

Agenda Item Summary

BACKGROUND

Several years ago OARs were modified to provide department staff the clear authority to take or harass wildlife in performance of their professional duties. Inadvertently, the rules adopted at that time did not make clear the authority of enforcement officers to take or harass wildlife while carrying out law enforcement activities.

PUBLIC INVOLVEMENT

- Communication with local sports groups and other interested parties.
- The department requested public comment through the public rule making process including public hearing notice and announcement of the Commission meeting.

ISSUE

Authorizing the Take and Harassment of Wildlife by Enforcement Officers

ANALYSIS

Staff will propose adoption of Oregon Administrative Rules clarifying the authority of sworn law enforcement officers to take or harass wildlife for law enforcement activities. Having this rule in place will benefit the public interest and expedite implementation of the Commission's plans and rules because wildlife management situations (often related to threats to property, human safety, or the proper management of wildlife populations) can arise with little advance warning, requiring prompt action to resolve the situation. Clearly defining the authority of enforcement officers to act will enhance their ability to move swiftly to respond to wildlife management situations as they arise.

OPTIONS

1. Approve staff proposals.
2. Amend staff proposals.
3. Reject staff proposals.

STAFF RECOMMENDATION

Option 1.

DRAFT MOTION

I move to amend OAR Chapter 635 Division 043 as proposed by staff.

EFFECTIVE DATE:

Upon Filing