

## FISH AND GAME

See also ANIMALS; MOTOR VEHICLES

### Big-game research program SJR 8A

Directs State Game Commission to intensify its big-game research program regarding mule deer, including feeding habits, migrations and methods of increasing winter food supplies.

### Commercial fishing, law revision c.570 A

Revises laws relating to commercial fishing, eliminating obsolete provisions and changing to reflect modern practices in industry. Adds to and amends and repeals sections in ORS chapters 505, 507, 508, 509, 511, 513. Eff. 1 Jan 66. (S 235)

### licenses, boats c.57

Requires annual renewal of commercial fish-boat license beginning January 1, 1965. Adds to ORS 508.105 to 508.220. Repeals ORS 508.413. Eff. 9 Mar 65. (S 135, repealed by c. 570, OL 1965, eff. 1 Jan 66)

### oyster processors, fees, licenses, reports N c.162

Exempts oysters from licenses and fees under commercial fishing law. Requires processors of oysters to file annual reports with Fish Commission. Eff. 12 Apr 65. (S 10)

### poundage fees, abatement A/SP c.309

Abates poundage fees imposed before August 13, 1905, on food fish and shellfish brought into Oregon after having been landed elsewhere. (H 1453)

## Commercial fishing (cont.)

### poundage fees, exceptions A/SP c.310

Excludes from poundage fees food fish or shellfish brought into Oregon if tax or fee has been paid where fish were landed. Redefines terms used in assessing poundage fees. Amends ORS 508.305 and 508.320. (H 1454)

### Definitions A c.149

Redefines "This Act" as used in laws relating to fish and game. Amends ORS 496.025. (S 123)

### Fishing, licenses, juvenile salt fish A c.103

Permits juveniles under 18 to secure free license for certain bait fish and to sell such fish to wholesale dealers. Adds to ORS 508.105 to 508.135. Eff. 25 Mar 65. (S 9)

### licenses, persons in state institutions A c.224

Authorizes issuance of free angling licenses to Board of Control for persons in state institutions. (H 1374)

### Fishways at dams and obstructions A c.167

Transfers from State Game Director to State Game Commission duty to examine dams and artificial obstructions on inland streams and, if necessary, to require fishways. Permits commission, prior to construction of new dam, to determine whether passageway is required. Amends ORS 498.730. (S 112)

### Game commission, meetings A c.74

Permits meetings to establish fishing and hunting seasons to be at appropriate times, at least once each three months, rather than during stated periods. Requires open meetings. Amends ORS 496.130, 496.190, 496.195, 496.240. (H 1165)

### Hunting, Devils Lake area N c.20

Prohibits hunting game or discharging firearms in Devils Lake area, Lincoln County. Excepts peace officers and persons acting in defense of persons or property. Provides penalties. Amends ORS 498.225. (S 50)

## Hunting (cont.)

### restricted areas, special permits c.72 A

Permits State Game Commission to establish restricted areas and to issue special tags or permits for taking of big game animals or game birds in such areas. Amends ORS 497.510, 497.530, 497.540. (H 1161)

### special tags or permits SJR 22 A

Directs the State Game Commission to issue notices to applicants who do not receive special big game tags or permits and to issue tags or permits first to persons receiving rejections five or more consecutive years or, if there are more applicants than authorized tags or permits, to hold a public drawing.

### use of aircraft c.507 A/SP

Requires helicopter pilot to maintain logbook and to fly at 500 feet or over on flights transporting hunters. Adds to ORS chapter 498. Amends ORS 498.050. (S 310)

### use of poison, restricted c.73 A

Permits use of poison to kill birds of unprotected species only, and to kill rodents only if poison is least hazardous to protected birds. Amends ORS 498.510. (H 1163)

### Hunting and fishing licenses, foreign students c.295 A

Authorizes issuance of resident hunting and fishing licenses and big game tags to foreign exchange students. Abolishes gun license requirement for aliens. Adds to ORS chapter 497. Repeals ORS 497.090. Eff. 1 Jan 66. (H 1212)

FISH AND GAME

See also FOOD

Cougar, defined as game animal; dogs for hunting c.594  
HB 1301

Modifies definition of game animals to include cougars under certain circumstances. Removes authority of county courts to pay bounty for cougars. Limits prohibition on use of dogs for hunting game.

