

SB 59-2  
(LC 654)  
3/9/21 (AG/ps)

Requested by SENATE COMMITTEE ON NATURAL RESOURCES AND WILDFIRE RECOVERY

**PROPOSED AMENDMENTS TO  
SENATE BILL 59**

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

6 Delete lines 6 through 28 and delete page 2.

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

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

10 **“Sec. 7.** (1) The Columbia River Fisheries Enhancement Fund is estab-  
11 lished in the State Treasury, separate and distinct from the General Fund.  
12 Interest earned by the Columbia River Fisheries Enhancement Fund shall  
13 be credited to the fund.

14 **“(2)** Moneys in the fund are continuously appropriated to the State Fish  
15 and Wildlife Commission to implement measures that enhance fisheries, **ad-**  
16 **vance selective harvest practices**, optimize the economic benefits of  
17 fisheries, **improve monitoring and data regarding fishery-related mor-**  
18 **tality** and advance native fish conservation **directly** related to Columbia  
19 River fish management and reform adopted by rule of the commission.

20 **“(3) The commission shall annually make available on a website of**  
21 **the commission or State Department of Fish and Wildlife a summary**

1 **of the uses of the moneys in the fund.**

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

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

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

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

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

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13 is repealed on January 2, [2022] **2026.**

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

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

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

24 “496.146. In addition to any other duties or powers provided by law, the  
25 State Fish and Wildlife Commission:

26 “(1) May accept, from whatever source, appropriations, gifts or grants of  
27 money or other property for the purposes of wildlife management, and use  
28 such money or property for wildlife management purposes.

29 “(2) May sell or exchange property owned by the state and used for  
30 wildlife management purposes when the commission determines that such

1 sale or exchange would be advantageous to the state wildlife policy and  
2 management programs.

3 “(3) May acquire, introduce, propagate and stock wildlife species in such  
4 manner as the commission determines will carry out the state wildlife policy  
5 and management programs.

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

29 “(5) May by rule prescribe procedures requiring the holder of any license,  
30 tag or permit issued pursuant to the wildlife laws to keep records and make

1 reports concerning the time, manner and place of taking wildlife, the quan-  
2 tities taken and such other information as the commission determines nec-  
3 essary for proper enforcement of the wildlife laws or to obtain information  
4 for use in wildlife management.

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

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

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

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

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

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

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

30 “(13) May offer and pay rewards for the arrest and conviction of any

1 person who has violated any of the wildlife laws. No such reward shall ex-  
2 ceed \$1,000 for any one arrest and conviction.

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

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

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

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

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

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

27 “(20) Shall, after consultation with the State Department of Agriculture,  
28 adopt rules prohibiting the use of the World Wide Web, other Internet pro-  
29 tocols or broadcast or closed circuit media to remotely control a weapon for  
30 the purpose of hunting any game bird, wildlife, game mammal or other

1 mammal. The rules may exempt the State Department of Fish and Wildlife  
2 or agents of the department from the prohibition.

3 “(21) May adopt rules establishing a schedule of civil penalties, not to  
4 exceed \$6,500 per violation, for violations of provisions of the wildlife laws  
5 or rules adopted by the commission under the wildlife laws. Civil penalties  
6 established under this subsection must be imposed in the manner provided  
7 by ORS 183.745 and must be deposited in the State Wildlife Fund established  
8 under ORS 496.300.

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

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

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

1 **calendar year.**

2 “[~~(23)~~] **(24)** May by rule establish multiyear licenses and may prescribe  
3 fees for such licenses. Fees prescribed by the commission for multiyear li-  
4 censes may provide for a discount from the annual license fees that would  
5 otherwise be payable for the period of time covered by the multiyear license.

6 “[~~(24)~~] **(25)** May by rule establish a program to offer unique fishing op-  
7 portunities through drawings, raffles or auctions and charge application and  
8 participation fees for the program.

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

11 **“Sec. 11.** The amendments to ORS 496.146 by section 10, [*of this 2013*  
12 *Act*] **chapter 672, Oregon Laws 2013, and section 3 of this 2021 Act** be-  
13 come operative on [*January 2, 2022*] **the effective date of this 2021 Act.**

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

19 “496.146. In addition to any other duties or powers provided by law, the  
20 State Fish and Wildlife Commission:

21 “(1) May accept, from whatever source, appropriations, gifts or grants of  
22 money or other property for the purposes of wildlife management, and use  
23 such money or property for wildlife management purposes.

