Chapter 501

1967 REPLACEMENT PART
(1969 reprint)

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FISH HATCHERIES

501.010 Private game fish hatcheries; license. (1) Any person may establish a private trout hatchery for the cultivation of trout or game fishes. Any person, firm or corporation engaged in the business of taking fish spawn and artificially hatching them, or in raising fry and fish therefrom, in any of the waters or streams of this state for the purpose of sale, barter or exchange, is deemed to be conducting a private game fish hatchery under ORS 501.010 to 501.060.

(2) Each private fish hatchery before it is entitled to the benefits of ORS 501.010 to 501.060, shall pay an annual license fee of $5 to the State Game Commission. All moneys collected for such licenses shall be forwarded to the State Treasurer and shall be placed in the State Game Fund.

501.020 Taking and disposing of fish in private hatcheries. Any person lawfully conducting a private game fish hatchery and engaged in the artificial propagation, culture and maintenance of fishes, may take them in his own inclosed waters, where they are cultivated and maintained, at any time and for the purpose provided in ORS 501.010 to 501.060. Such person shall provide each customer with a statement of which he shall keep a duplicate on which will be shown the date, species, and number of fish disposed of, the name of the person to whom the sale or other disposal is made and the signature of the person making the sale or disposal.
[Amended by 1955 c.63 §1]

501.030 Sale of product of private hatchery. The product of fish hatchery, fry and fish mentioned in ORS 501.010 may be sold at any time of the year by the hatchery or their vendees after having first complied with the terms of ORS 501.010 to 501.060 and the regulations of the game commission.

501.040 Reports of sale of product of private hatcheries. (1) The superintendent or person in charge of any private hatchery shall make a verified monthly report to the game commission of the amount of fry and number of fish sold, and the name and address of the party receiving the same.

(2) Each person, firm or corporation engaged in dealing in fish affected by ORS 501.010 to 501.060 shall render to the game commission a verified monthly report giving a detailed statement showing the amount of fry and number of fish received from any private hatchery and giving the name and post-office address of the superintendent or manager of same.

501.050 Dealers in product of private fish hatcheries; permit. Every person, firm or corporation engaged in the business of buying and selling, packing and preserving, or otherwise dealing in trout or other game fish obtained from private hatcheries of the state, shall obtain a permit for such business from the game commission.

501.060 Permission by owner to take fish from private hatchery. No person shall take fish in any manner from the water in which a private trout hatchery is located, or in which fish are artificially propagated, cultivated and maintained under ORS 501.010 to 501.060, without permission of the owner or proprietor of such hatchery.

501.070 Tillamook County fish hatcheries. The county court of Tillamook County may build, construct, maintain, own, lease, rent and operate fish hatcheries for the purpose of propagating all species of salmon and game fish.

501.080 Petition for Tillamook County fish hatchery; hearing; notice. (1) Upon petition of 100 or more residents and inhabitants of Tillamook County, 40 of whom must be bona fide commercial fishermen, requesting that the county build, construct, maintain, own, lease, rent and operate any fish hatchery for the purpose of propagating any species of salmon or game fish, the county court to whom the petition is addressed shall set a time and place for a hearing. Notice of this time and place shall be given in some newspaper published in the county in at least three issues of the newspaper. At the hearing any and all residents and inhabitants of the county have the right to appear either in person or by further petition or remonstrance.

(2) As used in this section, a commercial fisherman means one who holds a commercial license to fish for salmon and other food fish in the waters of Tillamook or Nehalem Bays.

501.090 Findings as to petition; granting or denying; further petition after denial. Within 30 days from the time the hearing is concluded the county court of Tillamook County shall make and file its findings in respect to the petition previously filed. If

the county court finds that it would be to the best interest of the county as a whole to grant the prayer of the petition, then it may enter an appropriate order. Should the county court find that it would not be to the best interest of the county to grant the prayer of the petition, it shall make an order denying the petition. When a petition is denied no further petition shall be considered by the court for a period of one year from the time the petition is denied.

