

# House Bill 3541

Sponsored by JOINT COMMITTEE ON EMERGENCY PREPAREDNESS AND OCEAN POLICY

## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Reduces number of permit renewals that determines when State Department of Fish and Wildlife shall issue permits by lottery system for ocean troll salmon fishery. Establishes categories of vessels and corresponding fees for permits issued under lottery system.

## A BILL FOR AN ACT

1  
2 Relating to ocean troll salmon fishery; amending ORS 508.819 and 508.822.

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

4 **SECTION 1.** ORS 508.819 is amended to read:

5 508.819. (1)(a) Except as provided in subsections (2) and (3) of this section, if the number of  
6 permits renewed under ORS 508.807 falls below [*1,200*] **1,000**, the State Department of Fish and  
7 Wildlife shall issue permits by a lottery system for vessels that do not meet the requirements of ORS  
8 508.807. However, the number of permits issued pursuant to any such lottery system may not in-  
9 crease the number of permits issued to a total number greater than [*1,200*] **1,000**.

10 **(b) In issuing permits under the lottery system, the department shall issue permits for**  
11 **vessels based on the following categories:**

12 **(A) Vessels less than or equal to 30 feet;**

13 **(B) Vessels greater than 30 feet and less than or equal to 42 feet; or**

14 **(C) Vessels greater than 42 feet.**

15 **(c) When a vessel in one category does not renew its permit, only another vessel in the**  
16 **same category, or a vessel in a category for vessels of a smaller size, may qualify for the**  
17 **permit.**

18 **(d) When the department holds a lottery under this section, the following fees shall be**  
19 **charged for each vessel permit that the department issues as a result of the lottery:**

20 **(A) For vessels less than or equal to 30 feet, \$250.**

21 **(B) For vessels greater than 30 feet and less than or equal to 42 feet, \$500.**

22 **(C) For vessels greater than 42 feet, \$750.**

23 (2) The State Fish and Wildlife Commission may, in its discretion, suspend the lottery for up to  
24 two years. Suspension shall be based on the commission's assessment of the condition of the re-  
25 source and shall account for the recommendations of the Troll Salmon Permit Review Board.

26 (3) The department shall consider a permit transferred to, purchased by or otherwise held by the  
27 federal government as a permit renewed under ORS 508.807. A permit transferred to, purchased by  
28 or otherwise held by the federal government is a permit under the limit of [*1,200*] **1,000** permits es-  
29 tablished by this section.

30 **SECTION 2.** ORS 508.822 is amended to read:

31 508.822. (1) The vessel permit required by ORS 508.801 is transferable:

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted.  
New sections are in **boldfaced** type.

1 (a) To a replacement vessel of the permit holder.

2 (b) To the purchaser of the vessel when the vessel is sold.

3 (c) Upon request of a permit holder, transfer of a permit to a replacement vessel owned by an  
4 individual other than the permit holder if authorized by the State Department of Fish and Wildlife.  
5 However, any transfer of a permit away from a vessel without the written consent of each person  
6 holding a security interest in such vessel is void.

7 (2) Permits may be transferred between vessels where both vessels fall within any one of the  
8 following categories:

9 (a) Vessels less than **or equal to** 30 feet;

10 (b) Vessels greater than 30 feet and less than or equal to 42 feet; or

11 (c) Vessels greater than 42 feet.

12 (3) A permit may be transferred from a vessel that is in one of the categories defined in sub-  
13 section (2) of this section to a vessel that is in a different category provided that no vessel permit  
14 may be transferred to a vessel more than five feet longer than the vessel from which the permit is  
15 being transferred.

16 (4)(a) Notwithstanding subsection (3) of this section and except for transfer to another vessel  
17 owned by the current permit holder, a vessel permit may be transferred to a vessel over 30 feet in  
18 length only if, in the calendar year prior to transfer, the vessel from which the permit is being  
19 transferred was used in the ocean troll salmon fishery in Oregon, Alaska, Washington or California  
20 to take 100 pounds of salmon. The department, by rule, may require proof of vessel ownership prior  
21 to the transfer of a permit away from any vessel. This section shall not be effective in the calendar  
22 year following a year in which the number of permits issued pursuant to ORS 508.801 is less than  
23 [1,200] **1,000**.

24 (b) A vessel permit may not be transferred more than once in any 12-month period. However,  
25 the Commercial Fishery Permit Board may waive the waiting period for additional transfer if the  
26 board finds that strict adherence to the waiting period would create undue hardship for the indi-  
27 vidual seeking transfer of the permit.

28 (5) Persons requesting the transfer of a permit pursuant to subsection (1)(c) of this section shall  
29 provide to the department copies of documents or state registration for each vessel as proof of the  
30 length and ownership.

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