

Chapter 506

Application, Administration and Enforcement of Commercial Fishing Laws

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ATTY. GEN. OPINIONS: Construing commission authority to close specific waters to commercial fishing, 1962-64, p 70; fishing regulations on Umpqua River, 1962-64, p 47; authority to provide fish eggs or fish to educational institutions for educational purposes, 1962-64, p 378; food fish as including both fin-fish and shellfish, 1962-64, p 388.

506.001

ATTY. GEN. OPINIONS: Fishing regulations on the Umpqua River, 1962-64, p 47; duty of Washington wholesaler to be licensed to deliver or pick up fish in Oregon, 1964-66, p 407.

506.006

CASE CITATIONS: *Sohappy v. Maison*, (1969) 302 F Supp 899, 907.

ATTY. GEN. OPINIONS: Personal use of fish taken by commercial fisherman, 1964-66, p 451.

506.011

ATTY. GEN. OPINIONS: Resolving differences in conflicting proposals of the fish and game commissions regarding salmon and steelhead, 1964-66, p 332; poundage fee on steelhead taken incidentally, (1969) Vol 34, p 743.

506.016

ATTY. GEN. OPINIONS: Resolving differences in conflicting proposals of the fish and game commissions regarding salmon and steelhead, 1964-66, p 332; poundage fee on steelhead taken incidentally, (1969) Vol 34, p 743.

506.036

CASE CITATIONS: *Sohappy v. Maison*, (1969) 302 F Supp 899, 901.

ATTY. GEN. OPINIONS: Resolving differences in conflicting proposals of the fish and game commissions regarding salmon and steelhead, 1964-66, p 332; duty of Washington wholesaler to be licensed to deliver or pick up fish in Oregon, 1964-66, p 407; poundage fee on steelhead taken incidentally, (1969) Vol 34, p 743.

506.040

CASE CITATIONS: *Sohappy v. Maison*, (1969) 302 F Supp 899, 908.

ATTY. GEN. OPINIONS: Resolving differences in conflicting proposals of the fish and game commissions regarding salmon and steelhead, 1964-66, p 332; poundage fee on steelhead taken incidentally, (1969) Vol 34, p 743.

506.045

NOTES OF DECISIONS

The right of the Indians to fish at all usual and accustomed places may not be qualified by the state. *Sohappy v. Maison*, (1969) 302 F Supp 899.

If defendants are violating tribal regulations they have no status to claim the exclusion for Indians under this section. *State v. Gowdy*, (1969) 1 Or App 424, 462 P2d 461.

Where the authority of a representative group of the tribe is recognized by a department of the federal government, the court must also recognize that authority. *Id.*

FURTHER CITATIONS: *Maison v. Consolidated Tribes of Umatilla Indian Reservation*, (1963) 314 F2d 169.

ATTY. GEN. OPINIONS: Construing commission authority to close specific waters to commercial fishing, 1962-64, p 70; jurisdiction of justice of the peace courts, (1971) Vol 35, p 597.

506.105

CASE CITATIONS: *State v. Hill*, (1947) 181 Or 585, 184 P2d 366.

506.126

ATTY. GEN. OPINIONS: Resolving differences in conflicting proposals of the fish and game commissions regarding salmon and steelhead, 1964-66, p 332.

506.136

ATTY. GEN. OPINIONS: Classification of fish, 1962-1964, p 388.

506.141

ATTY. GEN. OPINIONS: Closing Tillamook Bay for one year, 1962-64, p 70.

506.146

NOTES OF DECISIONS

Under former similar statute, the Indians' treaty rights to fish was qualified by the state's right to regulate such fishing when necessary for conservation. *Maison v. Consolidated Tribes of Umatilla Indian Reservation*, (1963) 314 F2d 169, *aff'd* 186 F Supp 519.

ATTY. GEN. OPINIONS: Fishing regulations on the Umpqua River, 1962-64, p 47; concurrent enforcement of penalty and seizure for illegal catch, regulation of incidental harvest, 1962-64, p 339; licenses and fees to harvest or sell nonfood fish, 1962-64, p 388.

506.151

ATTY. GEN. OPINIONS: Fishing regulations on the Umpqua River, 1962-64, p 47; publication of statewide fishing regulations in an Umpqua River Valley newspaper, 1962-64, p 372.

506.201

ATTY. GEN. OPINIONS: Fish commission transferring title to property to the United States without complying with provision as to condemnation, leasing or granting easement as within power of commission, 1934-36, p 63; accepting bids in connection with sale of parcels of land at Bonneville as within authority of commission, 1934-1936, p 153; authority to provide fish eggs for educational and scientific purposes, 1962-1964, p 378; resolving differences in conflicting proposals of the fish and game commissions regarding salmon and steelhead, 1964-66, p 332.

LAW REVIEW CITATIONS: 46 OLR 130, 134.

506.255

ATTY. GEN. OPINIONS: Authority to determine personnel salaries, (1970) Vol 34, p 977.

506.306

ATTY. GEN. OPINIONS: Statement of dollar cost of initiative amendment, 1964-66, p 23.

506.316

ATTY. GEN. OPINIONS: Refund of fees, 1962-64, p 70.

506.321

ATTY. GEN. OPINIONS: Gifts from commercial fishermen, (1969) Vol 34, p 743.

506.410

ATTY. GEN. OPINIONS: Disposition of revenue from hatcheries receiving federal funds, 1962-64, p 341.

506.535

ATTY. GEN. OPINIONS: Change of venue of case in justice court from one county to another, 1920-22, p 222; justice court's jurisdiction to declare forfeiture of property used by violators of commercial fishing laws, 1938-40, p 188; jurisdiction of justice of the peace courts; jurisdiction to try Indians, (1971) Vol 35, p 597.

506.690

ATTY. GEN. OPINIONS: Concurrent enforcement of penalty and seizure for illegal catch, 1962-64, p 339.

506.695

ATTY. GEN. OPINIONS: Concurrent enforcement of penalty and seizure for illegal catch, 1962-64, p 339.

506.991

ATTY. GEN. OPINIONS: Publication of state-wide fishing regulations in an Umpqua River Valley newspaper, 1962-64, p 372; concurrent enforcement of penalty and seizure for illegal catch, 1962-64, p 339; jurisdiction of justice of the peace courts; jurisdiction to try Indians, (1971) Vol 35, p 597.