Game, commercial fishing laws, uniform citation c.604  
SB 144

Establishes uniform citation for violations of game and commercial fishing laws, required contents of summons and complaint for such violations and procedure for hearing and disposition of such complaints. Provides for complaints by private persons as well as law enforcement officers. Establishes Minor Court Rules Committee to handle matters relating to traffic violations and violations of game and commercial fishing laws. Eff. 1 Jan. 68.

Game laws, enforcement SJR 37

Directs certain state agencies to prepare and administer courses of instruction to familiarize game law enforcement and game management personnel with modern methods of game law enforcement and game management.

penalties, revision c.523  
SB 317

Standardizes and removes ambiguity regarding penalties for violation of certain provisions of the game laws.

Guides, reports to Game Commission c.501  
HB 1759

Deletes requirement that licensed guides keep records and make reports to game commission of all game fish taken after each trip.

Hatcheries, construction c.360  
HB 1395

Directs Fish Commission to construct salmon fish hatchery on Oregon coast and appropriates \$190,000 therefor, conditioned upon receipt of federal grant for such project. Eff. 8 Jun. 67.

Hunting and fishing licenses, fees c.278  
HB 1143

Increases fees for resident, nonresident, seven day and daily angling licenses; combination hunting and angling license; resident hunting license, and resident deer and elk tags. Extends valid period of seven day angling license to ten consecutive days. Eff. 1 Jan. 68.

resident defined SB c.431  
SB 23

Defines resident, for purposes of fishing and hunting licenses, to mean one who has continuously resided in state for six months.

resident, eligibility c.251  
HB 1066

Permits nonresident enrollees in job corps or work training program under the Economic Opportunity Act of 1964 to purchase resident fishing licenses. Eff. 15 May 67.

Wild fowl sanctuaries c.320  
SB 83

Repeals law prohibiting hunting within one mile of any federal wild fowl sanctuary in Marion County.

Wolverines, defined as furbearers c.166  
SB 82

Adds wolverine to list of animals defined as furbearers.

FISH AND GAME

Commercial fishing,  
Columbia River

116  
c.358

Permits commercial fishing in Columbia River at mouth of hatchery tributaries, except Sandy River, Gnat Creek, Hood River and Deschutes River.

emergency  
administration

118  
c.234

Grants Fisheries Director full powers of Fish Commission in emergency period. Eff. 29 May 69.

fish dealers,  
canners

1135  
c.52

Deletes required bond for wholesale fish dealers and cannery. Permits Fisheries Director to determine need for and amount of any bond. Permits director to accept cash deposit in lieu of bond.

fixed  
fishing gear

115  
c.357

Deletes prohibition on use of fixed fishing gear in taking certain food fish. Regulates use of such gear or seines in taking food fish other than salmon or steelhead. Eff. 10 Jun. 69.

retail  
fish dealers

1134  
c.172

Deletes requirement that retail fish dealers be licensed by Fish Commission. Sets deadline for applications for renewal of gillnet, setline, or setnet licenses. Increases certain license fees. Eff. 1 Jan. 70.

steelhead  
trout

1302  
c.411

Deletes such trout from definition of salmon in commercial fishing laws. Authorizes reasonable regulation of incidental catch of steelhead by commercial fishing gear.

Game birds

1141  
c.15

Repeals provisions requiring licensing of any market, firm or person which receives game birds for storage, picking or dressing.

Hunting and fishing  
regulations

113  
c.60

Repeals certain prohibitions relating to methods of taking game animals, birds and fish.

Licenses, pioneer

1190  
c.506

Deletes birth date limit for pioneer licenses, increases license fee, reduces residency requirement, and restricts such licenses to persons 65 years or older. Requires Game Commission to issue licenses without charge to any citizen 70 years or older and resident of Oregon for at least five years. Eff. 1 Jan. 70.

tags, permits

114  
c.61

Changes expiration date of trappers' licenses, game animal tags and special hunting permits from December 31 to June 30, and makes licenses, tags and permits valid through June 30, 1970. Makes game animal tags and special hunting permits non-transferable. Part eff. 1 Jul. 70.

veterans

111  
c.382

Requires official certification of disability for such licenses at reduced fees for disabled veterans. Eff. 10 Jun. 69.