501.100 Poundage fee on commercially caught fish in Tillamook County for hatchery purposes. (1) Should the county court of Tillamook County grant the prayer of the petition, then the county court shall include in its order a provision that a poundage fee shall be thereafter levied upon all fish caught or first sold within the county for commercial purposes. The county court may specify the amount of the poundage fee, which shall not exceed one-half cent per pound for county hatchery purposes.

(2) This fee shall be paid to the Fish Commission of the State of Oregon by all persons, firms and corporations operating as a canner, receiver, buyer, retail dealer, fish peddler or wholesaler of fish and salmon upon all fish and salmon caught or received within the county, in the manner provided by law for the payment of poundage fees collected by the fish commission upon all fish and salmon caught within the state. The poundage fee shall be in addition and not in lieu of the poundage fees required by general law.

(3) The fish commission shall collect all poundage fees levied by the county operating under ORS 501.070 to 501.140 as a trust fund, and remit the county's portion of all poundage fees, such portion being all money above the regular fee now collected by the fish commission, within 30 days from the time it is received by the fish commission. All poundage fees shall be used by the county in defraying the expenses of building, maintaining and operating the fish hatchery.

501.110 Failure to pay poundage fee. No person, firm or corporation operating as a canner, receiver, buyer, retail dealer, fish peddler or wholesaler of fish and salmon shall fail to pay to the Fish Commission of the State of Oregon the additional poundage fees specified by the county court under ORS 501.100.

501.120 Fish commission to cooperate with Tillamook County for hatchery purposes. The Fish Commission of the State of Oregon shall cooperate with Tillamook County under ORS 501.070 to 501.140 and give such advice and assistance as the fish commission deems proper, when requested to do so by the county court. The fish commission may contribute and pay a portion of the costs of maintaining and operating any such fish hatchery, and may lease, rent or donate to Tillamook County operating under ORS 501.070 to 501.140 any state-owned hatchery and equipment.

501.130 Control of and contract for operation of Tillamook County hatchery; discontinuance of operation. The county court, together with a board of three residents and inhabitants of Tillamook County to be appointed by the county court, shall have joint control of the operation and maintenance of any fish hatchery operated under ORS 501.070 to 501.140, but the county court may enter into a contract for the operation and maintenance of the fish hatchery upon such terms and conditions that are deemed by the county court to the best interest of the county. The county court may temporarily or permanently discontinue the operation of any fish hatchery constructed or maintained under ORS 501.070 to 501.140.

501.140 Disposition of fish propagated in Tillamook County hatcheries; procuring eggs and fish. All fish propagated under ORS 501.070 to 501.140 shall be distributed in streams within Tillamook County under the direction of the county court, except that the county court may exchange eggs and fish for other eggs and fish for the purpose of stocking the waters of the county. The county court may take, purchase and procure fish eggs and small fish for hatchery purposes in any manner that the Fish Commission of the State of Oregon may procure the same.

501.150 Taking salmon eggs from and returning salmon to Rogue River. Whenever the game commission or any other duly authorized person takes salmon eggs from the waters of the Rogue River which are closed to commercial fishing, for the purpose of supplying the various hatcheries of the state, the game commission shall return at least 40 percent of the fish hatched from

the eggs to the stream from which the eggs producing the hatch were taken.

GAME REFUGES AND RESERVATIONS GENERALLY

501.210 Proclamation of Governor setting aside state lands as refuges. The Governor may at his discretion and by special proclamation set aside any land owned by the state and surrounding state institutions, to be used as wild bird and game refuges. Immediately upon the issuance of the proclamation, it shall be unlawful for any person to injure, take, kill, destroy or interfere with, in any way whatsoever, or have in possession except for breeding purposes within the boundaries of such land, any game or nongame birds, game or wild animals which are protected at any time by the laws of the state.

501.220 Contracts setting aside land as refuges. (1) The game commission may enter into written contract with the owner of land for a term of not to exceed 10 years in such localities in the different counties of the state as may by them be deemed appropriate, setting aside such lands as wild bird and game refuges.

(2) The contract shall:

(a) Be in legal form.

