

# House Bill 2686

Sponsored by Representative OWENS, Senator FINDLEY; Representatives HIEB, LEVY B, MORGAN, SMITH G, WRIGHT (at the request of Shaun Robertson) (Pre-session filed.)

## 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**.

Provides that, before undertaking wildlife management activity involving aircraft, State Department of Fish and Wildlife must notify private landowners over whose land aircraft will fly, under specified circumstances.

## A BILL FOR AN ACT

1  
2 Relating to aerial wildlife management activities; amending ORS 498.126.

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

4 **SECTION 1.** ORS 498.126 is amended to read:

5 498.126. (1) A person may not:

6 (a) Hunt game mammals or game birds from or with the aid of an aircraft.

7 (b) Transmit from an aircraft to a person not in the aircraft information regarding the location  
8 of any game mammals or game birds.

9 (c) Otherwise use an aircraft to assist another person in hunting or locating game mammals or  
10 game birds for the purpose of hunting.

11 (2) A person may not hunt any game mammal within eight hours after having been transported  
12 by aircraft to or from any place other than a recognized airport that the Oregon Department of  
13 Aviation has licensed as a public use airport, registered as a personal use airport or specifically  
14 exempted from licensing or registration.

15 (3) Every pilot shall maintain a log book that shows the names and addresses of record of the  
16 persons transported, point of departure, point of destination, time and date of each flight that the  
17 pilot makes in an aircraft within this state to transport a person to or from any place to hunt. The  
18 log book is subject to inspection by any person authorized to enforce the wildlife laws.

19 (4)(a) Notwithstanding subsections (1) to (3) of this section, and except as provided in subsection  
20 [(5)] **(6)** of this section, the State Department of Fish and Wildlife, or its agents, may conduct wildlife  
21 management activities necessary for scientific research or, in emergency situations, to protect hu-  
22 man safety, wildlife species or property by:

23 (A) Hunting game mammals or game birds from or with the aid of an aircraft; or

24 (B) Transmitting from an aircraft information regarding the location of any game mammal or  
25 game bird.

26 (b) The State Fish and Wildlife Commission shall define by rule the terms "emergency  
27 situations" and "necessary" for purposes of implementation of this section.

28 **(5)(a) Before undertaking a wildlife management activity involving an aircraft, the de-**  
29 **partment or agents of the department must notify private landowners over whose land the**  
30 **aircraft will fly of the timing of the flight if:**

**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       **(A) The aircraft will operate at a low altitude; or**
- 2       **(B) The private landowners have requested notification.**
- 3       **(b) The department shall adopt rules to implement this subsection, including rules that:**
- 4       **(A) Define the term “low altitude.”**
- 5       **(B) Allow a landowner to request the notification.**
- 6       [(5)] **(6)** If the definition of “game mammal” in ORS 496.004 is modified to include wolves, then
- 7       the department may conduct wolf management activities under this section only under a statewide
- 8       wolf management plan adopted by the commission.
- 9       \_\_\_\_\_