Oysters

117  
c.675

Changes basis for rules for protection of oyster to best interest of oyster resource, instead of industry. Revises leasing and regulation of oyster plats. Levies use tax and annual cultivation fee, in lieu of property taxes, for use of such lands. Converts all prior plats, rights, claims, plantations, and leases to plats and requires filing of each such plat by July 1, 1970. Operative 1 Jul. 70.

Pacific Marine  
Fisheries Compact

1138  
c.129

Modifies state contribution formula in compact subject to ratification by Congress and enactment by signatory states.

Research

SJM 3

Memorializes Congress not to reduce appropriations for fiscal year 1970 for fish research programs.

Unlawful killing

1750  
c.302

Deletes moose from damage schedule for unlawful killing of game animals and fixes damage schedule for knowingly and unlawfully killing salmon, steelhead or trout.

Violations, citation

111  
c.59

Revises contents of citations for violations of game and commercial fishing laws.

Wildlife habitats

SJM 4

Urges Congress to accelerate programs for rehabilitation and development of wildlife habitats on federal lands.

1494  
14

Commercial fishing,  
licenses (cont.)

fishing and \$30 boat licenses. Authorizes Fish Commission to designate which species of food fish or parts thereof may not be used for bait. Requires license for each place of business of fish bait dealer and for persons taking food fish for sale to bait dealer. Imposes one-cent per pound fee to be paid for all food fish received by bait dealer. Eff. 28 Jun. 71.

\_\_\_\_\_, poundage fees c.243  
HB 1187

Increases poundage fees paid by commercial fishermen for salmon or incidental catch of steelhead. Modifies late payment charges on poundage fees. Eff. 1 Jul.71.

\_\_\_\_\_, rules c.187  
HB 1271

Authorizes emergency rulemaking action by Fish Commission for conservation of food fish resource. Deletes separate rule-making procedure for Columbia River. Eff. 14 May 71.

\_\_\_\_\_, violations c.559  
SB 106

Authorizes Fish Commission to revoke and refuse to issue any license for up to one year for violation of commercial fishing laws. Eff. 29 Jun. 71.

Fishery, trout,  
protection c.537  
HB 1686

Prohibits use of motor boats on portion of Deschutes River by public.

Fur bearers, kit fox c.517  
HB 1091

Designates kit fox as fur-bearing animal for purposes of game laws.

Hatcheries, Motolius  
Hatchery, sale

c.278  
HB 1192

Permits Fish Commission to sell Motolius hatchery property for any public recreational use. Requires preference be given in sale to public agency, and that proceeds be used for purchase of property or construction of facilities for salmon propagation. Eff. 4 Jun. 71.

\_\_\_\_\_, private, chum  
salmon c.203  
HB 1328

Allows issuance of permits, under certain conditions, to construct privately operated chum salmon hatcheries. Establishes procedures for inspection, fees, enforcement of standards and revocation of permits.

Hunting, trespass c.580  
SB 284

Revises prohibition against hunting on lands of another without first obtaining permission.

Licenses, fees, fish  
propagation program c.446  
HB 3010

Increases nonresident angling license fee, 10-day angling license fee, daily angling license fee, and nonresident hunting license fee. Exempts daily anglers from salmon-steelhead tag requirement. Requires deposit of salmon-steelhead tag revenues in Game Fund. Requires that portion of such revenues be made available for contracts between Game and Fish Commissions relating to anadromous fish propagation, management and research projects. Eff. 1 Jan. 72.

Licenses, free c. 62  
HB 1487

Requires Game Commission to issue 30 fishing licenses without fee to be used by patients of Veterans' Administration Hospital at Roseburg, Oregon.

\_\_\_\_\_, hunting, special c.530  
HB 1495

Requires additional hunting license for use of bow and arrow during special season or in special area, and sets fee for such license. Eff. 1 Jan. 72.

\_\_\_\_\_, replacement fee c. 55  
HB 1270

Increases game commission fee for issuance of certificate to replace lost or destroyed license, tag or permit from 50 cents to one dollar.

