

SENATE AMENDMENTS TO SENATE BILL 830

By JOINT COMMITTEE ON WAYS AND MEANS

July 6

1 On page 1 of the printed bill, line 3, after “money;” insert “limiting expenditures;”.

2 After line 27, insert:

3
4 **“COLUMBIA RIVER FISH MANAGEMENT AND REFORM**

5
6 **“SECTION 3a. (1) The Legislative Assembly finds that it is the policy of the State of**
7 **Oregon that rules as a whole related to Columbia River fish management and reform that**
8 **are adopted by the State Fish and Wildlife Commission:**

9 **“(a) Optimize overall economic benefits to this state;**

10 **“(b) Enhance the economic viability of Oregon’s recreational and commercial fisheries**
11 **and the communities that rely on these fisheries;**

12 **“(c) Contribute to native fish conservation and recovery;**

13 **“(d) Promote orderly fishery management with the State of Washington; and**

14 **“(e) Provide consistency with agreements made with Indian tribes pursuant to state or**
15 **federal court orders.**

16 **“(2) If economic, including commercial harvest, or conservation objectives related to**
17 **Columbia River fish management and reform adopted by rule of the commission are not met,**
18 **then by rule the commission must provide for adaptive management actions that are de-**
19 **signed to efficiently achieve the respective economic, including commercial harvest, or con-**
20 **servation objectives, including but not limited to:**

21 **“(a) Modifying or halting the schedule and degree of shifts in harvest and impact allo-**
22 **cations specified in rules of the commission as necessary to attain harvest objectives**
23 **through improved harvest levels in either off-channel or mainstem fisheries, within the**
24 **context of naturally varying run sizes;**

25 **“(b) Advancing additional fishery opportunities, seasons or selective fishing gear; or**

26 **“(c) Improving hatchery fish production or the timing, size or location of hatchery fish**
27 **releases.**

28 **“(3) As part of the rules related to Columbia River fish management and reform, the**
29 **commission shall establish a zone at the mouth of Youngs Bay in which recreational fishing,**
30 **including recreational fishing taking place with guide boats, is prohibited in order to reduce**
31 **the interception of hatchery fish returning to the off-channel commercial fishery in Youngs**
32 **Bay. At least once every three years, the commission shall evaluate the impacts and effec-**
33 **tiveness of this zone and make adjustments, including the removal of the prohibition de-**
34 **scribed in this subsection, as necessary to meet the objectives described in subsection (1) of**
35 **this section.**

1 **“SECTION 3b. The State Fish and Wildlife Commission shall adopt rules establishing the**
2 **zone at the mouth of Youngs Bay pursuant to section 3a (3) of this 2013 Act no later than**
3 **February 1, 2014.”.**

4 On page 2, line 14, delete “the loss of fishing opportunities” and insert “fishing gear changes”.

5 In line 27, delete “the loss of fishing opportunities” and insert “fishing gear changes”.

6 On page 3, line 12, delete “General Fund” and insert “Columbia River Fisheries Enhancement
7 Fund established under section 7 of this 2013 Act”.

8 On page 5, delete lines 28 through 45 and delete page 6.

9 On page 7, delete lines 1 through 38 and insert:

10 “(23) May by rule establish annual and daily Columbia Basin salmon, steelhead and sturgeon
11 recreational fishing endorsements with a fee not to exceed \$9.75 per annual license and \$1 per day
12 per daily license. An endorsement is required to fish for salmon, steelhead or sturgeon in the
13 Columbia Basin and is in addition to and not in lieu of angling licenses and tags required under the
14 wildlife laws. Amounts collected as fees under this subsection must be deposited in the Columbia
15 River Fisheries Enhancement Fund established under section 7 of this 2013 Act.

16 **“SECTION 10.** ORS 496.146, as amended by section 9 of this 2013 Act, is amended to read:

17 “496.146. In addition to any other duties or powers provided by law, the State Fish and Wildlife
18 Commission:

19 “(1) May accept, from whatever source, appropriations, gifts or grants of money or other prop-
20 erty for the purposes of wildlife management, and use such money or property for wildlife manage-
21 ment purposes.

22 “(2) May sell or exchange property owned by the state and used for wildlife management pur-
23 poses when the commission determines that such sale or exchange would be advantageous to the
24 state wildlife policy and management programs.

25 “(3) May acquire, introduce, propagate and stock wildlife species in such manner as the com-
26 mission determines will carry out the state wildlife policy and management programs.

27 “(4) May by rule authorize the issuance of such licenses, tags and permits for angling, taking,
28 hunting and trapping and may prescribe such tagging and sealing procedures as the commission
29 determines necessary to carry out the provisions of the wildlife laws or to obtain information for
30 use in wildlife management. Permits issued pursuant to this subsection may include special hunting
31 permits for a person and immediate family members of the person to hunt on land owned by that
32 person in areas where permits for deer or elk are limited by quota. As used in this subsection, ‘im-
33 mediate family members’ means husband, wife, father, mother, brothers, sisters, sons, daughters,
34 stepchildren and grandchildren. A landowner who is qualified to receive landowner preference tags
35 from the commission may request two additional tags for providing public access and two additional
36 tags for wildlife habitat programs. This request shall be made to the Access and Habitat Board with
37 supporting evidence that the access is significant and the habitat programs benefit wildlife. The
38 board may recommend that the commission grant the request. When a landowner is qualified under
39 landowner preference rules adopted by the commission and receives a controlled hunt tag for that
40 unit or a landowner preference tag for the landowner’s property and does not use the tag during the
41 regular season, the landowner may use that tag to take an antlerless animal, when approved by the
42 State Department of Fish and Wildlife, to alleviate damage that is presently occurring to the
43 landowner’s property.

