

Enrolled
House Bill 2068

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of Governor Kate Brown for State Department of Fish and Wildlife)

CHAPTER

AN ACT

Relating to nonresident hunting tags; amending ORS 497.112.

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

SECTION 1. ORS 497.112 is amended to read:

497.112. (1) The State Fish and Wildlife Commission [*is authorized to*] **may** issue, upon application, to persons desiring to hunt wildlife the following general tags and shall charge the applicable fees under the fee schedule in ORS 497.061:

- (a) Resident annual elk tag to hunt elk.
- (b) Nonresident annual elk tag to hunt elk.
- (c) Special annual elk tag for holders of pioneer combination licenses or disabled veteran hunting licenses to hunt elk.
- (d) Resident annual deer tag to hunt deer.
- (e) Nonresident annual deer tag to hunt deer.
- (f) Resident annual black bear tag to hunt black bear.
- (g) Nonresident annual black bear tag to hunt black bear.
- (h) Resident annual mountain sheep tag to hunt mountain sheep.
- (i) Nonresident annual mountain sheep tag to hunt mountain sheep.
- (j) Resident annual mountain goat tag to hunt mountain goat.
- (k) Nonresident annual mountain goat tag to hunt mountain goat.
- (L) Resident annual cougar tag to hunt cougar.
- (m) Nonresident annual cougar tag to hunt cougar.
- (n) Resident annual antelope tag to hunt antelope.
- (o) Nonresident annual antelope tag to hunt antelope.
- (p) Resident annual turkey tag to hunt turkey.
- (q) Resident annual youth turkey tag to hunt turkey.
- (r) Nonresident annual youth turkey tag to hunt turkey.
- (s) Nonresident annual turkey tag to hunt turkey.
- (t) Outfitter and guide annual deer tag for a nonresident to hunt deer.
- (u) Outfitter and guide annual elk tag for a nonresident to hunt elk.

(2)(a) Notwithstanding ORS 496.146 (10), the commission [*is authorized to*] **may** issue each year one special tag that is auctioned to the highest bidder in a manner prescribed by the commission for each of the following:

- (A) Mountain sheep;
- (B) Antelope; and

(C) Mountain goat.

(b) In addition to the tags referred to in paragraph (a) of this subsection, the commission [*is authorized to*] **may** issue each year one special tag that is raffled in a manner prescribed by the commission for each of the following:

(A) Mountain sheep;

(B) Antelope; and

(C) Mountain goat.

(c) Moneys received under this subsection for:

(A) Mountain sheep tags shall be placed in the Mountain Sheep Subaccount established in ORS 496.303;

(B) Antelope tags shall be placed in the Antelope Subaccount established in ORS 496.303; and

(C) Mountain goat tags shall be placed in the Mountain Goat Subaccount established in ORS 496.303.

(d) Notwithstanding ORS 496.146 (10), the commission, upon the recommendation of the Access and Habitat Board to fulfill the board's charge of providing incentives to increase public access and habitat improvements to private land, [*is authorized to*] **may** issue each year up to 10 elk and 10 deer tags to hunt deer or elk. The tags shall be auctioned or raffled to the highest bidder in a manner prescribed by the commission. The Access and Habitat Board, in recommending any tags, shall include a proposal as to the land on which each tag can be used and a percentage of funds received from the tags that may revert to the landowner if the tag is limited to private land. However, the percentage [*cannot*] **may not** be more than 50 percent and the programs must, by written agreement, provide for public access and habitat improvements.

(3) The tags referred to in subsection (1) of this section are in addition to and not in lieu of the hunting licenses required by law.

(4) The commission may, at the time of issue only, indorse upon the tags referred to in subsection (1) of this section an appropriate designation indicating whether it is for a game animal to be taken with bow and arrow or with firearms, at the choice of the applicant. The commission may prescribe by rule that the holder of such a tag [*is not authorized to*] **may not** take the game animal by any other means than the tag so indorsed.

(5) Except as provided in subsection (6) of this section, a person is not eligible to obtain, in a lifetime, more than one controlled hunt tag issued by the commission to hunt mountain sheep and one controlled hunt tag issued by the commission to hunt mountain goat.

(6) A person is eligible to obtain mountain sheep tags, antelope tags or mountain goat tags described in subsection (2)(a) and (b) of this section, regardless of whether the person has previously taken a mountain sheep, antelope or mountain goat or previously obtained a mountain sheep tag, antelope tag or mountain goat tag issued pursuant to subsection (1) or (2)(a) or (b) of this section.

(7) The number of nonresident mountain goat tags and nonresident mountain sheep tags shall be decided by the commission, but:

(a) The number of nonresident mountain goat tags may not be less than five percent nor more than 10 percent of all mountain goat tags issued.

(b) The number of nonresident mountain sheep tags may not be less than five percent nor more than 10 percent of all mountain sheep tags issued.

(8) The number of tags issued by drawing under subsection [(1)(g), (m) and (o)] **(1)(o)** of this section shall be decided by the commission, but for each class of tag so issued, the number may not be more than three percent of all tags of that class issued for hunting in a particular area except one nonresident tag may be issued for each hunt when the number of authorized tags is less than 35.

(9) The **commission shall decide the number of tags in each class described under subsection (1)(b), (e), (g) and (m) of this section to be issued by drawing** [*under subsection (1)(b) and (e) of this section shall be decided by the commission, but for each class of tag so issued, the number*]. **However, the number of tags issued by drawing in each class** may not be more than five percent of all tags of that class issued for hunting in a particular area except one nonresident

tag may be issued for each hunt when the number of authorized tags is fewer than 35. The commission shall set the percentage by rule each year after holding a public hearing.

(10) If a controlled hunt for game mammals is undersubscribed during the primary controlled hunt drawing, the commission may issue the unallocated tags to licensed hunters at up to four times the standard tag fee on a first-come, first-served basis. This controlled hunt tag program shall be in addition to and not replace any existing controlled hunt tag program.

(11) The commission by rule may authorize the issuance of free tags to hunt antelope, deer and elk to provide an incentive to increase compliance with hunting reporting requirements.

(12) The commission shall implement a program to encourage persons to report violations of the wildlife laws. The program shall include, but need not be limited to, provisions for offering a person either preference points in a scaled system determined by the commission, or a cash reward, for information leading to citations or arrest for unlawful take, possession or waste of antelope, bear, cougar, deer, elk, moose, mountain goat, mountain sheep or wolf.

Passed by House March 12, 2019

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Timothy G. Sekerak, Chief Clerk of House

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Tina Kotek, Speaker of House

Passed by Senate May 2, 2019

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Peter Courtney, President of Senate

Received by Governor:

.....M,....., 2019

Approved:

.....M,....., 2019

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Kate Brown, Governor

Filed in Office of Secretary of State:

.....M,....., 2019

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Bev Clarno, Secretary of State