

House Bill 2401

Sponsored by Representative WITT; Representatives BAILEY, BUCKLEY, DOHERTY, HOLVEY (Pre-session filed.)

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 certain activities in spawning beds of salmon and steelhead. Requires State Department of Fish and Wildlife and State Marine Board to publish certain brochures. Requires State Fish and Wildlife Commission to consult with tribes.

Requires department to report to Legislative Assembly regarding prohibition of certain activities in spawning beds of salmon and steelhead.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to spawning beds; and declaring an emergency.

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

4 **SECTION 1. Section 2 of this 2013 Act is added to and made a part of ORS chapter 496.**

5 **SECTION 2. (1) As used in this section:**

6 (a) "Motor vehicle" has the meaning given that term in ORS 801.360.

7 (b) "Spawning bed" has the meaning given that term in rules adopted by the State Fish
8 and Wildlife Commission.

9 (2) Except as otherwise provided by law, a person may not:

10 (a) Wade in a spawning bed of salmon or steelhead;

11 (b) Operate a motor vehicle in a spawning bed of salmon or steelhead;

12 (c) Operate a high-powered jet or propeller-driven boat in a spawning bed of salmon or
13 steelhead;

14 (d) Drag an anchor through a spawning bed of salmon or steelhead;

15 (e) Remove gravel from a spawning bed of salmon or steelhead; or

16 (f) Engage in any other activity that will disturb, damage or destroy a spawning bed of
17 salmon or steelhead.

18 (3) The commission may by rule establish exceptions to the prohibitions specified in
19 subsection (2) of this section.

20 (4)(a) The State Department of Fish and Wildlife shall publish a brochure that includes
21 information regarding the provisions of this section. The department shall post the brochure
22 on its Internet website.

23 (b) The State Marine Board shall publish a brochure that includes information regarding
24 the provisions of this section. The board shall post the brochure on its Internet website.

25 (5) The commission shall consult with federally recognized Indian tribes in Oregon before
26 developing and implementing the provisions of this section.

27 **SECTION 3. Section 2 of this 2013 Act applies to conduct occurring on or after the ef-**
28 **fective date of this 2013 Act.**

29 **SECTION 4. No later than February 20, 2015, the State Department of Fish and Wildlife**

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 shall report to the Legislative Assembly in the manner provided by ORS 192.245 regarding
2 the implementation of the provisions of section 2 of this 2013 Act.

3 SECTION 5. This 2013 Act being necessary for the immediate preservation of the public
4 peace, health and safety, an emergency is declared to exist, and this 2013 Act takes effect
5 on its passage.

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