

ENGROSSED HOUSE AMENDMENT
TO
ENGROSSED SENATE BILL NO. 997

BY: SHURDEN of the SENATE

and

SMITH (Bill) of the
HOUSE

(GAME AND FISH - PROHIBITING COMMERCIAL GUIDED
FISHING ACTIVITIES WITHOUT LICENSE -
EFFECTIVE DATE)

AMENDMENT NO. 1. Strike the stricken title, enacting clause and
entire bill and insert

AN ACT RELATING TO GAME AND FISH; PROHIBITING
COMMERCIAL GUIDED FISHING ACTIVITIES WITHOUT A
LICENSE; SETTING CERTAIN LICENSING FEES; REQUIRING
SPECIFIED DECAL MARKINGS ON CERTAIN BOATS AND
VESSELS; ESTABLISHING COST AND EXPIRATION DATE FOR
CERTAIN REQUIRED DECALS; REQUIRING LICENSEES TO
KEEP AND SUBMIT ANNUAL LOGS; AUTHORIZING COMMISSION
TO PROMULGATE RULES; SPECIFYING USE OF INCOME;
SPECIFYING VIOLATIONS AND PENALTIES; PROVIDING FOR
APPLICABILITY OF THE ACT; PROVIDING FOR
CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 4-135 of Title 29, unless there is created a duplication in numbering, reads as follows:

A. No person shall provide or offer to provide guided fishing activities for commercial purpose without having first procured a license for such from the Director of the Department of Wildlife Conservation.

B. The fee for an annual license under this section shall be One Hundred Dollars (\$100.00).

C. All boats or vessels normally used in guided fishing activities shall be conspicuously marked by decals bearing the inscription "Commercial Guide". Three such decals shall be furnished by the Department of Wildlife Conservation with each guide license issued. Additional decals shall be furnished at a cost of Five Dollars (\$5.00) each. Decals shall be affixed on each side of the boat, mid-distance between the bow and stern, in line with the boat numbers. A boat used by a guide only on a temporary or emergency basis shall display a decal on the windshield while being used in guided fishing activities. Decals shall expire on December 31 each year.

D. Persons licensed under this section shall provide the Department a true monthly log of all fish caught and of all fish brought into this state during guided fishing trips. The Department shall provide the forms necessary for this purpose. Completed forms shall be mailed to the Department headquarters by the tenth of the month following the month in which the trip is completed.

E. Income derived from the sale of fishing guide licenses as provided in this section shall be expended for enhancement of fishing in lakes where fishing guides operate.

F. Any person convicted of violating the provisions of subsection A or C of this section shall be punished by a fine of not less than Five Hundred Dollars (\$500.00) nor more than Two Thousand

Dollars (\$2,000.00), or by imprisonment in the county jail for a period not to exceed thirty (30) days, or by both such fine and imprisonment.

G. Any person licensed under this section who has been convicted of or who has pleaded guilty or nolo contendere to two violations of subsection A of this section or Sections 4-110, 4-120, 6-301, 6-303 or 7-503 of Title 29 of the Oklahoma Statutes within a two-year period shall have the license revoked and not be permitted to purchase or renew such license for a two-year period. Any person licensed under this section who has been convicted of or who has plead guilty or nolo contendere to one violation of Section 6-301a of Title 29 of the Oklahoma Statutes shall have the license revoked and not be permitted to purchase or renew such license for a two-year period.

H. The provisions of this section shall only apply to persons providing or offering guided fishing activities for commercial purposes on Lake Texoma.

SECTION 2. This act shall become effective January 1, 1993."

Passed the House of Representatives the 14th day of April, 1992.

Speaker of the House of
Representatives

Passed the Senate the ____ day of _____, 1992.

President of the Senate