

Enrolled
Senate Bill 320

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)

CHAPTER

AN ACT

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

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

SECTION 1. ORS 497.162 is amended to read:

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

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

(3) Upon application of the director of any veteran’s administration hospital or domiciliary within this state, the commission shall issue, without fee, to each hospital or domiciliary 30 licenses to angle or to take shellfish for the temporary use of any person who is a patient or resident in the hospital or domiciliary. The licenses issued under this subsection shall be in bearer form and, subject to applicable laws and regulations relating to angling and to taking shellfish, shall be used as the director of the hospital or domiciliary provides.

(4) The commission may adopt rules for the administration and enforcement of this section.

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

SECTION 3. (1) Notwithstanding any contrary provision in the wildlife laws, the State Fish and Wildlife Commission may authorize a nonprofit organization registered in this state

that serves veterans, or armed forces members whose duty station is a warrior transition unit, through a program of angling or shellfish harvest established on or before January 1, 2021, to conduct excursions during which the veterans or armed forces members may angle or take shellfish at no charge using licenses, tags or permits described in subsection (2) of this section and need not obtain additional licenses, permits, tags or endorsements for the angling or taking.

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

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

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

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

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

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

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

Passed by Senate April 28, 2021

Received by Governor:

.....M.,....., 2021

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Lori L. Brocker, Secretary of Senate

Approved:

.....M.,....., 2021

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Peter Courtney, President of Senate

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Kate Brown, Governor

Passed by House June 7, 2021

Filed in Office of Secretary of State:

.....M.,....., 2021

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Tina Kotek, Speaker of House

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Shemia Fagan, Secretary of State