Wildlife, habitat,  
protection c.223  
HB 1673

Authorizes Game Commission to enter into agreements with owner or manager of land to restrict use of motor-propelled vehicles damaging wildlife or wildlife habitat.

\_\_\_\_\_, property  
damage c.359  
SB 242

Authorizes Game Commission to determine conditions under which wildlife causing property damage may be killed or captured.

FISH AND GAME

Anadromous fish c.658  
HB 1123

Standards terminology in game laws referring to animals, birds and other creatures under regulatory jurisdiction of Game Commission. Requires portion of ocean salmon angling fees to be used for propagation, management and research projects relating to anadromous fish. Redefines "predatory animal" to include certain animals and to exclude birds determined by commission to be in need of protection.

Commercial fishing,  
licenses c.540  
HB 1763

Establishes fish bait dealer license at fee of \$15. Establishes commercial bait fishing license at fee of \$15 in lieu of \$23 commercial

Artificial light, game, livestock  
(cont.)

with which game mammal or livestock could be killed. Exempts casting light on game mammal or livestock from headlights of motor vehicle operated on highway in usual manner where there is no attempt to kill game mammal or livestock. Exempts possession of weapons that are disassembled or stored in trunk or storage compartment of motor vehicle. Exempts casting light by person on land owned or lawfully occupied by such person or on publicly owned land when such person has agreement with public body to use property.

Commercial fishing, administration, recreation consideration, commission members

c. 271  
SB 409

Revises definition of conservation in commercial fishing laws to include recreational and esthetic benefits. Modifies duties of fisheries director to include consideration of recreational angling interests. Makes Governor's appointments to Fish Commission subject to Senate confirmation.

licenses, fees

c. 768  
HB 5078

Increases and revises certain commercial fishing license fees, charges for special licenses, lost licenses, stickers or plates and certain food fish or shellfish fees. Repeals provisions relating to gillnet, setline and setnet licenses. Modifies provisions relating to albacore tuna landing license. Eff. 1 Jan. 74.

restaurants, food fish records

c. 437  
HB 3184

Requires licensed restaurants to keep records of all food fish received and bought while such fish are in restaurant's possession.

striped bass

c. 500  
SB 94

Prohibits commercial taking of stiped bass. Removes qualifications on definition of striped bass as game fish. Makes certain incidental

Commercial fishing, striped bass  
(cont.)

taking of stiped bass lawful and provides for disposition of stiped bass so taken. Requires Fish Commission to take reasonable means to minimize commercial taking of striped bass consistent with continuing an optimum shad fishery.

Game law revision **ABSENT**

c. 723  
HB 2010

Revises and reorganizes laws relating to management of wildlife. Eliminates obsolete and redundant provisions and standardizes and modernizes terminology. Establishes wildlife management policy for guidance in administration of wildlife laws. Changes name of State Game Commission to State Wildlife Commission and title of State Game Director to State Wildlife Director. Consolidates certain provisions prescribing fees for angling, hunting, trapping and wildlife related occupational licenses, tags and permits. Authorizes use of administrative rules to provide certain management, conservation and utilization restrictions and procedures formerly prescribed by statute. Prohibits condemnation proceeding to acquire land devoted to farm use on effective date of Act unless commission first obtains approval from Joint Committee on Ways and Means or Emergency Board. Permits condemnation without legislative approval upon change in use of such land from farm use. Authorizes use of parks and certain other publicly owned lands for hunting and trapping under conditions as will not adversely affect public safety or unreasonably interfere with other authorized uses of parks or lands. Prohibits possession of live game fish that originated outside this state unless they have been certified to be disease-free. Specifies requirement for screening of water diversions in terms of volume of flow of diversion rather than physical dimensions. Provides exception to screening requirement when commission and person diverting water make other adequate fish protection arrangements. Revises prohibitions relating to hunting of wildlife with aid of artificial light; from motor-propelled vehicle; within two hours after having been transported to or

Game law revision (cont.)

from a location by helicopter; within boundaries of any city, public park or on any school land; and prohibition of person to permit any dog he owns to unlawfully hunt, run or track any game mammal or game bird. Provides penalties. Eff. 1 Jan. 74.