(b) Contain a description of the land, the term of years for which the agreement is entered into, the consideration and the purpose of the agreement.

(c) Be properly witnessed, acknowledged and recorded in the county in which the land is located.

501.230 Hunting or possessing birds and animals in contract refuges unlawful; exceptions. (1) During the life of the contract or agreement, as provided in ORS 501.220, it is unlawful for any person to injure, take, hunt, kill, destroy, interfere with in any way whatsoever or have in possession, except for breeding purposes, within the boundaries of such land, any game or nongame birds, game or wild animals which are protected at any time by the laws of the state.

(2) The game commission may make exceptions in the contract, excepting out of its provisions any game bird, game or wild animals, when in its judgment the same should be excepted in order to protect the property or crops of the owners of such land or whenever the game commission finds that the supply of any species or kinds of any such game birds, game or wild animals is such that the hunting, trapping, pursuing or killing thereof will not injuriously affect the supply thereof.

501.240 Using game fund for contract refuge expenses. For the purpose of carrying out the provisions of ORS 501.220 and 501.250, the game commission may use any moneys in the State Game Fund as in its discretion are necessary for the payment of rental land as provided in ORS 501.220, for the purchase of birds, for maintaining breeding farms, for the employment of caretakers and general expenses of maintaining the preserves or refuges in the propagation, protection, as defined in ORS 496.620, and promotion of birds and game thereon.

501.250 Allowing claims for expenditures. All claims for expenditures on the State Game Fund under ORS 501.220 to 501.240 shall be approved by the game commission upon vouchers duly filed and allowed, as other claims are allowed by the game commission.

501.260 Hunting wild animals and birds on reservations prohibited; exceptions. No person shall at any time, within any state game reservation, hunt for, pursue, kill, trap, capture, shoot at, disturb or have in possession any of the wild animals or birds inhabiting the reservation, except predatory animals doing damage to grazing sheep or other livestock.

501.270 Hunting wild birds and animals in game reservations, reserves and refuges unlawful; exceptions. It is unlawful for any person to hunt, take, capture or pursue or attempt to hunt, take, capture or pursue any of the wild birds or wild animals in any game reservation, reserve or refuge in the state, except that where the statute creating a game reservation, refuge or reserve by its terms limits the purpose of such reservation, refuge or reserve to the protection of game birds or game animals or any of the species thereof then it is unlawful only to hunt, take, capture or pursue or attempt to hunt, take, capture or pursue any of such game animals or game birds or such species thereof as are named in such statute.

501.280 Permit to kill predatory animals in reservations. The game commission shall issue permits to any person, upon good cause being shown by such person, to kill any predatory animals within any game reservation, upon such terms and restrictions as the game commission shall prescribe.

501.290 Posting signs on contract refuges and state reservations; disturbing signs prohibited. (1) The game commission shall, immediately upon the creation of wild bird and game refuges mentioned in ORS 501.220, post or have posted in prominent and conspicuous places upon and around land so reserved, signs giving notice that the land is reserved as wild bird and game refuges, and warning all persons not to trespass, hunt, kill or disturb in any way wild birds and animals therein.

(2) The game commission shall, immediately upon the creation of any state game reservation, post same in prominent and conspicuous places, along boundaries thereof, with signs or posters, giving notice that such land is reserved for the protection of animals and birds, and warning all persons not to trespass, hunt, kill or disturb in any manner or way the wild animals and birds therein.

(3) It is unlawful for any person to destroy, mutilate or disturb the signs mentioned in subsections (1) and (2) of this section or any signs or notices which may be posted by authority of the game commission by any means whatever.

501.300 Opening of closed game areas. The game commission may open to hunting or fishing any game reserve or other closed area when such an opening is in the interest of conservation of the birds, animals or fish of the state.

