

Requested by Senator JOHNSON

**PROPOSED AMENDMENTS TO
SENATE BILL 1025**

1 On page 1 of the printed bill, delete lines 4 through 29 and delete page
2 2 and insert:

3 **“SECTION 1. Sections 2, 3, 4, 7 and 9 of this 2019 Act are added to
4 and made a part of the commercial fishing laws.**

5 **“SECTION 2. (1) In the months of September and October, a person
6 may not take clams for commercial purposes in the Ghost Hole fishing
7 area in Tillamook Bay.**

8 **“(2) The State Department of Fish and Wildlife shall determine by
9 rule the boundaries of the Ghost Hole fishing area, except that the
10 City of Garibaldi is the northern boundary of the Ghost Hole fishing
11 area.**

12 **“SECTION 3. The State Department of Fish and Wildlife shall adopt
13 rules to:**

14 **“(1) Limit, to sustainable levels, the take of clams for commercial
15 purposes in Oregon bays;**

16 **“(2) Limit the number of permits issued to persons to take clams
17 for commercial purposes in a single bay; and**

18 **“(3) Designate not less than 10 percent and not more than 20 per-
19 cent of sandbar areas in Tillamook Bay as closed to the taking of
20 clams for commercial purposes.**

21 **“SECTION 4. (1) Annually, for every Oregon bay in which clams**

1 were taken for commercial purposes during the previous year, the
2 State Department of Fish and Wildlife shall assess the percentage of
3 the total take of clams for commercial purposes in Oregon bays that
4 occurred in the bay during the previous year.

5 “(2) Based on the assessments required by subsection (1) of this
6 section, every six years the department shall produce a survey of the
7 clam population in any bay in which 70 percent or more of the total
8 take of clams for commercial purposes in Oregon bays occurred during
9 three or more of the previous six years.

10 “(3) The department shall use the assessments and surveys required
11 by this section to establish the allowable take of clams for commercial
12 purposes in a single bay under section 3 of this 2019 Act.

13 **“SECTION 5. (1) In 2020, the State Department of Fish and Wildlife**
14 **shall produce the first assessment required by section 4 of this 2019**
15 **Act to assess the 2019 take of clams for commercial purposes in**
16 **Oregon bays.**

17 “(2) In 2025, the department shall produce the first survey required
18 by section 4 of this 2019 Act based on the department’s assessments
19 of the take of clams for commercial purposes in Oregon bays from 2019
20 through 2024.

21 **“SECTION 6. In addition to and not in lieu of the surveys required**
22 **by sections 4 and 5 of this 2019 Act, the State Department of Fish and**
23 **Wildlife shall produce a survey of the clam population in Tillamook**
24 **Bay on or before September 15, 2021.**

25 **“SECTION 7. (1) The State Department of Fish and Wildlife shall**
26 **establish an Oregon Bay Clam Advisory Committee.**

27 “(2) The department shall appoint to the committee persons who
28 take clams for commercial purposes, take clams for noncommercial
29 purposes or have another interest in the clams in Oregon bays.

30 “(3) The committee shall advise the department on the long-term

1 sustainability of taking claims in Tillamook Bay and other Oregon
2 bays.

3 **“SECTION 8. (1) The Oregon Bay Clam Advisory Committee estab-**
4 **lished under section 7 of this 2019 Act shall begin meeting in 2020.**

5 **“(2) In 2020 and 2021, the committee may advise the State Depart-**
6 **ment of Fish and Wildlife on:**

7 **“(a) The designation of sandbar areas as closed to the taking of**
8 **clams for commercial purposes under section 3 (3) of this 2019 Act;**

9 **“(b) The department’s adoption of rules related to clams; and**

10 **“(c) Other matters related to clams, if requested by the department.**

11 **“SECTION 9. (1) The State Fish and Wildlife Director may issue to**
12 **any person a permit to take clams for commercial purposes in an**
13 **Oregon bay.**

14 **“(2) The annual fee for a resident permit issued under this section**
15 **is \$375.**

16 **“(3) The annual fee for a nonresident permit issued under this sec-**
17 **tion is \$425.**

18 **“SECTION 10. ORS 508.116 is amended to read:**

19 **“508.116. (1)[(a)] The State Fish and Wildlife Director may issue to any**
20 **person a permit to take animals living intertidally on the bottom.**

21 **“(2) Except as provided in section 9 of this 2019 Act:**

22 **“[(b)] (a) The annual fee for a resident permit issued under this section**
23 **is \$125.**

24 **“[(c)] (b) The annual fee for a nonresident permit issued under this sec-**
25 **tion is \$175.**

26 **“[(2)] (3) It is unlawful to take animals living intertidally on the bottom**
27 **for commercial purposes by a permit issued under subsection (1) of this sec-**
28 **tion without first having obtained a license under ORS 508.035.**

29 **“SECTION 11. Section 9 of this 2019 Act and the amendments to**
30 **ORS 508.116 by section 10 of this 2019 Act apply to permits authorizing**

1 **the taking of clams for commercial purposes in an Oregon bay on or**
2 **after January 1, 2020.”.**

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