

Requested by Senator JOHNSON

**PROPOSED AMENDMENTS TO
SENATE BILL 1025**

1 On page 1 of the printed bill, delete lines 4 through 29 and delete page
2 2 and insert:

3 **“SECTION 1. Sections 2, 3, 4 and 7 of this 2019 Act are added to and
4 made a part of the commercial fishing laws.**

5 **“SECTION 2. A person that takes clams for commercial purposes
6 in an Oregon bay:**

7 **“(1) Shall retain all clams the person takes in the bay, regardless
8 of the size or condition of the clams; and**

9 **“(2) May not take clams in the bay:**

10 **“(a) By a method other than diving;**

11 **“(b) With a mechanical item;**

12 **“(c) On a sand bar; or**

13 **“(d) In the Ghost Hole fishing area in Tillamook Bay.**

14 **“SECTION 3. The State Department of Fish and Wildlife shall adopt
15 rules to:**

16 **“(1) Limit, to sustainable levels, the take of clams for commercial
17 purposes in Oregon bays;**

18 **“(2) Limit the number of persons that take clams for commercial
19 purposes in a single bay; and**

20 **“(3) Ensure that no more than 50 percent of the total take of clams
21 for commercial purposes in Oregon bays occurs in a single bay.**

1 **“SECTION 4. (1) Each year, for every Oregon bay in which clams**
2 **were taken for commercial purposes during the previous year, the**
3 **State Department of Fish and Wildlife shall assess the percentage of**
4 **the total take of clams for commercial purposes in Oregon bays that**
5 **occurred in the bay during the previous year.**

6 **“(2) Based on the assessments required by subsection (1) of this**
7 **section, every six years the department shall produce a survey of the**
8 **clam population in any bay in which 45 percent or more of the total**
9 **take of clams for commercial purposes in Oregon bays occurred during**
10 **three or more of the previous six years.**

11 **“(3) The department shall use the assessments and surveys required**
12 **by this section to establish the allowable take of clams for commercial**
13 **purposes in a single bay.**

14 **“SECTION 5. (1) In 2020, the State Department of Fish and Wildlife**
15 **shall produce the first assessment required by section 4 of this 2019**
16 **Act to assess the 2019 take of clams for commercial purposes in**
17 **Oregon bays.**

18 **“(2) In 2025, the department shall produce the first survey required**
19 **by section 4 of this 2019 Act based on the department’s assessments**
20 **of the take of clams for commercial purposes in Oregon bays from 2019**
21 **through 2024.**

22 **“SECTION 6. In addition to and not in lieu of the surveys required**
23 **by sections 4 and 5 of this 2019 Act, the State Department of Fish and**
24 **Wildlife shall produce a survey of the clam population in Tillamook**
25 **Bay on or before September 15, 2020.**

26 **“SECTION 7. (1) The State Fish and Wildlife Director may issue a**
27 **person a permit to take clams for commercial purposes in an Oregon**
28 **bay.**

29 **“(2) The annual fee for a resident permit issued under this section**
30 **is \$375.**

1 **“(3) The annual fee for a nonresident permit issued under this sec-**
2 **tion is \$525.**

3 **“(4) It is unlawful to take clams for commercial purposes in an**
4 **Oregon bay under a permit issued under subsection (1) of this section**
5 **without first having obtained a license under ORS 508.035.**

6 **“SECTION 8.** ORS 508.116 is amended to read:

7 “508.116. (1)[(a)] The State Fish and Wildlife Director may issue to any
8 person a permit to take animals living intertidally on the bottom.

9 **“(2) Except as provided in section 7 of this 2019 Act:**

10 “[(b)] (a) The annual fee for a resident permit issued under this section
11 is \$125.

12 “[(c)] (b) The annual fee for a nonresident permit issued under this sec-
13 tion is \$175.

14 “[(2)] (3) It is unlawful to take animals living intertidally on the bottom
15 for commercial purposes by a permit issued under subsection (1) of this sec-
16 tion without first having obtained a license under ORS 508.035.

17 **“SECTION 9. The fees established in section 7 of this 2019 Act apply**
18 **to permits authorizing take of clams for commercial purposes in an**
19 **Oregon bay on or after January 1, 2020.”.**

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