

HB 3088 STAFF MEASURE SUMMARY

House Committee On Natural Resources

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Sub-Referral To: House Committee On Judiciary
Meeting Dates: 4/2

WHAT THE MEASURE DOES:

Increases maximum penalty to a class A violation, punishable by a fine up to \$2,000, for violation of laws committed without culpable mental state including: hunting from motor-propelled vehicle; hunting with artificial light; or shining artificial light on game mammal, predatory animal, or livestock while in or near motor vehicle and while in possession of weapon

Establishes that a violation of provision of wildlife laws, or rule adopted pursuant to wildlife law is a Class C felony, punishable by five years' incarceration, \$125,000 fine, or both, if offense is committed with a culpable mental state and involves: second and subsequent unlawful takings of wildlife with intent to sell, barter, trade, import, export, or exchange wildlife or part of wildlife; unlawful taking of wildlife by outfitter or guide; or unlawful taking of more than 100 wildlife.

States that for purpose of definition of "resident" a temporary absence does not include any period of time that a person is a resident of another state.

States that rules adopted by Fish and Wildlife Commission regarding use of drones may exempt the prevention or detection of poaching.

Requires Attorney General make one or more employees of Department of Justice available to local government to assist with the prosecution of violations of wildlife law.

FISCAL: May have fiscal impact, no statement yet issued

REVENUE: No revenue impact

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

According to the Natural Resources Defense Council, poaching data from 2015 found illegal killings of nearly 500 deer, more than 200 elk, 15 cougars, 19 bears, and two wolves were reported to Oregon's Turn in Poachers line operated by Oregon State Police Fish and Wildlife Division (Division). The Division is charged with enforcing fish, wildlife, environmental, and other criminal laws and protecting people, property, and natural resources. The Division offers preference points or cash rewards for information leading to an arrest or issuance of a citation for the illegal killing or taking of wildlife; illegally obtaining Oregon hunting or angling licenses or tags; or for information about the illegal taking, netting, snagging, dynamiting of salmon, steelhead, sturgeon, or fish listed in Oregon statute as a game fish.

House Bill 3088 would change the maximum penalties for wildlife law offenses.