PARTICULAR GAME REFUGES AND RESERVATIONS

501.410 Brown Island and Minto Island Game Reservation. There is created a game reservation which shall be known as the Brown's Island and Minto Island Game Reservation and shall be bounded and described as follows: Beginning at the point of intersection of the center line of State Street in Salem, Oregon, with the center line of the Oregon Electric Railway tracks on Front Street in Salem; thence southwesterly along the center line of the Oregon Electric Railway tracks to the north boundary of the east ell of the donation land claim of R. E. Ekin and wife in township 8 south, range 3 west of the Willamette Meridian in Marion County; thence west to the re-entrant corner in the west boundary of such donation land claim; thence north to the most northerly northeast corner of such donation land claim; thence west to the middle of the Willamette River; thence down the meanderings of such river to the westerly projection of the center line of State Street in Salem; thence easterly to the place of beginning.

501.420 [Repealed by 1955 c.77 §1]

501.430 [Repealed by 1955 c.77 §1]

501.440 Carlton Lake Game Reservation. (1) The following described lands, including Carlton Lake, situated in Yamhill County, shall be known as the Carlton Lake Game Reservation: Beginning at the northwest corner of the W. C. Hembree D. L. C. (claim) No. 59, in section 17, township 3 south, range 4 west, Willamette Meridian; running thence east along the north line of Hembree D. L. C. and along this north line produced, or extended 4,500 feet to the west line of the state highway, known as the Tualatin Valley Highway; thence southerly along the west line of such highway 6,600 feet to north line of Main Street in the City of Carlton; thence westerly along the north line of Main Street and the county road, which is an extension of Main Street, 6,300 feet to the northeast corner of the intersection of the county road, leading west from Carlton and the county road running north and south through the James Fulton D. L. C. just west of Carlton Lake; thence northerly along the east line of such county road 6,700 feet to the intersection of the east line of the county road with the north line of the James Fulton D. L. C.; thence east along the north line of Fulton D. L. C. 1,950 feet to the northeast corner of the claim; thence north about 60 feet to the northwest corner of the W. C. Hembree D. L. C., the place of beginning, situated in parts of sections 16, 17, 20 and 21, township 3 south, range 4 west.

(2) It is unlawful for any person to hunt, shoot at, kill, molest, disturb, trap or injure any of the wild birds and wild animals of the state within the boundaries

of Carlton Lake Game Reservation, as described in subsection (1) of this section.

(3) The game commission may grant limited written permits to trap or kill wild birds and wild animals doing damage to property within the boundaries of the game reservation described in subsection (1) of this section.

501.450 [Repealed by 1955 c.77 §1]

501.460 [Repealed by 1955 c.77 §1]

501.470 [Repealed by 1955 c.77 §1]

501.480 [Repealed by 1955 c.77 §1]

501.490 Lake Lytle Bird and Game Refuge. (1) There is created a migratory bird, game bird and game animal refuge and sanctuary in Tillamook County, to be known as Lake Lytle Bird and Game Refuge of the land and waters within the following described boundaries: Beginning at the northeast corner of section 29, township 2 north, range 10 west of Willamette Meridian; running thence west to the mean low water line of Pacific Ocean; thence southerly along the mean low water line of Pacific Ocean to the middle east and west line of section 32, in such township and range; thence east to the east line of section 32; thence north to the place of beginning.

(2) It is unlawful to shoot, hunt, kill, injure, take or molest any of such birds or animals within the area described in subsection (1) of this section, or to attempt to do so, except under permit of federal authorities for scientific banding purposes.

501.500 Lake Oswego Game Reserve. (1) The following described lands situated in Clackamas County, shall be known as the Lake Oswego Game Reserve: The lands included within the reserve are bounded on the north by the Multnomah-Clackamas boundary line; on the west by the Willamette Meridian; on the south by the north lines of sections 19, 20 and 21 in township 2 south, range 1 east, Williamette Meridian, and on the east by the Stafford Road and by the west bank of the Williamette River.

(2) It is unlawful for any person to hunt, shoot at, kill, molest, disturb, trap or injure any of the wild birds and wild animals within the boundaries of Lake Oswego Game Reserve, as described in subsection (1) of this section.

(3) The game commission may grant limited written permits to trap or kill predatory and fur-bearing animals within the boundaries of the reservation described in subsection (1) of this section.

