



MEMORANDUM

Prepared for: Oregon State Senate
Date: April 27, 2021
By: Leslie Porter, LPRO Analyst
Re: Legislative Review of Executive Appointments

LPRO: LEGISLATIVE POLICY AND RESEARCH OFFICE

STATE FISH AND WILDLIFE COMMISSION

The Governor has appointed the following individual to the State Fish and Wildlife Commission subject to Senate confirmation.¹

Appointees

Kathayoon Khalil of Portland; New Appointment

Term

May 14, 2021 – May 13, 2025

Appointment/Confirmation Authority

[ORS 496.090 \(2019\)](#)

Statement of Economic Interest²

Required.

Statutory Requirements³

The commission consists of seven members appointed by the Governor and subject to confirmation by the Senate.⁴ Members serve four-year terms, at the pleasure of the Governor, and are eligible for reappointment. Members must be residents of this state, and one member must be appointed from:

- each of the congressional districts of this state (HATFIELD-HYDE (CD2); SPELBRINK (CD5); WAHL (CD4); WOLLEY (CD3); ZARNOWITZ (CD1);
- that portion of the state lying west of the Cascade Mountains (**KHALIL**); and,
- that portion of the state lying east of the Cascade Mountains (LABHART).

All members of the commission must have a general knowledge of fish and wildlife issues and an understanding of the operation and functions of public policy boards and commissions. In making appointments, the Governor must consider appointing members who possess natural resource backgrounds such as backgrounds in commercial fishing, recreational fishing, hunting, agriculture, forestry, and conservation.

¹ See [Or. Const. art. III sect. 4](#), [ORS 171.562 \(2019\)](#), [ORS 171.565 \(2019\)](#).

² See [ORS 244.050 \(2019\)](#).

³ See [ORS 182.100 \(2019\)](#) for affirmative action policy and [ORS 236.115 \(2019\)](#) for diversity criteria.

⁴ [ORS 496.090 \(2019\)](#).

The Governor designates one member as chairperson who serves in that role until the member's term expires or until relieved by the Governor, and with such powers and duties as are provided in the rules of the commission.⁵ The commission must select one of its members as vice chairperson, for a term and with the duties and powers necessary for the performance of the functions of the office as the commission determines appropriate. A majority of the members of the commission constitutes a quorum for the transaction of business.

The commission must meet at least once every two months at a time and place determined by the commission and at other times and places as are specified by the call of the chairperson or of a majority of the members of the commission. The commission may meet jointly with authorities of other states or of the United States to consider problems of mutual interest. The commission must hold at least one meeting per year in each of the congressional districts in this state.

Duties and Authority

The commission provides for the productive and sustainable utilization of wildlife resources for all groups of users.⁶ Members of the commission represent the public interest of the state and make decisions affecting the wildlife resources of the state for the benefit of those resources.

The commission must:⁷

- appoint a State Fish and Wildlife Director to serve for a term not to exceed four years unless sooner removed by the commission;
- upon request, determine the validity of any rule adopted by the director;
- report biennially to the Governor and to the Legislative Assembly on all new or amended rules, policies, or procedures adopted by the commission and significant consultation activity with public or private agencies;
- implement the policies and programs of this state for the management of wildlife;
- consider the uses of public and private lands and utilize voluntary partnerships with private and public landowners to protect and enhance wildlife habitat and effectively manage wildlife;
- adopt such rules and standards as it considers necessary and proper to implement statutory policy and objectives and to perform the functions vested by law in the commission;
- administer and enforce hunting, angling, and wildlife regulations;
- administer licenses, tags, and permits and for the taking of fish and wildlife;
- establish seasons, amounts, and manner of taking wildlife;
- conduct investigations of wildlife species native to this state, determine whether any such species is a threatened species or an endangered species, maintain and publish a list of threatened or endangered species, and establish quantifiable and measurable guidelines necessary to ensure the survival of individual members of the species;

⁵ [ORS 496.108 \(2019\)](#).

⁶ [ORS 496.090 \(2019\)](#).

⁷ ORS chapters [496](#), [497](#), [498](#), [501](#), [506](#), [507](#), [508](#), [509](#), [513](#) (2019).

