

House Bill No. 435

Introduced by COMMITTEE ON FISHERIES and read first time
February 21, 1935

A BILL

1 For an act to prohibit commercial fishing in the Columbia river within five
2 miles of the Bonneville dam and in said stream and its tributaries east
3 of its confluence with the Deschutes river; to permit and regulate com-
4 mercial fishing in the Columbia river where the same is not prohibited
5 by this act; providing for seizure, confiscation and sale of all gear and
6 appliances used in violation of the provisions of this act; providing
7 penalties for violation of the provisions of this act; and repealing all
8 acts and parts of acts in conflict with this act.

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

10 Section 1. It shall be unlawful at any time to take, catch or fish for
11 salmon or other anadromous or food fish in the waters of the Columbia river
12 within five miles either upstream or downstream of the Bonneville dam
13 with any set line, setnet, seine, gillnet, bag, dipnet, troll, trap, drag seine or
14 other commercial fishing gear or appliance; and it shall be unlawful at any
15 time to install, use, operate or maintain within said prohibited area any of
16 said gear or appliances.

17 Section 2. It shall be unlawful at any time to take, catch or fish for
18 salmon or other anadromous or food fish in the waters of the Columbia
19 river or any of its tributaries east of its confluence with the Deschutes
20 river with any set line, setnet, seine, gillnet, bag, dipnet, troll, trap, drag
21 seine or other commercial fishing gear or appliance; and it shall be unlawful
22 at any time to install, use, operate or maintain within said prohibited area
23 any of said gear or appliances.

1 Section 3. It shall be lawful to take, catch or fish for salmon and other
2 anadromous and food fish for commercial purposes in the waters of the
3 Columbia river or in any of the waters or sloughs thereof west of its
4 confluence with the Deschutes river, except within five miles of the Bonne-
5 ville dam, with set lines, setnets, seines, gillnets, bags, dipnets, trolls and
6 other gear and appliances permitted by law between 12 o'clock, noon, Sep-
7 tember 10, of any year and 12 o'clock, noon, March 1, the following year, and
8 between 12 o'clock, noon, May 1, and 12 o'clock, noon, August 25, of any year;
9 provided, however, that it shall be unlawful to use any of said fishing
10 appliances or gear aforesaid between 6 o'clock p. m. on Saturday of each
11 week and 6 o'clock p. m. on Sunday following, from May 1 to August 25,
12 both inclusive, of any year, and between 12 o'clock, noon, March 1, and 12
13 o'clock, noon, May 1, and between 12 o'clock, noon, August 25, and 12 o'clock,
14 noon, September 10, of any year.

15 Section 4. Any person violating any provision of this act shall be
16 deemed guilty of a misdemeanor and upon conviction thereof shall be
17 punished by a fine of not less than \$100 nor more than \$500, or by imprison-
18 ment in the county jail for a period of not less than 30 days nor more
19 than 90 days, or by both such fine and imprisonment. Each and every
20 day's violation of any provision of this act shall constitute a separate
21 offense.

22 Section 5. Any and all fishing gear and appliances used in violation
23 of the provisions of this act and all fish caught therewith shall be seized,
24 confiscated and sold by the master fish warden of Oregon in the manner
25 provided by law for the seizure, confiscation and sale of illegal fishing gear
26 and appliances and illegally caught fish, and the proceeds of any such sale
27 or sales shall be disposed of as by law in such cases provided.

28 Section 6. All acts and parts of acts in conflict herewith hereby are
29 repealed.