44 “(5) May by rule prescribe procedures requiring the holder of any license, tag or permit issued
45 pursuant to the wildlife laws to keep records and make reports concerning the time, manner and

1 place of taking wildlife, the quantities taken and such other information as the commission deter-
2 mines necessary for proper enforcement of the wildlife laws or to obtain information for use in
3 wildlife management.

4 “(6) May establish special hunting and angling areas or seasons in which only persons less than
5 18 years of age or over 65 years of age are permitted to hunt or angle.

6 “(7) May acquire by purchase, lease, agreement or gift real property and all appropriate inter-
7 ests therein for wildlife management and wildlife-oriented recreation purposes.

8 “(8) May acquire by purchase, lease, agreement, gift, exercise of eminent domain or otherwise
9 real property and all interests therein and establish, operate and maintain thereon public hunting
10 areas.

11 “(9) May establish and develop wildlife refuge and management areas and prescribe rules gov-
12 erning the use of such areas and the use of wildlife refuge and management areas established and
13 developed pursuant to any other provision of law.

14 “(10) May by rule prescribe fees for licenses, tags, permits and applications issued or required
15 pursuant to the wildlife laws, and user charges for angling, hunting or other recreational uses of
16 lands owned or managed by the commission, unless such fees or user charges are otherwise pre-
17 scribed by law. Except for licenses issued pursuant to subsection (14) of this section, no fee or user
18 charge prescribed by the commission pursuant to this subsection shall exceed \$100.

19 “(11) May enter into contracts with any person or governmental agency for the development and
20 encouragement of wildlife research and management programs and projects.

21 “(12) May perform such acts as may be necessary for the establishment and implementation of
22 cooperative wildlife management programs with agencies of the federal government.

23 “(13) May offer and pay rewards for the arrest and conviction of any person who has violated
24 any of the wildlife laws. No such reward shall exceed \$100 for any one arrest and conviction.

25 “(14) May by rule prescribe fees for falconry licenses issued pursuant to the wildlife laws, unless
26 such fees are otherwise prescribed by law. Fees prescribed by the commission pursuant to this sub-
27 section shall be based on actual or projected costs of administering falconry regulations and shall
28 not exceed \$250.

29 “(15) May establish special fishing and hunting seasons and bag limits applicable only to persons
30 with disabilities.

31 “(16) May adopt optimum populations for deer and elk consistent with ORS 496.012. These pop-
32 ulation levels shall be reviewed at least once every five years.

33 “(17) Shall establish a preference system so that individuals who are unsuccessful in controlled
34 hunt permit drawings for deer and elk hunting have reasonable assurance of success in those
35 drawings in subsequent years. In establishing the preference system, the commission shall consider
36 giving additional preference points to persons who have been issued a resident pioneer hunting li-
37 cense pursuant to ORS 497.102.

38 “(18) May sell advertising in State Department of Fish and Wildlife publications, including an-
39 nual hunting and angling regulation publications.

40 “(19) May, notwithstanding the fees required by ORS 497.112, provide free hunting tags to an
41 organization that sponsors hunting trips for terminally ill children.

42 “(20) Shall, after consultation with the State Department of Agriculture, adopt rules prohibiting
43 the use of the World Wide Web, other Internet protocols or broadcast or closed circuit media to
44 remotely control a weapon for the purpose of hunting any game bird, wildlife, game mammal or
45 other mammal. The rules may exempt the State Department of Fish and Wildlife or agents of the

1 department from the prohibition.

2 “(21) May adopt rules establishing a schedule of civil penalties, not to exceed \$6,500 per vio-
3 lation, for violations of provisions of the wildlife laws or rules adopted by the commission under the
4 wildlife laws. Civil penalties established under this subsection must be imposed in the manner pro-
5 vided by ORS 183.745 and must be deposited in the State Wildlife Fund established under ORS
6 496.300.

7 “(22) May by rule impose a surcharge not to exceed \$25 for the renewal of a hunting license
8 on any person who fails to comply with mandatory hunting reporting requirements. Amounts col-
9 lected as surcharges under this subsection must be deposited in the State Wildlife Fund established
10 under ORS 496.300.

11 “[*(23) May by rule establish annual and daily Columbia Basin salmon, steelhead and sturgeon*
12 *recreational fishing endorsements with a fee not to exceed \$9.75 per annual license and \$1 per day per*
13 *daily license. An endorsement is required to fish for salmon, steelhead or sturgeon in the Columbia*
14 *Basin and is in addition to and not in lieu of angling licenses and tags required under the wildlife*
15 *laws. Amounts collected as fees under this subsection must be deposited in the Columbia River*
16 *Fisheries Enhancement Fund established under section 7 of this 2013 Act.*”]

17 After line 40, insert:

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19 **“APPROPRIATION AND EXPENDITURE LIMITATION**

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21 **“SECTION 12. There is appropriated to the State Department of Fish and Wildlife, for**
22 **the biennium beginning July 1, 2013, out of the General Fund, the amount of \$2,000,000 for**
23 **purposes of carrying out the provisions of this 2013 Act.**

24 **“SECTION 13. Notwithstanding any other law limiting expenditures, the amount of**
25 **\$2,002,000 is established for the biennium beginning July 1, 2013, as the maximum limit for**
26 **payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts,**
27 **but excluding lottery funds and federal funds, collected or received by the State Department**
28 **of Fish and Wildlife, for purposes of carrying out the provisions of this 2013 Act.”.**

29 In line 44, delete “12” and insert “14”.

30 On page 8, line 5, delete “13” and insert “15”.