

A-Engrossed
House Bill 2579

Ordered by the House April 29
Including House Amendments dated April 29

Sponsored by Representative GILLIAM

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.

[Allows State Fish and Wildlife Commission by rule to permit fixed fishing gear or seines for taking of salmon for commercial purposes from Columbia River.]

[Modifies food fish management policy.]

Creates Task Force on Lower Columbia River Salmon Harvest Allocation.

Directs task force to submit report on additional and enhanced fishing opportunities to interim legislative committees related to salmon fishing by January 1, 2011. Directs State Fish and Wildlife Commission, if task force fails to submit report, to reduce number of salmon available for fishing from lower Columbia River for calendar years 2011 and 2012.

Sunsets task force on date of convening of next regular biennial legislative session.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to fishing; and declaring an emergency.

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

4 **SECTION 1. (1) There is created the Task Force on Lower Columbia River Salmon Har-**
5 **vest Allocation, consisting of 12 voting members appointed as follows:**

6 (a) **The President of the Senate shall appoint two members from among members of the**
7 **Senate. One member must be a member of the Democratic party and one must be a member**
8 **of the Republican party.**

9 (b) **The Speaker of the House of Representatives shall appoint two members from among**
10 **members of the House of Representatives. One member must be a member of the Demo-**
11 **cratic party and one must be a member of the Republican party.**

12 (c) **The President of the Senate and the Speaker of the House of Representatives shall**
13 **jointly appoint:**

14 (A) **Four members who represent the commercial fishing industry; and**

15 (B) **Four members who represent sport anglers.**

16 (2) **In addition to the voting members specified in subsection (1) of this section, the State**
17 **Fish and Wildlife Director shall appoint the following persons to serve as nonvoting advisory**
18 **members of the task force:**

19 (a) **One or more members who are employees of the State Department of Fish and**
20 **Wildlife;**

21 (b) **One member who represents the Columbia River Indian tribes described in ORS**
22 **497.170;**

23 (c) **One member who represents conservation groups; and**

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 (d) One member who represents federal agencies that work on issues related to the
2 Columbia River.

3 (3)(a) The task force shall:

4 (A) Consider and identify recommendations for legislation that may result in additional
5 commercial and recreational fishing opportunities; and

6 (B) Consider and identify recommendations for legislation related to fishing gear that
7 may enhance commercial fisheries and provide additional access to hatchery salmon.

8 (b) In making recommendations for legislation under this subsection, the task force shall:

9 (A) Evaluate the practicality, and estimate the costs and effects, of implementing the
10 recommendations for legislation;

11 (B) Endeavor to recognize the economic and historical importance of commercial and
12 recreational fishing to this state; and

13 (C) Seek to maximize the long term viability, predictability, resilience and diversity of
14 all sectors of this state's fishing economy.

15 (4)(a) The task force shall choose a mediator from those available through the Mark O.
16 Hatfield School of Government as described in ORS 36.179.

17 (b) The mediator shall facilitate the meetings of the task force and assist the task force
18 in the performance of its duties.

19 (c) Any expenses related to the mediator shall be paid out of funds appropriated to the
20 State Department of Fish and Wildlife.

21 (5) The task force shall meet at times and places specified by the call of the chairperson
22 or of a majority of the members of the task force.

23 (6) The task force may adopt rules necessary for the operation of the task force.

24 (7) The task force shall elect one of its members to serve as chairperson.

25 (8) The task force shall have its first meeting on or before the later of 30 days after
26 adjournment sine die of the regular session of the Seventy-fifth Legislative Assembly or July
27 31, 2009.

28 (9) A majority of the voting members of the task force constitutes a quorum for the
29 transaction of business.

30 (10) Official action by the task force requires the approval of all the voting members of
31 the task force.

32 (11) If there is a vacancy for any cause, the appointing authority shall make an appoint-
33 ment to become immediately effective.

34 (12) The task force shall submit a consensus report, and shall include recommendations
35 for legislation, to the interim legislative committees related to salmon fishing no later than
36 January 1, 2011.

37 (13) The State Department of Fish and Wildlife shall provide staff support to the task
38 force.

39 (14) Members of the task force who are not members of the Legislative Assembly are not
40 entitled to compensation, but may be reimbursed for actual and necessary travel and other
41 expenses incurred by them in the performance of their official duties in the manner and
42 amounts provided for in ORS 292.495. Claims for expenses incurred in performing functions
43 of the task force shall be paid out of funds appropriated to State Department of Fish and
44 Wildlife.

45 (15) All agencies of state government, as defined in ORS 174.111, are directed to assist

1 the task force in the performance of its duties and, to the extent permitted by laws relating
2 to confidentiality, to furnish such information and advice as the members of the task force
3 consider necessary to perform their duties.

4 **SECTION 2.** Section 1 of this 2009 Act is repealed on the date of the convening of the next
5 regular biennial legislative session.

6 **SECTION 3.** If the Task Force on Lower Columbia River Salmon Harvest Allocation cre-
7 ated by section 1 of this 2009 Act does not submit a consensus report to the interim legisla-
8 tive committees by January 1, 2011, the State Fish and Wildlife Commission, in implementing
9 the salmon allocation formula, shall reduce lower Columbia River salmon allocation by an
10 amount that is between 30 percent and 40 percent for the calendar years 2011 and 2012.

11 **SECTION 4.** This 2009 Act being necessary for the immediate preservation of the public
12 peace, health and safety, an emergency is declared to exist, and this 2009 Act takes effect
13 on its passage.

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