Hatcheries, private, salmon

c. 356  
SB 265

Authorizes Fish Commission to issue permits, under certain conditions, to construct privately operated chinook salmon and silver salmon hatcheries. Prohibits commission from issuing more than four permits to construct chinook salmon and silver salmon hatcheries during biennium beginning July 1, 1973.

Hunting, black bear, license, tag

c. 95  
HB 2882

Requires residents and nonresidents desiring to hunt for black bear to first secure the appropriate hunting license and a black bear tag. Prescribes fees. Eff. 1 Jan. 74.

Wild animals, endangered species, skins, hides

c. 425  
HB 2811

Prohibits transportation, importation or sale of certain endangered wildlife species, their skins or hides or any articles made from their skins or hides. Provides exception for transactions in accordance with permits issued by State Game Commission or involving resale of used skins, hides or other parts of endangered species or article made in whole or part thereof if seller acquired item sold prior to effective date of Act.

FISH AND GAME

Artificial light, game, livestock

c. 542  
HB 2359

Prohibits casting from motor vehicle or from within 500 feet of a motor vehicle artificial light on game mammal or livestock when person has in his possession or immediate physical presence a weapon

Natural Resources

1965

Forest Research Laboratory,  
advisory committees c.433

Revises list of industry associations that may recommend, to State Board of Higher Education, appointments to advisory committees to Forest Research Laboratory. Amends ORS 526.225. (H 1777)

Forestry Department,  
equipment, leasing of c.87

Permits State Forester, with approval of State Board of Forestry, to lease departmental equipment to federal agency engaged in common activity if agency agrees to maintenance and rental fee. Adds to ORS chapter 526. (S 121)

powers and duties c.428

Directs forester to enforce, in forest protection districts, prohibition against rubbish dumping. Sets \$2 minimum fee for forest patrol assessments. Authorizes collection of fire fighting costs from one negligently or wilfully setting it within one-half mile of district boundary. Permits direct billing of forest patrol assessments. Authorizes forester to burn slashing. Changes computation of reserve base for East Side Emergency Fire Cost Fund. Adds to, amends and repeals sections in ORS chapter 477. Eff. 19 Mar 65. (H 1658)

Law revision c.253

Revises laws relating to forests, particularly those relating to administration of State Forestry Department and to protection of forests and grazing land from fire. Rearranges and simplifies existing law with minimum of substantive change. Amends and repeals sections in ORS chapters 477.526 and others. Eff. 1 Jan 66. (H 1439)

ABSENT

✓ **FORESTS AND FORESTRY**

See also APPROPRIATIONS, Forestry;  
FIRE REGULATIONS; PUBLIC LANDS;  
TAXATION

A

Forest protection, fire c.76

Directs State Forester, with approval of State Board of Forestry, to effect standardization of equipment used to protect forest land from fire. Eliminates authority of State Fire Marshal in this activity. Adds to ORS chapter 477. Eff. 12 Mar 65. (H 1414)

**FORESTS AND FORESTRY**

See also APPROPRIATIONS; POLLUTION CONTROL; TAXATION

Forest land, state, use c.396  
HB 1756

Modifies provisions related to multiple use of state-owned forest lands under jurisdiction of State Forestry Department; permits State Forester to accept surety bonds for bid deposit on state timber sales and facilitates

Forest land, state, use (cont.)

forest land exchanges under ORS chapter 530. Permits State Land Board and State Board of Forestry to return lands dedicated for forest purposes to original status where public interest is served.

Forest protection laws, revision c.429  
HB 1186

Revises forest protection laws, including those related to costs and liability of landowners and operators. Permits forester to promulgate rules for conduct of certain fire-hazardous activities during closed season. Deletes present statutory requirements for conduct of such activities. Modifies terminology of forest land classes. Sets new area boundaries from which members are appointed to State Board of Forestry.

Insects and disease, eradication and control c.87  
HB 1150

Increases powers of State Forester in relation to eradication and control of forest insects and forest tree diseases. Provides for collection of costs incurred in performance of such work in same manner as forest patrol assessments.

