

Enrolled
House Bill 2499

Sponsored by Representative SMITH D, Senator ROBLAN (at the request of former Representative Wayne Krieger) (Pre-session filed.)

CHAPTER

AN ACT

Relating to limited entry fishery permits.

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

SECTION 1. Section 2 of this 2017 Act is added to and made a part of the commercial fishing laws.

SECTION 2. (1) In a circuit court proceeding concerning a claim by a seller of a vessel permit transferable under ORS 508.760, 508.793, 508.864, 508.907, 508.936 or 508.957 that the buyer of the vessel permit has failed to fulfill one or more terms of the sale, the seller may petition the circuit court for a preliminary injunction requiring the State Department of Fish and Wildlife and the Commercial Fishery Permit Board to take such actions as are necessary to allow the seller to continue to operate a vessel in the appropriate fishery during the pendency of the proceeding. An order granting a preliminary injunction under this section must include a finding that allowing the seller to continue to operate a vessel in the appropriate fishery during the pendency of the proceeding will not cause excessive harvest pressure on the fishery resource.

(2) Notwithstanding any other provision of law, the State Fish and Wildlife Commission may adopt rules necessary to allow for the issuance of temporary vessel permits or other relief necessary to comply with a preliminary injunction issued pursuant to a petition filed under subsection (1) of this section.

Passed by House April 20, 2017

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Timothy G. Sekerak, Chief Clerk of House

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Tina Kotek, Speaker of House

Passed by Senate May 17, 2017

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Peter Courtney, President of Senate

Received by Governor:

.....M,....., 2017

Approved:

.....M,....., 2017

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Kate Brown, Governor

Filed in Office of Secretary of State:

.....M,....., 2017

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Dennis Richardson, Secretary of State