

# Senate Bill 942

Sponsored by Senator G GEORGE; Senators STARR, WHITSETT, Representatives JENSON, NELSON, THATCHER  
(at the request of Ed Johnston)

## 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**.

Requires State Fish and Wildlife Commission to open sport fishery of groundfish if commercial groundfish fishery is closed.

## A BILL FOR AN ACT

1  
2 Relating to groundfish; amending ORS 496.146.

3 Whereas the State Fish and Wildlife Commission's decisions regarding sport and commercial  
4 fishing seasons have a direct effect on Oregon's economy; and

5 Whereas many Oregonians depend on fishing for subsistence, and the closure of fishing seasons  
6 can impose hardships on those persons; and

7 Whereas Oregon coastal communities derive a significant portion of their income from fishing  
8 and related businesses; and

9 Whereas the groundfish fishery will most likely be closed to commercial fishing in the future;  
10 now, therefore,

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

12 **SECTION 1.** ORS 496.146 is amended to read:

13 496.146. In addition to any other duties or powers provided by law, the State Fish and Wildlife  
14 Commission:

15 (1) May accept, from whatever source, appropriations, gifts or grants of money or other property  
16 for the purposes of wildlife management, and use such money or property for wildlife management  
17 purposes.

18 (2) May sell or exchange property owned by the state and used for wildlife management pur-  
19 poses when the commission determines that such sale or exchange would be advantageous to the  
20 state wildlife policy and management programs.

21 (3) May acquire, introduce, propagate and stock wildlife species in such manner as the com-  
22 mission determines will carry out the state wildlife policy and management programs.

23 (4) May by rule authorize the issuance of such licenses, tags and permits for angling, taking,  
24 hunting and trapping and may prescribe such tagging and sealing procedures as the commission  
25 determines necessary to carry out the provisions of the wildlife laws or to obtain information for  
26 use in wildlife management. Permits issued pursuant to this subsection may include special hunting  
27 permits for a person and immediate family members of the person to hunt on land owned by that  
28 person in areas where permits for deer or elk are limited by quota. As used in this subsection,  
29 "immediate family members" means husband, wife, father, mother, brothers, sisters, sons, daughters,  
30 stepchildren and grandchildren. A landowner who is qualified to receive landowner preference tags  
31 from the commission may request two additional tags for providing public access and two additional

**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 tags for wildlife habitat programs. This request shall be made to the Access and Habitat Board with  
2 supporting evidence that the access is significant and the habitat programs benefit wildlife. The  
3 board may recommend that the commission grant the request. When a landowner is qualified under  
4 landowner preference rules adopted by the commission and receives a controlled hunt tag for that  
5 unit or a landowner preference tag for the landowner's property and does not use the tag during the  
6 regular season, the landowner may use that tag to take an antlerless animal, when approved by the  
7 State Department of Fish and Wildlife, to alleviate damage that is presently occurring to the land-  
8 owner's property.

9 (5) May by rule prescribe procedures requiring the holder of any license, tag or permit issued  
10 pursuant to the wildlife laws to keep records and make reports concerning the time, manner and  
11 place of taking wildlife, the quantities taken and such other information as the commission deter-  
12 mines necessary for proper enforcement of the wildlife laws or to obtain information for use in  
13 wildlife management.

14 (6) May establish special hunting and angling areas or seasons in which only persons less than  
15 18 years of age or over 65 years of age are permitted to hunt or angle.

16 (7) May acquire by purchase, lease, agreement or gift real property and all appropriate interests  
17 therein for wildlife management and wildlife-oriented recreation purposes.

18 (8) May acquire by purchase, lease, agreement, gift, exercise of eminent domain or otherwise  
19 real property and all interests therein and establish, operate and maintain thereon public hunting  
20 areas.

21 (9) May establish and develop wildlife refuge and management areas and prescribe rules gov-  
22 erning the use of such areas and the use of wildlife refuge and management areas established and  
23 developed pursuant to any other provision of law.

24 (10) May by rule prescribe fees for licenses, tags, permits and applications issued or required  
25 pursuant to the wildlife laws, and user charges for angling, hunting or other recreational uses of  
26 lands owned or managed by the commission, unless such fees or user charges are otherwise pre-  
27 scribed by law. Except for licenses issued pursuant to subsection (14) of this section, no fee or user  
28 charge prescribed by the commission pursuant to this subsection shall exceed \$100.

29 (11) May enter into contracts with any person or governmental agency for the development and  
30 encouragement of wildlife research and management programs and projects.

31 (12) May perform such acts as may be necessary for the establishment and implementation of  
32 cooperative wildlife management programs with agencies of the federal government.

33 (13) May offer and pay rewards for the arrest and conviction of any person who has violated  
34 any of the wildlife laws. No such reward shall exceed \$100 for any one arrest and conviction.

35 (14) May by rule prescribe fees for falconry licenses issued pursuant to the wildlife laws, unless  
36 such fees are otherwise prescribed by law. Fees prescribed by the commission pursuant to this sub-  
37 section shall be based on actual or projected costs of administering falconry regulations and shall  
38 not exceed \$250.

39 (15) May establish special fishing and hunting seasons and bag limits applicable only to persons  
40 with disabilities.

41 (16) May adopt optimum populations for deer and elk consistent with ORS 496.012. These popu-  
42 lation levels shall be reviewed at least once every five years.

43 (17) Shall establish a preference system so that individuals who are unsuccessful in controlled  
44 hunt permit drawings for deer and elk hunting have reasonable assurance of success in those  
45 drawings in subsequent years.

1 (18) May sell advertising in State Department of Fish and Wildlife publications, including annual  
2 hunting and angling regulation publications.

3 (19) May, notwithstanding the fees required by ORS 497.112, provide free hunting tags to an  
4 organization that sponsors hunting trips for terminally ill children.

5 **(20) Shall allow for fishing of groundfish with a license issued pursuant to ORS 497.121**  
6 **if the commission closes the groundfish fishery to commercial fishing.**

7

---