

Measure 100

Explanatory Statement

Ballot Measure 100 amends Oregon law to expressly prohibit the purchase of, sale of, offer for sale of or possession of with intent to sell a "covered animal species" part or product. The measure defines "covered animal species" to mean any species of elephant, rhinoceros, whale, tiger, lion, leopard, cheetah, jaguar, pangolin, sea turtle, ray and, with the exception of spiny dogfish, shark.

The measure creates nine exceptions to the prohibition. The exceptions are for law enforcement activities, activities otherwise expressly authorized by state or federal law, activities involving federally managed fish, certain antiques more than 100 years old, certain fixed components of musical instruments, transfers of ownership by inheritance, certain donations for scientific or education purposes, and covered animal species parts or products possessed by enrolled members of federally-recognized Indian tribes.

Existing federal law generally allows for the sale, trade or distribution of wildlife parts if the transaction occurs wholly within the boundaries of a single state. The Oregon Fish and Wildlife Commission may authorize the purchase, sale or exchange of other wildlife by rule. The rules currently adopted by the commission generally allow persons to purchase, sell or exchange the parts of animal species that are not native to Oregon. Current Oregon statutes expressly prohibit possessing, selling, trading or distributing only shark fins, except spiny dogfish fins.

The measure provides that a violation of the prohibition is punishable by a civil penalty of up to \$6,500, or twice the total value of the prohibited part or product, whichever is greater, and allows the Oregon Fish and Wildlife Commission to adopt rules necessary to implement the prohibition.

Committee Member Name	Appointed By
Scott Beckstead	Chief Petitioners
Bruce Starr	Chief Petitioners
Roger Beyer	Secretary of State
John Woodmark	Secretary of State
Jake Tanzer	Members of the Committee