

SHORT TITLE: Game and fish; modifying archaic language relating to predator control devices.

STATE OF OKLAHOMA

2nd Session of the 46th Legislature (1998)

SENATE BILL NO. 864

By: Shurden

AS INTRODUCED

An Act relating to game and fish; amending 29 O.S. 1991, Section 5-301, as amended by Section 4, Chapter 149, O.S.L. 1992 (29 O.S. Supp. 1997, Section 5-301), which relates to predator control devices; modifying archaic language.

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

SECTION 1. AMENDATORY 29 O.S. 1991, Section 5-301, as amended by Section 4, Chapter 149, O.S.L. 1992 (29 O.S. Supp. 1997, Section 5-301), is amended to read as follows:

Section 5-301. A. No person may set or use at any time any poison, cyanide coyote getter, or other similar device, using cyanide gas or other poisonous gas as the lethal agent, for the purpose of killing predators, except in accordance with the following conditions and procedures:

1. Signs of a size and character and with wording to be determined by the State Department of Agriculture, indicating the presence of cyanide coyote getters or other similar device using cyanide gas or other poisonous gas as the lethal agent, shall be posted on all properties where said coyote getters are set to the right and left of all entrances from public roads and highways and from adjacent lands and at corners of perimeter fences.

2. ~~Such~~ The devices shall not be set from April 1 to September 30 of each calendar year.

3. All signs as required by this article shall be in place twenty-four (24) hours before ~~said~~ the devices are set and shall be properly maintained in place during the permission period herein provided.

4. A game warden may issue a permit for the setting of ~~such~~ the devices and ~~such~~ the permit must be obtained prior to the setting of ~~such~~ the devices. Each permit shall be made in triplicate, the original to be retained by the landowner concerned, one copy retained by the game warden and the other copy mailed immediately to the Department for its permanent record.

5. In applying for a permit, the landowner shall state the number of devices to be set and the approximate location to the nearest forty (40) acres.

6. Written permission permits required by this section shall cover a period not exceeding six (6) months; provided, however, that ~~said~~ the permits shall be subject to renewal for a like period of time.

7. All signs required by this section shall be removed at the end of the permission period, unless ~~said~~ the permit is renewed prior to the expiration date thereof.

8. No predator control devices shall be on any property without the written permission of the record owner or lessee thereof.

B. Predatory control conducted by the State Department of Agriculture or the Oklahoma Department of Wildlife Conservation shall be exempt from provisions of paragraphs 4, 5 and 6 of subsection A of this section.

C. The Director may issue depredation permits to landowners for control of any nuisance wildlife.

D. Any person convicted of violating the provisions of this section shall be punished by a fine of not less than Fifty Dollars (\$50.00), or by imprisonment in the county jail for not more than thirty (30) days, or by both such fine and imprisonment.

46-2-2022

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