

Senate Bill 59

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SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Eliminates sunset on Columbia River Fisheries Enhancement Fund. Eliminates sunset on State Fish and Wildlife Commission authority to charge for endorsements to certain Columbia Basin fishing licenses and deposit endorsement moneys to fund. Makes youth license and pioneer license exemptions from endorsement charges permanent.

Takes effect on 91st day following adjournment sine die.

A BILL FOR AN ACT

1
2 Relating to the Columbia River Fisheries Enhancement Fund; amending ORS 496.146 and section 22,
3 chapter 779, Oregon Laws 2015; repealing sections 8 and 11, chapter 672, Oregon Laws 2013; and
4 prescribing an effective date.

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

6 **SECTION 1. Sections 8 and 11, chapter 672, Oregon Laws 2013, are repealed.**

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

10 496.146. In addition to any other duties or powers provided by law, the State Fish and Wildlife
11 Commission:

12 (1) May accept, from whatever source, appropriations, gifts or grants of money or other property
13 for the purposes of wildlife management, and use such money or property for wildlife management
14 purposes.

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

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

20 (4) May by rule authorize the issuance of such licenses, tags and permits for angling, taking,
21 hunting and trapping and may prescribe such tagging and sealing procedures as the commission
22 determines necessary to carry out the provisions of the wildlife laws or to obtain information for
23 use in wildlife management. Permits issued pursuant to this subsection may include special hunting
24 permits for a person and immediate family members of the person to hunt on land owned by that
25 person in areas where permits for deer or elk are limited by quota. As used in this subsection,
26 "immediate family members" means spouses in a marriage, parents, brothers, brothers-in-law, sisters,
27 sisters-in-law, sons, sons-in-law, daughters, daughters-in-law, stepchildren and grandchildren. A
28 landowner who is qualified to receive landowner preference tags from the commission may request

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1 two additional tags for providing public access and two additional tags for wildlife habitat programs.
2 This request shall be made to the Access and Habitat Board with supporting evidence that the ac-
3 cess is significant and the habitat programs benefit wildlife. The board may recommend that the
4 commission grant the request. When a landowner is qualified under landowner preference rules
5 adopted by the commission and receives a controlled hunt tag for that unit or a landowner prefer-
6 ence tag for the landowner's property and does not use the tag during the regular season, the
7 landowner may use that tag to take an antlerless animal, when approved by the State Department
8 of Fish and Wildlife, to alleviate damage that is presently occurring to the landowner's property.

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

14 (6) May establish special hunting and angling areas or seasons in which only persons less than
15 18 years of age or over 65 years of age are permitted to hunt or angle.

16 (7) May acquire by purchase, lease, agreement or gift real property and all appropriate interests
17 therein for wildlife management and wildlife-oriented recreation purposes.

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

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

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

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

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

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

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

39 (15) May establish special fishing and hunting seasons and bag limits applicable only to persons
40 with disabilities.

41 (16) May adopt optimum populations for deer and elk consistent with ORS 496.012. These popu-
42 lation levels shall be reviewed at least once every five years.

43 (17) Shall establish a preference system so that individuals who are unsuccessful in controlled
44 hunt permit drawings for deer and elk hunting have reasonable assurance of success in those
45 drawings in subsequent years. In establishing the preference system, the commission shall consider

1 giving additional preference points to persons who have been issued a resident annual pioneer
 2 combination license pursuant to ORS 497.132 or resident disabled veteran hunting license under ORS
 3 497.102.

4 (18) May sell advertising in State Department of Fish and Wildlife publications, including annual
 5 hunting and angling regulation publications.

6 (19) May, notwithstanding the fees required by ORS 497.112, provide free hunting tags to an
 7 organization that sponsors hunting trips for terminally ill children. Except as provided under ORS
 8 497.116, the State Department of Fish and Wildlife may not issue more than 15 tags annually under
 9 this subsection.

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

15 (21) May adopt rules establishing a schedule of civil penalties, not to exceed \$6,500 per vio-
 16 lation, for violations of provisions of the wildlife laws or rules adopted by the commission under the
 17 wildlife laws. Civil penalties established under this subsection must be imposed in the manner pro-
 18 vided by ORS 183.745 and must be deposited in the State Wildlife Fund established under ORS
 19 496.300.

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

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

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

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

36 **SECTION 3.** Section 22, chapter 779, Oregon Laws 2015, is amended to read:

37 **Sec. 22.** *[For the period beginning January 1, 2016, and ending December 31, 2021,]* The youth
 38 license under *[section 21 of this 2015 Act]* **ORS 497.127** and the pioneer combination license under
 39 ORS 497.132 *[shall]* include authorization for the purchaser to engage in angling activities for which
 40 an endorsement to fish for salmon, steelhead or sturgeon in the Columbia Basin under ORS 496.146
 41 is required.

42 **SECTION 4. This 2021 Act takes effect on the 91st day after the date on which the 2021**
 43 **regular session of the Eighty-first Legislative Assembly adjourns sine die.**