Privilege tax and fire patrol assessment, combination c.179  
SB 214

Permits combination, for certification to county assessor, of Class C forest land privilege tax and assessment for fire patrol, as to lands which pay both.

1969

FORESTS

See also POLLUTION CONTROL;  
STATE LANDS; TAXATION; WATER

Federal forest,  
management costs HJM 3

X Memorizes Congress to provide Forest Service with fixed percentage of federal forest revenues for intensive forest management and forest roads. a

management  
goals HJM 4 a

X Memorizes U.S. Secretary of Agriculture to have Forest Service adopt specified people-oriented goals for management of forest lands. 1623

Fire cost insurance c.524

Creates Oregon Forest Land Protection Fund for use in purchase of insurance covering forest fire costs. Levies tax of one cent per acre of specified lands and appropriates \$200,000 for purchase of insurance. Part eff. 1 Jul. 69. 1628 etc.

Fire permits c.680 a

X Authorizes State Forester to require fire permits, during times other than closed seasons in forest protection districts, in or adjacent to any established restricted area. Expands grounds for revocation of fire permits. Makes certain protective forest cutting practices effective throughout year.

Fire protection,  
administration 1132 c.204 a

Deletes minimum patrol assessment of \$2 upon owners of forest lands and fixes it, instead, upon each separately assessed parcel. Transfers from Governor to State Forester authority to declare closed fire season. Broadens authority of State Forester in areas of fire protection and issuance of fire permits. Eff. 20 May 69.

Forest rehabilitation 1492  
COSTS c.428 etc.

Provides General Fund reimbursement for costs of Oregon Forest Rehabilitation Act bond issue. Increases amount of state forest revenues credited to State Forest Protection Sub-account and raises ceiling of subaccount. Eff. 1 Jul. 70.

Hardwoods, management HJM 24

Memorizes Congress to direct Secretary of Agriculture and Secretary of Interior to have Forest Service and Bureau of Land Management adopt annual harvest volume for hardwoods and to establish and evaluate workable hardwood management program. Memorizes Secretary of Agriculture to add member of northwest hardwood industry to Pacific Northwest Advisory Committee to Regional Forester. a

State Forester 1130 c.249 a

X Modifies provisions on administration and use of existing revolving account. Limits rule-making powers to regulation directly related to protection of forest land and conservation of forest resources. Eff. 3 Jun. 69.



**NATURAL RESOURCES**

estuaries

c. 608  
SB 687

Creates commission to consist of 30 member to study natural resources coastal zone and to prepare comprehensive plan for use of resources. Divides coastal zone into four districts and establishes coordinating committee for each district. Prescribes membership for committees and commission. Requires commission and committees to advise Governor and state agencies interim measures to be implemented prior to completion of comprehensive plan. Directs state natural resource agencies to review plans.

A

forests, Eastern Oregon, fire protection costs

c. 60  
HB 1188

Increases maximum per acre assessment for fire protection of Eastern Oregon forest lands from to 12 cents per acre.

A

Forests (cont.)

practices c. 316  
HB 1624

Changes title of Oregon Forest Conservation Act to Oregon Forest Practices Act. Revises forest practices requirements. Directs board to promulgate rules relating to operations on forest land. Requires formation of forest practice committees within forest region to recommend forest practice rules to board. Revises procedure for citation of landowner and operator for violation of rules and requirements and revises hearing procedures for violations. Eff. 1 Jul. 72.

A

state nursery c. 59  
HB 1186

Permits operation of state forest nursery by State Forester and State Board of Forestry. Requires that sale of nursery stock cover costs of operation of nursery. Requires nursery revenues to be deposited in State Forestry Department Account for use for forest nursery. Eff. 1 Jul. 71.

A

Geothermal resources c. 776  
HB 3019

Establishes regulation and supervision provisions for location, drilling, re-drilling, operation and abandonment of wells for production of geothermal resources, to be administered by Department of Geology and Mineral Industries. Prohibits owner or operator of well or land within geothermal area from commencing any operation with respect to development or operation of any such resource without approval of State Geologist and governing board of department. Requires that

A

Geothermal resources (cont.)

owner or operator of well post bond prior to commencing any regulated operation. Requires record keeping. Directs Division of State Lands to fix royalties for well production on state lands.

