

## SENATE AMENDMENTS TO SENATE BILL 59

By COMMITTEE ON NATURAL RESOURCES AND WILDFIRE RECOVERY

April 5

1 On page 1 of the printed bill, line 2, after “Fund;” delete the rest of the line and lines 3 and 4  
2 and insert “creating new provisions; amending ORS 496.146 and sections 7, 8 and 11, chapter 672,  
3 Oregon Laws 2013, and section 22, chapter 779, Oregon Laws 2015; repealing section 22, chapter 779,  
4 Oregon Laws 2015; and prescribing an effective date.”.

5 Delete lines 6 through 28 and delete page 2.

6 On page 3, delete lines 1 through 35 and insert:

7 “**SECTION 1.** Section 7, chapter 672, Oregon Laws 2013, is amended to read:

8 “**Sec. 7.** (1) The Columbia River Fisheries Enhancement Fund is established in the State Treas-  
9 ury, separate and distinct from the General Fund. Interest earned by the Columbia River Fisheries  
10 Enhancement Fund shall be credited to the fund.

11 “(2) Moneys in the fund are continuously appropriated to the State Fish and Wildlife Commis-  
12 sion to implement measures that enhance fisheries, **advance selective harvest practices**, optimize  
13 the economic benefits of fisheries, **improve monitoring and data regarding fishery-related mor-**  
14 **talidity** and advance native fish conservation **directly** related to Columbia River fish management and  
15 reform adopted by rule of the commission.

16 “(3) **The commission shall annually make available on a website of the commission or**  
17 **State Department of Fish and Wildlife a summary of the uses of the moneys in the fund.**

18 “[2] (4) The commission may accept grants, donations, contributions or gifts from any source  
19 for deposit in the Columbia River Fisheries Enhancement Fund.

20 “[3] (5) The Columbia River Fisheries Enhancement Fund shall consist of:

21 “(a) Moneys accepted by the commission pursuant to subsection (2) of this section.

22 “(b) Fees collected by the commission under ORS 496.146 (23).

23 “**SECTION 2.** Section 8, chapter 672, Oregon Laws 2013, is amended to read:

24 “**Sec. 8.** (1) Section 7, *[of this 2013 Act]* **chapter 672, Oregon Laws 2013**, is repealed on January  
25 2, [2022] **2026**.

26 “(2) The Columbia River Fisheries Enhancement Fund established under section 7, *[of this 2013*  
27 *Act]* **chapter 672, Oregon Laws 2013**, is abolished January 2, [2022] **2026**.

28 “(3) Any unexpended moneys remaining in the Columbia River Fisheries Enhancement Fund on  
29 January 2, [2022] **2026**, shall be transferred to the State Wildlife Fund.

30 “**SECTION 3.** ORS 496.146, as amended by section 10, chapter 672, Oregon Laws 2013, section  
31 52, chapter 629, Oregon Laws 2015, section 8, chapter 779, Oregon Laws 2015, section 4, chapter 100,  
32 Oregon Laws 2018, and section 2, chapter 82, Oregon Laws 2019, is amended to read:

33 “496.146. In addition to any other duties or powers provided by law, the State Fish and Wildlife  
34 Commission:

35 “(1) May accept, from whatever source, appropriations, gifts or grants of money or other prop-

1 erty for the purposes of wildlife management, and use such money or property for wildlife manage-  
2 ment purposes.

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

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

8 “(4) May by rule authorize the issuance of such licenses, tags and permits for angling, taking,  
9 hunting and trapping and may prescribe such tagging and sealing procedures as the commission  
10 determines necessary to carry out the provisions of the wildlife laws or to obtain information for  
11 use in wildlife management. Permits issued pursuant to this subsection may include special hunting  
12 permits for a person and immediate family members of the person to hunt on land owned by that  
13 person in areas where permits for deer or elk are limited by quota. As used in this subsection, ‘im-  
14 mediate family members’ means spouses in a marriage, parents, brothers, brothers-in-law, sisters,  
15 sisters-in-law, sons, sons-in-law, daughters, daughters-in-law, stepchildren and grandchildren. A  
16 landowner who is qualified to receive landowner preference tags from the commission may request  
17 two additional tags for providing public access and two additional tags for wildlife habitat programs.  
18 This request shall be made to the Access and Habitat Board with supporting evidence that the ac-  
19 cess is significant and the habitat programs benefit wildlife. The board may recommend that the  
20 commission grant the request. When a landowner is qualified under landowner preference rules  
21 adopted by the commission and receives a controlled hunt tag for that unit or a landowner prefer-  
22 ence tag for the landowner’s property and does not use the tag during the regular season, the  
23 landowner may use that tag to take an antlerless animal, when approved by the State Department  
24 of Fish and Wildlife, to alleviate damage that is presently occurring to the landowner’s property.

