12 418.205 to 418.327, any person in an alternative to state hospitalization program as described in ORS
13 430.630 (2)(b) or (c), or any person receiving services under ORS 430.664. The licenses issued under
14 this subsection shall be in bearer form and, subject to applicable laws and regulations relating to
15 angling, shall be used as the agency applying for the license directs.

16 (2) Upon application of the Department of Human Services, the commission shall issue, without
17 fee, a license to take shellfish for the temporary use of any child placed by the department and un-
18 der the care of a foster home or a child-caring agency licensed, certified or otherwise authorized
19 by the department under ORS 418.205 to 418.327. The licenses issued under this subsection shall be
20 in bearer form and, subject to applicable laws and regulations relating to taking shellfish, shall be
21 used as the department directs.

22 (3) Upon application of the director of any veteran's administration hospital or domiciliary
23 within this state, the commission shall issue, without fee, to each hospital or domiciliary 30 licenses

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 to angle or to take shellfish for the temporary use of any person who is a patient or resident in the
2 hospital or domiciliary. The licenses issued under this subsection shall be in bearer form and, sub-
3 ject to applicable laws and regulations relating to angling and to taking shellfish, shall be used as
4 the director of the hospital or domiciliary provides.

5 **(4) The commission may adopt rules for the administration and enforcement of this sec-**
6 **tion.**

7 **SECTION 2. Section 3 of this 2021 Act is added to and made a part of the wildlife laws.**

8 **SECTION 3. (1) Notwithstanding any contrary provision in the wildlife laws, the State**
9 **Fish and Wildlife Commission may authorize a nonprofit organization registered in this state**
10 **that serves veterans, or armed forces members whose duty station is a warrior transition**
11 **unit, through a program of angling or shellfish harvest established on or before January 1,**
12 **2021, to conduct excursions during which the veterans or armed forces members may angle**
13 **or take shellfish at no charge using licenses, tags or permits described in subsection (2) of**
14 **this section and need not obtain additional licenses, permits, tags or endorsements for the**
15 **angling or taking.**

16 **(2) Notwithstanding ORS 497.022, upon request by a representative of the nonprofit or-**
17 **ganization, an agent of the commission that issues licenses, tags or permits shall issue at**
18 **no charge daily licenses, tags or permits to representatives of the nonprofit organization for**
19 **use by the veterans or armed forces members during the excursions and may not retain any**
20 **portion of an agent fee for issuance of the daily licenses, tags or permits.**

21 **(3) The commission may suspend or revoke authorization issued under this section if the**
22 **nonprofit organization ceases to qualify under this section or violates a commission rule.**

23 **(4) The commission may adopt rules as necessary to implement this section.**

24 **SECTION 4. (1) Section 3 of this 2021 Act becomes operative on January 1, 2022.**

25 **(2) The State Fish and Wildlife Commission may take any action before the operative**
26 **date specified in subsection (1) of this section that is necessary to enable the commission to**
27 **exercise, on or after the operative date specified in subsection (1) of this section, all of the**
28 **duties, functions and powers conferred on the commission by section 3 of this 2021 Act.**

29 **SECTION 5. Section 3 of this 2021 Act is repealed on January 2, 2027.**

30 **SECTION 6. This 2021 Act being necessary for the immediate preservation of the public**
31 **peace, health and safety, an emergency is declared to exist, and this 2021 Act takes effect**
32 **on its passage.**

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