

House Bill 3437

Sponsored by Representative ESQUIVEL; Representatives BERGER, HANNA, JOHNSON, KRIEGER, SMITH, SPRENGER, THATCHER, WEIDNER, WITT

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 certain qualifications for appointment as member of State Fish and Wildlife Commission.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to the State Fish and Wildlife Commission; creating new provisions; amending ORS 496.090;
3 and declaring an emergency.

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

5 **SECTION 1.** ORS 496.090 is amended to read:

6 496.090. (1) There is established a State Fish and Wildlife Commission that shall consist of seven
7 members appointed by the Governor.

8 (2) The term of office of each member is four years, but a member serves at the pleasure of the
9 Governor. Before the expiration of the term of a member, the Governor shall appoint a successor.
10 A member is eligible for reappointment. If there is a vacancy for any cause, the Governor shall make
11 an appointment to become immediately effective for the unexpired term.

12 (3) All appointments of members of the commission by the Governor are subject to confirmation
13 by the Senate pursuant to section 4, Article III, Oregon Constitution.

14 (4) One member of the commission shall be appointed from each of the congressional districts
15 referred to in ORS 188.135, one member from that portion of the state lying west of the Cascade
16 Mountains and one member from that portion of the state lying east of the Cascade Mountains.

17 (5) Members appointed to the commission shall be residents of this state, as defined in ORS
18 497.002.

19 (6) All members of the commission shall represent the public interest of the state and make de-
20 cisions affecting the wildlife resources of the state for the benefit of those resources. Consistent
21 with the requirements of this subsection, the commission shall provide for the productive and
22 sustainable utilization of wildlife resources for all groups of users.

23 (7)(a) All members of the commission:

24 (A) Shall have a general knowledge of fish and wildlife issues and an understanding of the op-
25 eration and functions of public policy boards and commissions.

26 (B) **Must have held at least one of the following licenses in each of the 10 calendar years**
27 **immediately preceding appointment to the commission under the provisions of this section:**

28 (i) **A valid hunting license issued pursuant to ORS 497.102;**

29 (ii) **A valid angling or shellfish license issued pursuant to ORS 497.121; or**

30 (iii) **A commercial fishing license required by ORS 508.235.**

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 **(b)** In making appointments to the commission, the Governor shall consider appointing members
2 who possess natural resource backgrounds such as backgrounds in commercial fishing, recreational
3 fishing, hunting, agriculture, forestry and conservation.

4 (8) Failure of a member to maintain compliance with the eligibility requirements of subsections
5 (4) and (5) of this section shall vacate membership. Members of the commission may otherwise be
6 removed only by the Governor.

7 (9) A member of the commission is entitled to compensation and expenses as provided in ORS
8 292.495.

9 **SECTION 2.** (1) **The amendments to ORS 496.090 by section 1 of this 2013 Act apply to**
10 **appointments, or reappointments, made by the Governor on or after the effective date of this**
11 **2013 Act.**

12 **(2) The appointed members of the State Fish and Wildlife Commission serving on the ef-**
13 **fective date of this 2013 Act who do not meet the requirements of ORS 496.090, as amended**
14 **by section 1 of this 2013 Act, may remain on the commission until the expiration of their**
15 **terms unless removed by the Governor pursuant to ORS 496.090 (2).**

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

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