

By: Smith (Dale) of the House
and
Shurden of the Senate

An Act relating to game and fish; amending 29 O.S. 1991, Section 5-201, which relates to prohibited means of killing or capturing certain wildlife; prohibiting the use of certain noise suppression devices; stating commonly used name; and providing an effective date.

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

SECTION 1. AMENDATORY 29 O.S. 1991, Section 5-201, is amended to read as follows:

Section 5-201. A. Except as otherwise provided, no person may utilize at any time, for the purpose of killing or capturing any game mammal, game bird or nongame bird, the following means:

1. Any trap, net, snare, cage, pitfall, baited hook or similar device;
2. Any drug, poison, narcotic, explosive or similar substance;
3. Any swivel or punt gun of greater calibre than ten (10) gauge; ~~or~~
4. Any device which generates electricity; or
5. Any device which noticeably suppresses noise from a firearm, commonly known as a silencer.

B. ~~Persons~~ The following persons shall be exempt from the prohibition ~~of the above provision shall be~~ in subsection A of this section:

1. The Director, departmental employees and authorized agents when capturing wildlife for propagation or management purposes; i

2. Any person, group or governmental agency the Director may by written permit authorize, where any species of nongame birds are causing a nuisance or undue economic loss, as may be determined by ~~said~~ the Director. Such permit shall state the method of control and specific procedures and conditions as may be deemed appropriate by the Director; or

3. Any person possessing a scientific purposes license under Section 4-118 of this title.

C. Any person convicted of violating the provisions of this section shall be punished by a fine of not less than One Hundred Dollars (\$100.00) nor more than Five Hundred Dollars (\$500.00).

SECTION 2. This act shall become effective November 1, 2000.

Passed the House of Representatives the 28th day of February, 2000.

Speaker of the House of
Representatives

Passed the Senate the ____ day of _____, 2000.

President of the Senate