

77th OREGON LEGISLATIVE ASSEMBLY--2013 Regular Session

**Enrolled
House Bill 3262**

Sponsored by Representative KRIEGER, Senator ROBLAN; Representatives BOONE, CLEM, ESQUIVEL, GOMBERG, HOYLE, MCKEOWN, THOMPSON, WHITSETT, WITT, Senators HASS, KRUSE, THOMSEN, WHITSETT

CHAPTER

AN ACT

Relating to crab pots; and declaring an emergency.

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

SECTION 1. Section 2 of this 2013 Act is added to and made a part of ORS chapter 508.

SECTION 2. (1) As used in this section, "crab fishing season" has the meaning given that term in ORS 508.931.

(2) A person may not leave a crab pot used as part of the ocean Dungeness crab fishery in the waters of this state more than 15 days after the closure of the crab fishing season.

(3) The State Fish and Wildlife Commission may issue permits to persons for the removal of crab pots left in violation of subsection (2) of this section:

(a) Regardless of whether the person who removes the crab pot originally set the crab pot; and

(b) If the permit holder also holds a boat license issued pursuant to ORS 508.260.

(4) By rule the commission:

(a) Shall establish provisions related to the disposition of the crab pots by the permit holder who removes the crab pots.

(b) May restrict the removal of crab pots to specific geographic areas.

(5) The State Department of Fish and Wildlife may exempt certain owners of crab pots from the requirements of subsection (2) of this section. If the department exempts certain owners under this subsection, the department must notify the holders of permits issued under subsection (3) of this section.

(6) The provisions of ORS 98.005, 98.015, 98.025 and 98.302 to 98.436 do not apply to crab pots removed under the provisions of this section.

SECTION 3. (1) Except as provided in subsection (2) of this section, sections 1 and 2 of this 2013 Act become operative on January 1, 2014.

(2) The State Fish and Wildlife Commission may adopt rules or take any other action before the operative date specified in subsection (1) of this section that is necessary to implement, on and after the operative date specified in subsection (1) of this section, sections 1 and 2 of this 2013 Act.

SECTION 4. This 2013 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2013 Act takes effect on its passage.

Passed by House March 13, 2013

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Ramona J. Line, Chief Clerk of House

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Tina Kotek, Speaker of House

Passed by Senate May 9, 2013

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Peter Courtney, President of Senate

Received by Governor:

.....M.,....., 2013

Approved:

.....M.,....., 2013

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John Kitzhaber, Governor

Filed in Office of Secretary of State:

.....M.,....., 2013

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Kate Brown, Secretary of State