

HB 3035 A STAFF MEASURE SUMMARY

Carrier: Rep. Witt

House Committee On Natural Resources**Action Date:** 04/04/19**Action:** Do pass with amendments and rescind subsequent referral to Judiciary. (Printed A-Eng.)**Vote:** 6-0-1-0**Yeas:** 6 - Barreto, Gorsek, Reardon, Smith DB, Sprenger, Witt**Exc:** 1 - McKeown**Fiscal:** Has minimal fiscal impact**Revenue:** No revenue impact**Prepared By:** Kailey Kornhauser, LPRO Analyst**Meeting Dates:** 4/2, 4/4**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 mammals, 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 intentionally, knowingly, or recklessly, and involves: unlawful taking with intent to sell, barter, trade, import, export, or otherwise exchange wildlife or part of wildlife; second and subsequent unlawful takings of a game mammal during 12-month period, except silver gray squirrel; unlawful taking of moose, mountain sheep, Rocky Mountain goat, or wolf; third and subsequent takings of game fish in excess of bag limit during 12-month period; second and subsequent takings of nonadipose clipped steelhead during 12-month period; unlawful taking of members of Acipenseridae family; or unlawful taking of threatened or endangered species. Applies to offenses committed on or after effective date of Act. Requires that Oregon Fish and Wildlife Commission include take while in violation of criminal trespass laws in program which encourages persons to report violations of the wildlife laws.

ISSUES DISCUSSED:

- Rate of poaching in state
- Illegal harvest of threatened and endangered species
- Impact of poaching on public resource and economy
- Anti-poaching campaign
- Anti-poaching law in western states

EFFECT OF AMENDMENT:

Requires that Oregon Fish and Wildlife Commission include take while in violation of criminal trespass laws in program which encourages persons to report violations of the wildlife laws.

BACKGROUND:

The Oregon State Police Fish and Wildlife 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. According to the Oregon Department of Fish and Wildlife, poachers killed more mule deer than legal hunters during a six-year study of radio-collared deer in south-central Oregon.

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House Bill 3035 A would increase the maximum penalty for wildlife law offenses committed without a culpable mental state to a Class A violation of \$2,000 and increase the maximum penalty for wildlife law offenses committed intentionally, knowingly, or recklessly to a Class C felony of up to five years' imprisonment, \$125,000, or both.