Mining, claims c. 228  
HB 1483

Deletes discovery shaft and discovery work affidavit requirements from mineral lode and placer mining provisions.

A

surface c. 719  
HB 3013

Establishes regulatory and licensing system for surface mining operations to be administered by Department of Geology and Mineral Industries. Exempts public and governmental agencies and landowners and operators party to valid contract to surface mine on effective date of Act from all but permit fee requirements until January 1, 1981. Requires that application for permit contain reclamation plan and that permittees complete reclamation within three years of completion or abandonment of project. Requires bond or security deposit. Provides alternative of obtaining permit from city or county in accord with ordinance approved by department. Prescribes appeal from orders of department. Establishes standards for mining and rehabilitation of lands. Provides penalties. Eff. 1 Jul. 72.

A

Soil and water conservation c. 147  
HB 1537

Declares legislative policy regarding soil and water conservation. Repeals existing policy statement.

A

Water, filling permits c. 754  
SB 224

Authorizes Water Resources Board and Director of Division of State Lands to regulate filling in waters of state. Declares that board may affirm or reverse or modify action by director of division. Prescribes conditions and criteria for issuance of permits to fill. Creates presumption that, if fill permit issued, fill does not infringe upon public rights and public rights to lands created by fill extinguished.

A

irrigation loans c. 666  
HB 1303

Establishes financing program to provide moneys for irrigation loans and loans to acquire easements and rights of way for federal water development projects. Authorizes State Engineer to accept, investigate and approve applications for loans subject to further approval by Governor. Authorizes State Engineer, with approval of State Treasurer, to issue bonds to supply funds for loans and to request additional funds from Emergency Board. Prescribes form of application, qualifications, loan and bond terms and procedures for loans. Requires engineer to submit biennial report. Effective when specified proposed amendment to Oregon Constitution providing irrigation funds becomes effective.

A

Sandy River, appropriation and use c. 139  
HB 1619

Enlarges exceptions to restrictions on withdrawal of water from Sandy River tributaries to permit utilization of storage facilities and use of water for specified purposes.

A

1697

(1697)



NATURAL RESOURCES (cont.)

Energy, study, reports (cont.)

January 1, 1975, recommending comprehensive energy policy for this state, and if warranted, proposing energy related legislation. Requires studies to include consideration of specified subjects. Requires specified departments and agencies to be notified of all advisory committee meetings and consulted with as deemed desirable. Appropriates \$153,505 from General Fund to Public Utility Commissioner for biennial expenses of an energy study. Eff. 22 July 73.

Forests, fire protection, costs,

Interest charges, attorney fees c. 66  
HB 2185

Authorizes State Forester or fire protection agency to add interest to actual costs of controlling and extinguishing certain forest fires. Authorizes additional interest in action to recover costs or to foreclose lien, and authorizes payment of attorney fees to prevailing party.

Liability of landowner c. 46  
HB 2026

Modifies liability of landowner or operator of forest or rangeland for cost of fire suppression. Requires notice to State Forester of commencement of operations on land. Requires forester to make determination if additional fire hazards exist and to notify landowner or operator of such hazard with instructions for offsetting it. Deletes requirement for annual burning of slashing. Eff. 1 Jan. 74.

Forestry Board, membership

Increases membership of State Board of Forestry from 14 to 16. Provides for appointment by Governor of two voting members to represent public's interest in forest policy and management. Adds North West Timber Association to list of groups which may recommend persons for positions on board. Permits board to meet at places designated by chairman or State Forester.

Log patrols c. 800  
HB 2494  
Reduces surety bond requirement

Forests, log patrols (cont.)

for persons acting as log patrols from \$10,000 to \$5,000. Reduces log patrol license application fee and annual license renewal fee from \$100 to \$50. Removes exemptions of boom companies from provision prohibiting persons from taking possession or control of certain forest products or booming equipment. Exempts certain log patrol or salvage companies as well as railroads and licensed persons engaged in log patrol activities from such prohibition.