501.510 [Repealed by 1967 c.320 §1]

501.520 [Repealed by 1955 c.77 §1]

501.530 [Repealed by 1955 c.77 §1]

501.540 Multnomah-Clackamas Game Refuge. The following described lands situated in Multnomah and Clackamas Counties shall be known as the Multnomah-Clackamas Game Refuge: Beginning at intersection of center line of the channels of the Willamette River and Willamette slough; thence westerly along center line of channel of Willamette slough to its intersection with the south line of section 27, township 2 north, range 1 west, Willamette Meridian; thence west along south line of sections 27 and 28 to intersection with the Columbia River Highway; thence in southerly direction along Columbia River Highway to intersection with Harborton Road; thence southwesterly along Harborton Road to its intersection with Skyline Boulevard; thence southeasterly along Skyline Boulevard to its intersection with Cornell Road; thence west along Cornell Road to its intersection with the Washington-Multnomah County line; thence south and east along the Washington-Multnomah County line to the south line of Multnomah County; thence east along south line of Multnomah County to the west bank of the Willamette River; thence southerly along the west bank of said Willamette River to a point opposite the intersection of the east bank of the Willamette River and the north bank of the Clackamas River; thence easterly across the Willamette River to said intersection; thence easterly along the north bank of Clackamas River to a point where the east line of Ninety-second Street in the City of Portland extended southerly intersects the north bank of the Clackamas River; thence north along the southerly extension of Ninety-second Street to the point of the Multnomah and Clackamas County line, such point being at the quarter-section corner of south side of section 21, township 1 south, range 2 east, Willamette Meridian; thence east along the Multnomah County line to its intersection with Foster Road; thence northwesterly along Foster Road to the intersection of Foster Road with Jenne Road; thence northeasterly and northerly along Jenne Road to its intersection with Section Line Road;

thence east along Section Line Road to its intersection with Rockwood Road; thence north along Rockwood Road to the north side of Sandy Boulevard; thence west along the north side of Sandy Boulevard to the Government Island Road; thence north along the Government Island Road to the high-water flow line of the south bank of the south channel of the Columbia River; thence westerly along high-water flow line of the waters of the Columbia River to the easterly line of the Spokane, Portland and Seattle railroad; thence south along the Spokane, Portland and Seattle railroad to the junction of the Oregon-Washington Railroad and Navigation Company right of way; thence south along the Oregon-Washington Railroad and Navigation Company right of way to the city boundaries of the City of Portland; thence westerly along the north line of the boundary of the City of Portland to the center of the channel of the Willamette River; thence in a northerly direction along the center line of the channel of the Willamette River to the point of beginning. [Amended by 1953 c.255 §2]

501.550 [Repealed by 1955 c.77 §1]

501.560 [Repealed by 1955 c.77 §1]

501.570 [Repealed by 1955 c.77 §1]

501.580 [Repealed by 1955 c.77 §1]

501.590 [Repealed by 1955 c.77 §1]

501.600 [Repealed by 1955 c.77 §1]

501.610 [Repealed by 1955 c.77 §1]

501.620 Sturgeon Lake Game Reservation. (1) The following described lakes, islands and adjacent lands shall be known as the Sturgeon Lake Game Reservation: Big Sturgeon Lake, situated in sections 9, 10, 15, 16, 21, 22, 23, 26, 27, 28, 33 and 34, township 3 north, range 1 west, Willamette Meridian; West Sturgeon Lake, situated in sections 20, 28, 29, 30, 32 and 33, township 3 north, range 1 west; Little Sturgeon Lake, situated in sections 32 and 33, township 3 north, range 1 west, Willamette Meridian, and sections 4 and 5, township 2 north, range 1 west, Willamette Meridian; Marquam Lake, situated in sections 34 and 35, township 3 north, range 1 west, Willamette Meridian, and sections 2 and 3, township 2 north, range 1 west, Willamette Meridian.

