

House Bill 3827

Sponsored by Representative OWENS, Senators GIROD, GELSER BLOUIN

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**. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: The Act prohibits a person from using a gillnet to land salmon in the main stem of the Columbia River. The Act says that a person can renew a certain vessel permit only if the person has used the permit to land salmon in the prior two years. (Flesch Readability Score: 62.6).

Prohibits an individual from using a gillnet to land salmon in the main stem of the Columbia River. Establishes certain exceptions.

Provides that an individual may renew a Columbia River gillnet salmon vessel permit only if the individual has used the permit to land salmon in at least one of the two years preceding the renewal.

A BILL FOR AN ACT

Relating to Columbia River fisheries; creating new provisions; and amending ORS 508.775, 508.781 and 508.796.

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

SECTION 1. ORS 508.775 is amended to read:

508.775. (1) **As used in ORS 508.775 to 508.796, "gillnet" means a vertical panel of netting that hangs from a line with regularly spaced floaters.**

[(1)] (2) Notwithstanding any other provision of the commercial fishing laws, *it is unlawful for*:

(a) **An individual may not use a gillnet to land salmon in the main stem of the Columbia River.**

(b) An individual *[to]* **may** operate a vessel in the Columbia River gillnet salmon fishery *[without]*, **in areas of the Columbia River other than the main stem of the Columbia River, only after** first obtaining a vessel permit issued pursuant to ORS 508.775 to 508.796. *[However, an individual who holds valid commercial fishing licenses and vessel permits required by and issued pursuant to the laws of the State of Washington for commercial salmon fishing in the Columbia River may land salmon in this state that were taken in the Columbia River gillnet salmon fishery without the permit otherwise required by this subsection.]*

[(2)] (c) *[Notwithstanding any other provision of the commercial fishing laws, it is unlawful for]* A wholesaler, canner or buyer *[to]* **may not** buy or receive salmon taken in the Columbia River gillnet fishery from an individual who does not have the permit required by *[subsection (1) of this section]* **paragraph (b) of this subsection.**

(3) The permit required by subsection (1)(b) of this section is in addition to and not in lieu of the boat license required by ORS 508.260.

(4) **This section does not apply to:**

(a) **An individual who holds valid commercial fishing licenses and vessel permits required by and issued pursuant to the laws of the State of Washington for commercial salmon fishing in the Columbia River who lands salmon in this state that were taken in the Columbia River**

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 **gillnet salmon fishery.**

2 **(b) A member of a federally recognized Indian tribe.**

3 **SECTION 2. The amendments to ORS 508.775 by section 1 of this 2025 Act apply to ac-**
 4 **tivities occurring on or after the effective date of this 2025 Act.**

5 **SECTION 3.** ORS 508.781 is amended to read:

6 508.781. An individual who obtained the permit required by ORS 508.775 for a particular calen-
 7 dar year is eligible to obtain renewal of the permit in a subsequent calendar year, upon application
 8 and payment of the fees therefor by December 31 of the permit year or by such date as may be
 9 specified by rule of the State Department of Fish and Wildlife, **only if the individual has used the**
 10 **permit to land salmon in at least one of the two calendar years preceding the renewal.**

11 **SECTION 4. The amendments to ORS 508.781 by section 3 of this 2025 Act apply to re-**
 12 **newals of permits occurring on or after the effective date of this 2025 Act.**

13 **SECTION 5.** ORS 508.796 is amended to read:

14 508.796. (1) An individual whose application for renewal of the permit required by ORS 508.775
 15 is denied by the State Department of Fish and Wildlife may make written request to the Commercial
 16 Fishery Permit Board for review of the denial. The review provided in this subsection is in lieu of
 17 any such review by the department or the State Fish and Wildlife Commission. The request shall
 18 be in such form and shall contain such information as the board considers appropriate. The request
 19 shall be accompanied by a nonrefundable fee of \$125. Such fees shall apply toward the permit fee
 20 of successful applicants.

21 (2) In accordance with any applicable provision of ORS chapter 183, the board shall review de-
 22 nials of applications for renewal of permits. Orders issued by the board are not subject to review
 23 by the commission, but may be appealed as provided in ORS 183.480 to 183.500. [*The board may*
 24 *waive requirements for renewal of permits if the board finds:*]

25 [*(a) That the individual for personal or economic reasons chose to actively commercially fish in*
 26 *some other fishery during the Columbia River gillnet salmon seasons; or]*

27 [*(b) That the individual failed to meet the requirements as the result of illness, accident or other*
 28 *circumstances beyond the individual's control.]*

29 (3) In accordance with any applicable provision of ORS chapter 183, the board may promulgate
 30 such rules as it considers necessary to carry out its duties, functions and powers.

31 [*(4) The board may delegate to the department its authority to waive requirements for renewal of*
 32 *permits.]*

33 [*(5) Notwithstanding any other provision of law, without the prior approval of the Commercial*
 34 *Fishery Permit Board, a Columbia River gillnet salmon vessel permit acquired as a result of a waiver*
 35 *pursuant to subsection (2) of this section may not be transferred to another vessel until the vessel for*
 36 *which the permit was issued has been used in the Columbia River gillnet salmon fishery for two or*
 37 *more calendar years.]*

38 **SECTION 6. The amendments to ORS 508.796 by section 5 of this 2025 Act apply to the**
 39 **review of denials of permit renewals that occur on or after the effective date of this 2025**
 40 **Act.**