25 “(5) May by rule prescribe procedures requiring the holder of any license, tag or permit issued  
26 pursuant to the wildlife laws to keep records and make reports concerning the time, manner and  
27 place of taking wildlife, the quantities taken and such other information as the commission deter-  
28 mines necessary for proper enforcement of the wildlife laws or to obtain information for use in  
29 wildlife management.

30 “(6) May establish special hunting and angling areas or seasons in which only persons less than  
31 18 years of age or over 65 years of age are permitted to hunt or angle.

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

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

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

40 “(10) May by rule prescribe fees for licenses, tags, permits and applications issued or required  
41 pursuant to the wildlife laws, and user charges for angling, hunting or other recreational uses of  
42 lands owned or managed by the commission, unless such fees or user charges are otherwise pre-  
43 scribed by law. No fee or user charge prescribed by the commission pursuant to this subsection shall  
44 exceed \$250.

45 “(11) May enter into contracts with any person or governmental agency for the development and

1 encouragement of wildlife research and management programs and projects.

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

4 “(13) May offer and pay rewards for the arrest and conviction of any person who has violated  
5 any of the wildlife laws. No such reward shall exceed \$1,000 for any one arrest and conviction.

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

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

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

14 “(17) Shall establish a preference system so that individuals who are unsuccessful in controlled  
15 hunt permit drawings for deer and elk hunting have reasonable assurance of success in those  
16 drawings in subsequent years. In establishing the preference system, the commission shall consider  
17 giving additional preference points to persons who have been issued a resident annual pioneer  
18 combination license pursuant to ORS 497.132 or resident disabled veteran hunting license under ORS  
19 497.102.

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

22 “(19) May, notwithstanding the fees required by ORS 497.112, provide free hunting tags to an  
23 organization that sponsors hunting trips for terminally ill children. Except as provided under ORS  
24 497.116, the State Department of Fish and Wildlife may not issue more than 15 tags annually under  
25 this subsection.

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

31 “(21) May adopt rules establishing a schedule of civil penalties, not to exceed \$6,500 per vio-  
32 lation, for violations of provisions of the wildlife laws or rules adopted by the commission under the  
33 wildlife laws. Civil penalties established under this subsection must be imposed in the manner pro-  
34 vided by ORS 183.745 and must be deposited in the State Wildlife Fund established under ORS  
35 496.300.

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

40 “(23)(a) **May by rule establish annual and daily Columbia Basin salmon, steelhead and**  
41 **sturgeon recreational fishing endorsements with a fee not to exceed \$9.75 per annual license**  
42 **and \$1 per day per daily license. An endorsement is required to fish for salmon, steelhead**  
43 **or sturgeon in portions of the Columbia Basin as designated by rule and is in addition to and**  
44 **not in lieu of angling licenses and tags required under the wildlife laws. Amounts collected**  
45 **as fees under this subsection must be deposited in the Columbia River Fisheries Enhance-**

1 **ment Fund established under section 7, chapter 672, Oregon Laws 2013.**

2 **“(b) Notwithstanding paragraph (a) of this subsection, if the commission adopts rules**  
3 **that decrease fishery impacts or the share of salmon allocated to Columbia River recre-**  
4 **ational fisheries or that expand the areas and seasons where nontribal gillnets are permitted**  
5 **in mainstem lower Columbia River nontribal fisheries as compared to regulatory restrictions**  
6 **in place from 2017 to 2020, the commission may not require or collect the endorsements,**  
7 **beginning in the following calendar year.**

8 “[23] (24) May by rule establish multiyear licenses and may prescribe fees for such licenses.  
9 Fees prescribed by the commission for multiyear licenses may provide for a discount from the annual  
10 license fees that would otherwise be payable for the period of time covered by the multiyear license.

11 “[24] (25) May by rule establish a program to offer unique fishing opportunities through  
12 drawings, raffles or auctions and charge application and participation fees for the program.

13 **“SECTION 4.** Section 11, chapter 672, Oregon Laws 2013, is amended to read:

14 **“Sec. 11.** The amendments to ORS 496.146 by section 10, [of this 2013 Act] **chapter 672, Oregon**  
15 **Laws 2013, and section 3 of this 2021 Act** become operative on [January 2, 2022] **the effective**  
16 **date of this 2021 Act.**

17 **“SECTION 5.** ORS 496.146, as amended by section 10, chapter 672, Oregon Laws 2013, section  
18 52, chapter 629, Oregon Laws 2015, section 8, chapter 779, Oregon Laws 2015, section 4, chapter 100,  
19 Oregon Laws 2018, section 2, chapter 82, Oregon Laws 2019, and section 3 of this 2021 Act, is  
20 amended to read:

21 “496.146. In addition to any other duties or powers provided by law, the State Fish and Wildlife  
22 Commission:

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

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

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

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

1 landowner may use that tag to take an antlerless animal, when approved by the State Department  
2 of Fish and Wildlife, to alleviate damage that is presently occurring to the landowner's property.