Stray logs, boomsticks, disposition c. 45  
SB 35

Authorizes person not licensed to act as log patrol and who owns, operates, controls or is using waterway structure, to catch and hold stray log or boomsticks when necessary to prevent damage to waterway structure. Provides for notification of owner of log or boomstick and for disposition of log or boomstick if unclaimed by owner. Permits extension of notification period and owner's recovery period in certain emergency situations. Eff. 27 Apr. 73.

Western States Task Force

SJR 44  
Directs President of Senate and Speaker of House to appoint two senators and two representatives to serve on Western States Forest Industries Task Force.

Geothermal resources c. 388  
HB 2504

Redefines "wells" to include "prospect wells." Requires permits for geothermal wells to be obtained from State Geologist and notification to be given to State Department of Environmental Quality prior to issuance. Allows persons to appeal orders of Governing Board of Department of Geology and Mineral Industries in accordance with provisions of Administrative Procedures Act. Requires bonding to cover proper sealing after production of geothermal resources as well as for sealing after drilling of dry hole. Repeals designated provisions relating to appeal procedure. Eff. 20 July 73.

Mining, surface c. 709  
HB 2190

Modifies permit exemption of certain surface mining operations to provide that exemption not apply to existing contracts upon expiration or in instances where fiduciary relationship exists between contracting parties. Requires separate permit from Department of Geology and Mineral Industries for each surface mining operation. Increases application fee for operating permit from \$100 to \$150 and annual renewal fee from \$25 to \$50. Requires department to charge \$100 fee if it determines that site inspection is necessary in processing operating permit application or renewal. Eff. 21 July 73.

Natural area preserves c. 532  
HB 2232

Authorizes State Land Board to establish natural area preserves for educational and scientific use of natural areas. Defines "natural area." Provides that no land be included within natural area unless it is in public ownership or is acquired by method requiring no expenditure of public funds for acquisition. Prohibits condemnation to acquire lands or interests therein for natural area preserves. Prescribes procedures for establishment of natural areas under jurisdiction of board or by agreement with other public agency. Creates Natural Area Preserves Advisory Committee to assist board. Provides for composition, term, and compensation of committee members. Establishes Natural Area Preserves Account for administrations.

Oil and gas conservation, wells c. 276  
HB 2770

Excludes seismic test wells from definition of well for purposes of laws relating to conservation of gas and oil. Requires permits for drilling of oil and gas wells and increases fee to be paid board from \$25 to \$100. Expands grounds upon which bond for drilling of wells may be conditioned. Authorizes State Department of Geology and Mineral Industries to require filing of notice of intention to drill core test wells, seismic test wells or wells drilled only for information and to require that wells drilled for oil or gas be logged to identify geologic formations penetrated.

Water, fills, removals, permits c. 330  
SB 39

Transfers from State Water Resources Board to Director of Division of State Lands power to revoke permits for fill or removal operations in waters of this state and power to institute civil proceeding to abate public nuisance created by noncomplying operation or operation without permit. Provides for appeal from director's action by aggrieved party to circuit court of county in which property affected by such action is situated. Authorizes applicant for permit whose application has been denied or who objects to conditions imposed on permit to request hearing from director and to appeal from director's action to Court of Appeals. Authorizes director to seek and court to award sum of money sufficient to compensate public for certain damages resulting from noncomplying operation or operation without permit. Permits court to award double or treble damages in certain situations.

Fills, removals, permits c. 674  
HB 2142

Extends scope of "fills" and "removals" subject to permit requirements. Provides for fee schedule. Requires hearing before Director of Division of State Lands, in accordance with prescribed administrative procedures, where there are objections to director's grant or denial of permit. Authorizes appeal to Court of Appeals from director's final order. Requires issuance of temporary fill permit if decision on application for fill permit is delayed beyond 90 days from date of application. Increases from 30 to 45 days period of time after which temporary removal permit must be issued because of delay in decision on application. Transfers from State Water Resources Board to Director of Division of State Lands power to revoke permits for fill or operations and power to institute civil proceedings to abate public nuisance created by noncomplying operation or operation without permit. Authorizes director to seek money damages to compensate public for certain damages resulting from noncomplying operation or operation without permit. Permits court to award double or treble damages in certain situations. Eff. 22 July 73.