

SENATE AMENDMENTS TO SENATE BILL 736

By COMMITTEE ON ENVIRONMENT AND NATURAL RESOURCES

April 27

1 On page 1 of the printed bill, line 2, after “508.775” delete the rest of the line and line 3 and
2 insert “, 508.778 and 508.781; and repealing ORS 508.792.”.

3 Delete lines 5 through 29 and delete page 2 and insert:

4 “**SECTION 1.** ORS 508.775 is amended to read:

5 “508.775. (1)(a) Notwithstanding any other provision of the commercial fishing laws, it is un-
6 lawful for an individual to operate a vessel in the Columbia River gillnet salmon fishery without first
7 obtaining a vessel permit issued pursuant to ORS 508.775 to 508.796. However, an individual who
8 holds valid commercial fishing licenses and vessel permits required by and issued pursuant to the
9 laws of the State of Washington for commercial salmon fishing in the Columbia River may land
10 salmon in this state that were taken in the Columbia River gillnet salmon fishery without the permit
11 otherwise required by this subsection.

12 “(b) **Gillnet fishing under paragraph (a) of this subsection is prohibited in the lower**
13 **Columbia River from March 1 through May 31 of each year, except in off-channel fishery**
14 **enhancement areas specified by rule of the State Fish and Wildlife Commission.**

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

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

20 “**SECTION 2.** The amendments to ORS 508.775 by section 1 of this 2011 Act become op-
21 erative on January 1, 2015.

22 “**SECTION 3.** ORS 508.778 is amended to read:

23 “508.778. [Except as provided in ORS 508.792,] No new vessel permits shall be issued **pursuant**
24 **to ORS 508.775 to 508.796 on or after the effective date of this 2011 Act.**

25 “**SECTION 4.** ORS 508.792 is repealed.

26 “**SECTION 5.** ORS 508.781 is amended to read:

27 “508.781. (1) **Except as provided in subsection (2) of this section,** an individual who obtained
28 the permit required by ORS 508.775 for a particular calendar year is eligible to obtain renewal of
29 the permit in a subsequent calendar year, upon application and payment of the fees therefor by
30 December 31 of the permit year or by such date as may be specified by rule of the State Department
31 of Fish and Wildlife.

32 “(2) **An individual may not renew a permit issued pursuant to ORS 508.775 to 508.796 if,**
33 **in the 12-month period before the individual applies for renewal of the permit, the individual**
34 **did not engage in activities authorized under the permit.**

35 “**SECTION 6.** (1) The State Department of Fish and Wildlife shall evaluate off-channel

1 fishery enhancement areas in the lower Columbia River specified by rule of the State Fish
2 and Wildlife Commission.

3 “(2) After conducting the evaluation described in subsection (1) of this section, the de-
4 partment may propose expanding the size of, or creating additional, off-channel fishery en-
5 hancement areas. Any proposals for additional off-channel fishery enhancement areas under
6 this subsection must allow sufficient upriver fishery impacts. The department shall evaluate
7 the possibility of creating an off-channel fishery enhancement area in the North Portland
8 Harbor.

9 “(3) No later than October 1, 2012, the department shall report the results of its evalu-
10 ation of off-channel fishery enhancement areas, and any proposals for expanding the size of,
11 or creating additional, off-channel fishery enhancement areas, to the Seventy-sixth Legisla-
12 tive Assembly in the manner provided by ORS 192.245.

13 “SECTION 7. (1) The amendments to ORS 508.781 by section 5 of this 2011 Act apply to:

14 “(a) Vessel permits issued pursuant to ORS 508.775 to 508.796 for the Columbia River
15 gillnet salmon fishery before the effective date of this 2011 Act.

16 “(b) Vessel permits renewed pursuant to ORS 508.775 to 508.796 for the Columbia River
17 gillnet salmon fishery before, on or after the effective date of this 2011 Act.

18 “(2) The repeal of ORS 508.792 by section 4 of this 2011 Act does not affect the validity
19 of any permits issued by the lottery system before the effective date of this 2011 Act, or any
20 renewal of those permits.”.

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