- work with private landowners and local government to mitigate the adverse impact on local economies when the commission adds a species to the list of threatened or endangered species;
- appoint membership to and receive and consider recommendations from specified advisory councils and boards;
- maintain specified funds in the State Treasury;
- conduct a salmon and trout enhancement program to benefit all uses of the salmon and trout resources in this state;
- adopt by rule plans for the natural production of anadromous fish runs in specified basins;
- perform such acts as may be necessary to the conduct and establishment of cooperative wildlife and fish restoration projects as required by federal law; and
- formulate and implement the policies and programs of this state for the management of food fish, and may perform all acts necessary to administer and carry out the provisions of the commercial fishing laws.

The commission may:⁸

- delegate to the director any of the powers and duties granted to or imposed upon it by law, except to revoke or refuse to issue licenses issued pursuant to the commercial fishing laws;
- reappoint the director to additional terms;
- accept, from whatever source, appropriations, gifts or grants of money or other property for the purposes of wildlife management, and use such money or property for wildlife management purposes;
- sell or exchange property owned by the state and used for wildlife management purposes when the commission determines that such sale or exchange would be advantageous to the state wildlife policy and management programs;
- acquire, introduce, propagate, and stock wildlife species in such manner as the commission determines will carry out the state wildlife policy and management programs;
- adopt rules for the administration of specified statutory requirements;
- acquire by purchase, lease, agreement, or gift real property and all appropriate interests therein for wildlife management and wildlife-oriented recreation purposes;
- acquire by purchase, lease, agreement, gift, exercise of eminent domain, or otherwise real property and all interests therein and establish, operate, and maintain thereon public hunting areas;
- establish and develop wildlife refuge and management areas and prescribe rules governing the use of such areas and the use of wildlife refuge and management areas established and developed pursuant to any other provision of law;
- enter into contracts with any person or governmental agency for the development and encouragement of wildlife research and management programs and projects;

⁸ ORS chapters [496](#), [497](#), [498](#), [501](#), [506](#), [507](#), [508](#), [509](#), [513](#) (2019).

- perform such acts as may be necessary for the establishment and implementation of cooperative wildlife management programs with agencies of the federal government;
- offer and pay rewards for the arrest and conviction of any person who has violated provisions administered by the commission;
- establish and assess civil penalties violations of provisions administered by the commission;
- advise, consult and cooperate with other agencies of this state and political subdivisions, other states or the federal government and private landowners with respect to fish and wildlife management;
- with the approval of the Governor and Superintendent of State Police, employ such persons as necessary or expedient for the enforcement of the wildlife laws;
- receive and dispose of property seized and forfeited in the enforcement of provisions administered by the commission;
- institute suit for the recovery of damages for the unlawful taking or killing of any regulated fish or wildlife;
- on behalf of the State of Oregon, enter into an agreement with the constituted authority of the State of Washington, to modify the existing agreement with respect to fishing in the waters of the Columbia River and its tributaries, within the confines of the States of Oregon and Washington; and,
- control and regulate fishing boats, barges, lighters, or tenders, receptacles or vehicles containing fish or fishing gear, fish reduction plants or plants where fish products are manufactured, in so far as may be necessary to insure the taking, catching, delivery of fish, canning, packing, preserving, reduction of, and manufacture of fish products or by-products in a wholesome and sanitary manner, and to prevent deterioration or waste of any fish.

Executive Appointments Board Roster

Fish and Wildlife Commission, State

Agency: Fish & Wildlife
Authorization: ORS 496.090
Members: Min: 7 Max: 7
Term Length: 4 years Limit: 2
Senate confirmation required? Yes

Policy Area: Natural Resources

Board Contact:

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Current Appointments:

Member Name and Address (Alphabetical)

Becky W Hatfield Hyde CD2 Term(s): 11-25-2019 - 11-24-2023	Position Number: 3
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Kathayoon A Khalil West of the Cascades Term(s): 05-14-2021 - 05-13-2025	Position Number: 7
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Mark W Labhart East of the Cascades Term(s): 07-01-2019 - 06-30-2023	Position Number: 6
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Bob Spelbrink CD 5 Term(s): 06-01-2020 - 05-31-2024 05-15-2019 - 05-31-2020	Position Number: 5
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Mary G Wahl, Chair CD 4 Term(s): 05-15-2019 - 05-14-2023	Position Number: 4
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Gregory J Wolley CD 3 Term(s): 06-01-2016 - 05-31-2020 06-01-2012 - 05-31-2016	Position Number: 1
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Jill E Zarnowitz CD 1 Term(s): 09-01-2019 - 08-31-2023	Position Number: 2
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