

Senate Bill 736

Sponsored by Senator BATES, Representatives BAILEY, HUNT, KENNEMER; Senators BONAMICI, GIROD, HASS, KRUSE, MONNES ANDERSON, MONROE, MORSE, OLSEN, Representatives BARKER, DEMBROW, DOHERTY, FREEMAN, GILLIAM, GREENLICK, HARKER, JOHNSON, KOMP, KOTEK, NOLAN

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**.

Prohibits gillnet fishing in lower Columbia River except in off-channel fishery enhancement areas specified by rule of State Fish and Wildlife Commission.
Becomes operative January 1, 2012.
Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to gillnet fishing; creating new provisions; amending ORS 508.775; and declaring an emer-
3 gency.

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

5 **SECTION 1.** ORS 508.775 is amended to read:

6 508.775. (1)(a) Notwithstanding any other provision of the commercial fishing laws, it is unlawful
7 for an individual to operate a vessel in the Columbia River gillnet salmon fishery without first ob-
8 taining a vessel permit issued pursuant to ORS 508.775 to 508.796. However, an individual who holds
9 valid commercial fishing licenses and vessel permits required by and issued pursuant to the laws of
10 the State of Washington for commercial salmon fishing in the Columbia River may land salmon in
11 this state that were taken in the Columbia River gillnet salmon fishery without the permit otherwise
12 required by this subsection.

13 **(b) Gillnet fishing under paragraph (a) of this subsection is prohibited in the lower**
14 **Columbia River, except in off-channel fishery enhancement areas specified by rule of the**
15 **State Fish and Wildlife Commission.**

16 (2) Notwithstanding any other provision of the commercial fishing laws, it is unlawful for a
17 wholesaler, canner or buyer to buy or receive salmon taken in the Columbia River gillnet fishery
18 from an individual who does not have the permit required by subsection (1)(a) of this section.

19 (3) The permit required by subsection (1)(a) of this section is in addition to and not in lieu of
20 the boat license required by ORS 508.260.

21 **SECTION 2.** Except as provided in section 3 of this 2011 Act, the amendments to ORS
22 508.775 by section 1 of this 2011 Act become operative on January 1, 2012.

23 **SECTION 3.** The State Fish and Wildlife Commission may adopt rules before the opera-
24 tive date specified in section 2 of this 2011 Act or take any action before that date that is
25 necessary to implement the amendments to ORS 508.775 by section 1 of this 2011 Act on and
26 after the operative date specified in section 2 of this 2011 Act.

27 **SECTION 4.** The amendments to ORS 508.775 by section 1 of this 2011 Act apply to vessel
28 permits issued or renewed pursuant to ORS 508.775 to 508.796 for the Columbia River gillnet
29 salmon fishery before, on or after the operative date specified in section 2 of this 2011 Act.

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 **SECTION 5. This 2011 Act being necessary for the immediate preservation of the public**
2 **peace, health and safety, an emergency is declared to exist, and this 2011 Act takes effect**
3 **on its passage.**

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