(2) The game commission shall conduct an investigation and inquiry for the purpose of ascertaining how much of the lands described in subsection (1) of this section should be included in the game reservation for the best protection, as defined in subsection (2) of ORS 496.620, and conservation of the wild birds and animals therein. When the game commission finds from such investigation and inquiry the portion of such lands as in its opinion will best protect and conserve such wild birds and animals, this portion shall be the reasonable portion thereof for the better protection and conservation of the wild birds and animals within the boundaries thereof. However, in no event shall any boundary line so established be fixed further than 100 yards from the average waterflow lines of any of the lakes named in subsection (1) of this section, such average waterflow lines to be established by using a water reading of four and one-half feet above zero at the mouth of the Gilbert River, except that the average waterflow lines of Marquam Lake shall be established by using a water reading of six and one-half feet above zero at the mouth of the Gilbert River. Nor shall any such boundary line be fixed to include within the reservation any lake used for duck hunting purposes during the duck season of 1932. The game commission shall designate after such investigation the exact boundary of the Sturgeon Lake Game Reservation and shall mark the boundaries with a sign of the same kind and description as it ordinarily uses in marking game reservation boundaries. Such boundaries shall be placed along such shore lines or streams or over and across such ground as in the judgment of the game commission will best protect the wild birds and animals therein.

(3) When the game commission has ascertained the boundaries of the reservation and has placed the markers thereon pursuant to subsection (2) of this section then all territory inclosed by said boundaries shall be a game reservation and it shall be unlawful to hunt, take, capture or pursue, or attempt to hunt, take, capture or pursue any of the wild birds or animals of the state within said game reservation.

501.630 Summer Lake Wild Fowl Reserve. (1) The State Land Board may, within three years from June 9, 1943, convey to the game commission not less than 3,000 acres nor more than 8,000 acres of the lands constituting the bed of Summer Lake in Lake County, Oregon, and the waters over the same, the exact acreage and location to be agreed upon by the State Land Board and the game commission.

Payment for these lands shall be made out of the State Game Fund to the Common School Fund at the rate of $2.50 for each acre of such lands, the title and possession of which is so conveyed and transferred.

(2) The game commission may develop lands transferred to it as provided in subsection (1) of this section, and other adjoining and adjacent lands to which the game commission may obtain title or possession and control, as a wild fowl reserve and shooting grounds, for fur research development and such other purposes as the commission deems proper.

(3) The game commission may use funds to the credit of the State Game Fund in the development and management of such land and charge reasonable fees for the use of or entrance upon such lands. All funds so collected shall be a part of the State Game Fund and shall be available as a continuing appropriation for the development, maintenance and management of this reserve.

501.640 [Repealed by 1955 c.77 §1]

501.650 [Repealed by 1955 c.77 §1]

501.660 [Repealed by 1955 c.77 §1]

501.670 [Repealed by 1955 c.77 §1]

501.680 [Repealed by 1955 c.77 §1]

501.690 [Repealed by 1953 c.81 §2]

SHOOTING PRESERVES

501.810 Shooting of privately owned game birds. The State Game Commission is hereby authorized to issue shooting preserve licenses or permits, for the purpose of permitting shooting of privately owned game birds. The State Game Commission shall make regulations to determine the time, places, and manner of such shooting of privately owned game birds.
[1959 c.275 §2]

501.820 License or permit for operation of shooting preserve. Operating licenses or permits may be issued to any licensed game breeder for the operation of a shooting preserve that meets the requirements prescribed as follows:

(1) Each shooting preserve shall contain not more than 640 acres in one continuous tract of land, owned by the applicant or leased by him for a minimum of five years.

(2) The exterior boundaries of each shooting preserve shall be clearly defined and posted with signs erected around the extremity at intervals of 500 feet or less. Signs shall be as prescribed by the State Game Commission.

(3) There shall be at least three miles distance between licensed shooting preserves.

(4) No license will be granted for any shooting preserve, any portion of which is less than one-half mile distant from any state or federal park, wilderness area, refuge or wildlife area operated by the state or Federal Government.

(5) Permittee shall not attempt to prevent public hunting on lands adjacent to a shooting preserve.

