

HOUSE AMENDMENTS TO A-ENGROSSED HOUSE BILL 2784

By JOINT COMMITTEE ON WAYS AND MEANS

July 1

1 On page 1 of the printed A-engrossed bill, line 2, after “ORS” delete the rest of the line and
2 delete line 3 and insert “622.220; and declaring an emergency.”.

3 Delete lines 5 through 15 and delete pages 2 through 10 and insert:

4 “**SECTION 1.** ORS 622.220 is amended to read:

5 “622.220. (1) The commercial cultivation of oysters, clams and mussels is declared to be an ag-
6 ricultural activity subject to the regulatory authority of the State Department of Agriculture. **The**
7 **department shall be the lead agency responsible for state administration of programs and**
8 **policies relating to the commercial cultivation of oysters, clams and mussels.**

9 “**(2)(a)** The State Fish and Wildlife Commission has jurisdiction over all native oysters, clams
10 and mussels in the waters of this state, but not cultivated oysters, clams and mussels in plats. The
11 commission shall prescribe such rules for the protection of native oysters, clams and mussels and
12 for the taking of native oysters and oyster spat shells subject to the commission’s jurisdiction as in
13 the judgment of the commission is for the best interests of the resource.

14 “[2] **(b)** It is unlawful for any person to take native oysters, clams and mussels in violation of
15 the rules adopted by the commission.

16 “**SECTION 2.** The Legislative Assembly finds and declares that it is the purpose of the
17 pilot program established by section 3 of this 2017 Act to expand on the valuable work com-
18 pleted through the pilot project by the State Department of Agriculture authorized under
19 section 7, chapter 814, Oregon Laws 2015, to increase the frequency of water quality moni-
20 toring and analysis related to the closure and opening of shellfish harvesting in Tillamook
21 Bay.

22 “**SECTION 3.** (1) The State Department of Agriculture shall conduct a pilot project for
23 increasing the frequency of water quality monitoring and analysis related to the closure and
24 opening of shellfish harvesting on state lands classified as suitable for oyster, clam or mussel
25 cultivation under ORS 622.240.

26 “**(2)** In conducting the pilot project required by this section, the State Department of
27 Agriculture shall consult with appropriate local and state agencies, representatives of the
28 commercial shellfish industry and nongovernmental organizations, as necessary, to:

29 “**(a)** Prioritize increasing water quality monitoring and analysis in areas where efforts for
30 enhancing opportunities for the commercial cultivation of oysters, clams or mussels are in
31 the highest demand; and

32 “**(b)** Identify cost-effective methods, which may include the sharing of resources or in-
33 formation, for increasing the frequency of water quality monitoring and analysis related to
34 the closure and opening of shellfish harvesting.

35 “**SECTION 4.** In addition to and not in lieu of any other appropriation, there is appro-

1 **priated to the State Department of Agriculture, for the biennium beginning July 1, 2017, out**
2 **of the General Fund, the amount of \$50,000, which may be expended for carrying out activ-**
3 **ities related to the pilot project required by section 3 of this 2017 Act.**

4 **“SECTION 5. This 2017 Act being necessary for the immediate preservation of the public**
5 **peace, health and safety, an emergency is declared to exist, and this 2017 Act takes effect**
6 **July 1, 2017.”.**

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