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

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

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

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

30       “(6) May establish special hunting and angling areas or seasons in which



1 only persons less than 18 years of age or over 65 years of age are permitted  
2 to hunt or angle.

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

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

9 “(9) May establish and develop wildlife refuge and management areas and  
10 prescribe rules governing the use of such areas and the use of wildlife refuge  
11 and management areas established and developed pursuant to any other  
12 provision of law.

13 “(10) May by rule prescribe fees for licenses, tags, permits and applica-  
14 tions issued or required pursuant to the wildlife laws, and user charges for  
15 angling, hunting or other recreational uses of lands owned or managed by  
16 the commission, unless such fees or user charges are otherwise prescribed  
17 by law. No fee or user charge prescribed by the commission pursuant to this  
18 subsection shall exceed \$250.

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

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

25 “(13) May offer and pay rewards for the arrest and conviction of any  
26 person who has violated any of the wildlife laws. No such reward shall ex-  
27 ceed \$1,000 for any one arrest and conviction.

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29 the wildlife laws, unless such fees are otherwise prescribed by law. Fees  
30 prescribed by the commission pursuant to this subsection shall be based on

1 actual or projected costs of administering falconry regulations and shall not  
2 exceed \$250.

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4 applicable only to persons with disabilities.

5 “(16) May adopt optimum populations for deer and elk consistent with  
6 ORS 496.012. These population levels shall be reviewed at least once every  
7 five years.

8 “(17) Shall establish a preference system so that individuals who are un-  
9 successful in controlled hunt permit drawings for deer and elk hunting have  
10 reasonable assurance of success in those drawings in subsequent years. In  
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12 ditional preference points to persons who have been issued a resident annual  
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19 ill children. Except as provided under ORS 497.116, the State Department of  
20 Fish and Wildlife may not issue more than 15 tags annually under this sub-  
21 section.

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

28 “(21) May adopt rules establishing a schedule of civil penalties, not to  
29 exceed \$6,500 per violation, for violations of provisions of the wildlife laws  
30 or rules adopted by the commission under the wildlife laws. Civil penalties

1 established under this subsection must be imposed in the manner provided  
2 by ORS 183.745 and must be deposited in the State Wildlife Fund established  
3 under ORS 496.300.

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

9 “[~~(23)~~(a) *May by rule establish annual and daily Columbia Basin salmon,*  
10 *steelhead and sturgeon recreational fishing endorsements with a fee not to ex-*  
11 *ceed \$9.75 per annual license and \$1 per day per daily license. An endorsement*  
12 *is required to fish for salmon, steelhead or sturgeon in portions of the*  
13 *Columbia Basin as designated by rule and is in addition to and not in lieu*  
14 *of angling licenses and tags required under the wildlife laws. Amounts col-*  
15 *lected as fees under this subsection must be deposited in the Columbia River*  
16 *Fisheries Enhancement Fund established under section 7, chapter 672, Oregon*  
17 *Laws 2013.*]

18 “[~~(b)~~ *Notwithstanding paragraph (a) of this subsection, if the commission*  
19 *adopts rules that decrease fishery impacts or the share of salmon allocated to*  
20 *Columbia River recreational fisheries or that expand the areas and seasons*  
21 *where nontribal gillnets are permitted in mainstem lower Columbia River*  
22 *nontribal fisheries as compared to regulatory restrictions in place from 2017*  
23 *to 2020, the commission may not require or collect the endorsements, beginning*  
24 *in the following calendar year.*]

25 “[~~(24)~~ **(23)** May by rule establish multiyear licenses and may prescribe  
26 fees for such licenses. Fees prescribed by the commission for multiyear li-  
27 censes may provide for a discount from the annual license fees that would  
28 otherwise be payable for the period of time covered by the multiyear license.

29 “[~~(25)~~ **(24)** May by rule establish a program to offer unique fishing op-  
30 portunities through drawings, raffles or auctions and charge application and

1 participation fees for the program.

2 **“SECTION 6. The amendments to ORS 496.146 by section 5 of this**  
3 **2021 Act become operative on January 2, 2026.”.**

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

5 After line 41, insert:

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

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

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