3 "(5) May by rule prescribe procedures requiring the holder of any license, tag or permit issued  
4 pursuant to the wildlife laws to keep records and make reports concerning the time, manner and  
5 place of taking wildlife, the quantities taken and such other information as the commission deter-  
6 mines necessary for proper enforcement of the wildlife laws or to obtain information for use in  
7 wildlife management.

8 "(6) May establish special hunting and angling areas or seasons in which only persons less than  
9 18 years of age or over 65 years of age are permitted to hunt or angle.

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

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

15 "(9) May establish and develop wildlife refuge and management areas and prescribe rules gov-  
16 erning the use of such areas and the use of wildlife refuge and management areas established and  
17 developed pursuant to any other provision of law.

18 "(10) May by rule prescribe fees for licenses, tags, permits and applications issued or required  
19 pursuant to the wildlife laws, and user charges for angling, hunting or other recreational uses of  
20 lands owned or managed by the commission, unless such fees or user charges are otherwise pre-  
21 scribed by law. No fee or user charge prescribed by the commission pursuant to this subsection shall  
22 exceed \$250.

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

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

27 "(13) May offer and pay rewards for the arrest and conviction of any person who has violated  
28 any of the wildlife laws. No such reward shall exceed \$1,000 for any one arrest and conviction.

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

33 "(15) May establish special fishing and hunting seasons and bag limits applicable only to persons  
34 with disabilities.

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

37 "(17) Shall establish a preference system so that individuals who are unsuccessful in controlled  
38 hunt permit drawings for deer and elk hunting have reasonable assurance of success in those  
39 drawings in subsequent years. In establishing the preference system, the commission shall consider  
40 giving additional preference points to persons who have been issued a resident annual pioneer  
41 combination license pursuant to ORS 497.132 or resident disabled veteran hunting license under ORS  
42 497.102.

43 "(18) May sell advertising in State Department of Fish and Wildlife publications, including an-  
44 nual hunting and angling regulation publications.

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1 organization that sponsors hunting trips for terminally ill children. Except as provided under ORS  
2 497.116, the State Department of Fish and Wildlife may not issue more than 15 tags annually under  
3 this subsection.

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5 the use of the World Wide Web, other Internet protocols or broadcast or closed circuit media to  
6 remotely control a weapon for the purpose of hunting any game bird, wildlife, game mammal or  
7 other mammal. The rules may exempt the State Department of Fish and Wildlife or agents of the  
8 department from the prohibition.

9 “(21) May adopt rules establishing a schedule of civil penalties, not to exceed \$6,500 per vio-  
10 lation, for violations of provisions of the wildlife laws or rules adopted by the commission under the  
11 wildlife laws. Civil penalties established under this subsection must be imposed in the manner pro-  
12 vided by ORS 183.745 and must be deposited in the State Wildlife Fund established under ORS  
13 496.300.

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

18 “[*(23)(a) May by rule establish annual and daily Columbia Basin salmon, steelhead and sturgeon*  
19 *recreational fishing endorsements with a fee not to exceed \$9.75 per annual license and \$1 per day per*  
20 *daily license. An endorsement is required to fish for salmon, steelhead or sturgeon in portions of the*  
21 *Columbia Basin as designated by rule and is in addition to and not in lieu of angling licenses and tags*  
22 *required under the wildlife laws. Amounts collected as fees under this subsection must be deposited*  
23 *in the Columbia River Fisheries Enhancement Fund established under section 7, chapter 672, Oregon*  
24 *Laws 2013.*]

25 “[*(b) Notwithstanding paragraph (a) of this subsection, if the commission adopts rules that decrease*  
26 *fishery impacts or the share of salmon allocated to Columbia River recreational fisheries or that expand*  
27 *the areas and seasons where nontribal gillnets are permitted in mainstem lower Columbia River non-*  
28 *tribal fisheries as compared to regulatory restrictions in place from 2017 to 2020, the commission may*  
29 *not require or collect the endorsements, beginning in the following calendar year.*]

30 “[*(24)*] **(23)** May by rule establish multiyear licenses and may prescribe fees for such licenses.  
31 Fees prescribed by the commission for multiyear licenses may provide for a discount from the annual  
32 license fees that would otherwise be payable for the period of time covered by the multiyear license.

33 “[*(25)*] **(24)** May by rule establish a program to offer unique fishing opportunities through  
34 drawings, raffles or auctions and charge application and participation fees for the program.

35 **“SECTION 6. The amendments to ORS 496.146 by section 5 of this 2021 Act become op-**  
36 **erative on January 2, 2026.”.**

37 In line 36, delete “3” and insert “7”.

38 After line 41, insert:

39 **“SECTION 8. Section 22, chapter 779, Oregon Laws 2015, is repealed on January 2,**  
40 **2026.”.**

41 In line 42, delete “4” and insert “9”.