(6) The applicant shall have the facilities to propagate or hold not less than 500 of each of the game bird species to be released for shooting on the area.

(7) The State Game Commission shall issue licenses only to shooting preserves available for use by the general public.
[1959 c.275 §3]

501.830 Persons hunting must have license. State hunting licenses shall be required of all persons hunting on shooting preserves. Residents shall be licensed under the regularly established game and hunting laws. Nonresidents shall be required to possess a regular nonresident hunting license, or a special shooting preserve license issued by the state, good for the entire shooting preserve season on any licensed shooting preserve in the state, for the taking of shooting-preserve game only, at a cost not to exceed $3.
[1959 c.275 §9]

501.840 Game that may be hunted. Game which may be hunted under ORS 501.810 to 501.890 shall be confined to species as prescribed by the State Game Commission. The license shall authorize the permittee to shoot, or permit to be shot, legally propagated game birds upon the premises for which the license is issued. Other species of wildlife upon such property and marked birds outside its boundaries shall be subject to all protection provided by state game laws and regulations.
[1959 c.275 §4]

501.850 Season. The State Game Commission shall determine the length of the season during which the shooting preserve shall operate except that the shooting season on any preserve shall not be open between April 1 and July 31.
[1959 c.275 §6]

501.860 Game birds reared for release; wild game birds taken upon shooting preserve. (1) Where game birds are reared for release, all permittees shall conform to the requirements of the department with respect to the care of the birds and sanitary conditions on the licensed premises, or any other premises where game birds are being raised for release, to prevent the spread of disease. In the case of game birds shipped into this state from another state, such birds may be released subject to the State Game Commission approval.

(2) All privately owned game birds to be released must be premarked in a manner prescribed by the State Game Commission.

(3) Any wild game bird incidentally taken upon a shooting preserve at any time other than the general open season therefor, shall be immediately marked with a tag that has been issued by the State Game Commission. The fee for such tags shall be equal to the fee charged by the operator for domestic birds of that species. Any unused wild bird tags may be submitted for refund not later than 30 days after the close of the shooting preserve season.
[1959 c.275 §5]

501.870 Records and reports. (1) Each shooting preserve operator shall maintain a registration book listing names, addresses, and hunting licenses numbers of all shooters; the date on which they hunted; the amount of game and species taken; and the markings affixed to each carcass. An accurate record likewise must be maintained of the total number, by species, of game raised or purchased, and the date and number of all species released. These records shall be open to inspection by a delegated representative of the State Game Commission at any reasonable time.

(2) A report of each year's operation shall be submitted to the State Game Commission with each application for renewal of license.
[1959 c.275 §8]

501.880 Fee for license or permit; license period. (1) Fees for shooting preserve licenses or permits shall be $100 per year.

(2) Licenses issued under ORS 501.810 to 501.890 shall be issued for the period of January 1 to December 31 of the same year.
[1959 c.275 §7]

501.890 Revocation of license or permit. The State Game Commission may revoke any shooting preserve license or permit issued under the authority of ORS 501.810 to 501.890, when the licensee has been convicted of a violation of any game law. After such revocation, a new license or permit may be issued if, in the discretion of the State Game Commission, the circumstances so warrant.
[1959 c.275 §10]

PENALTIES

501.990 Penalties. Violation of any provision of this chapter, or any rule promulgated pursuant thereto, unless otherwise provided, is a misdemeanor. The defendant may be confined in the county jail for not to exceed one day for each $5 of any unpaid fine, or portion thereof, under this section.
[Amended by 1967 c.523 §4]

CERTIFICATE OF LEGISLATIVE COUNSEL

Pursuant to ORS 173.170, I, Robert W. Lundy, Legislative Counsel, do hereby certify that I have compared each section printed in this chapter with the original section in the enrolled bill, and that the sections in this chapter are correct copies of the enrolled sections, with the exception of the changes in form permitted by ORS 173.160 and other changes specifically authorized by law.

Done at Salem, Oregon,
on December 1, 1967.

Robert W. Lundy
Legislative Counsel

CHAPTERS 502 TO 505
[Reserved for expansion]