

STATE OF OKLAHOMA

2nd Session of the 48th Legislature (2002)

COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 2329

By: Maddux and Matlock

COMMITTEE SUBSTITUTE

An Act relating to game and fish; amending 29 O.S. 2001, Section 4-114, which relates to the lifetime hunting and fishing license; modifying exemption; exempting certain holders of a lifetime license from obtaining a game bird hunting stamp or license; requiring certain holders of a lifetime license to obtain a game bird hunting stamp or license; amending 29 O.S. 2001, Section 4-130, which relates to the waterfowl hunting stamp; expanding scope of stamp to include game birds; changing name of stamp to the game bird hunting stamp or license; modifying exemptions; changing fee for stamp; expanding use of fee; changing fee for lifetime game bird license; repealing 29 O.S. 2001, Section 4-131, which relates to performance review of the waterfowl hunting stamp funds; providing an effective date; and declaring an emergency.

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

SECTION 1. AMENDATORY 29 O.S. 2001, Section 4-114, is amended to read as follows:

Section 4-114. A. All legal residents who have resided in the state for at least six (6) months may purchase lifetime fishing licenses, lifetime hunting licenses or lifetime combination hunting/fishing licenses from the Director.

B. The fee for these licenses shall be:

1. Lifetime fishing license, One Hundred Fifty Dollars (\$150.00);
2. Lifetime hunting license, Four Hundred Dollars (\$400.00);
3. Lifetime hunting license for persons age sixty (60) years and over, Two Hundred Dollars (\$200.00); and

4. Lifetime combination hunting/fishing license, Five Hundred Twenty-five Dollars (\$525.00).

C. The use of the licenses provided in this section are subject to those restrictions provided by statute and the regulations of the Commission. ~~The~~ Except as otherwise provided for in this section, the lifetime hunting license shall be in lieu of all annual hunting licenses and all special season permits. Any person who holds a lifetime hunting license prior to the effective date of this act shall not be required to obtain a game bird hunting stamp or license as provided for in Section 4-130 of this title. Any person who obtains a lifetime hunting license after the effective date of this act shall be required to obtain a game bird hunting stamp or license as provided for in Section 4-130 of this title.

D. Nonresidents may purchase:

1. A lifetime nonresident fishing license. The fee for such license shall be Two Hundred Fifty Dollars (\$250.00);

2. A lifetime nonresident small game hunting license to hunt game other than deer, antelope, elk, or turkey. The fee shall be Four Hundred Fifty Dollars (\$450.00); or

3. A lifetime nonresident combination fishing and small game hunting license. The fee shall be Six Hundred Fifty Dollars (\$650.00).

E. Should any lifetime license be lost or destroyed, a duplicate will be issued by the Department for a fee of Five Dollars (\$5.00).

F. A lifetime licensee shall not lose the privileges of such license by a subsequent transfer of residency.

SECTION 2. AMENDATORY 29 O.S. 2001, Section 4-130, is amended to read as follows:

Section 4-130. A. Except as otherwise provided in the Oklahoma Wildlife Conservation Code, no person may hunt or take any ~~waterfowl~~ game bird during the open season on ~~waterfowl~~ game birds unless the

person has first obtained an Oklahoma ~~waterfowl~~ game bird hunting stamp or license from the Director or authorized agents of the Director. Each person shall have the stamp or license in their possession when hunting or taking any ~~waterfowl~~ game bird. When a stamp is purchased, the stamp shall be validated by the signature of the licensee written across the face of the stamp.

B. Persons excepted from the Oklahoma ~~waterfowl~~ game bird hunting stamp or license requirement of this section are:

1. Legal residents of Oklahoma under sixteen (16) years of age; and

2. Legal residents of Oklahoma ~~sixty-five (65) years of age or older~~ who are exempt from the hunting license requirements because of a disability as provided for in paragraph 8 of subsection B of Section 4-112 of this title or who qualify for a disability hunting license pursuant to paragraph 2 of subsection C of Section 4-112 of this title.

C. 1. The Oklahoma ~~waterfowl~~ game bird hunting stamp or license fee shall be ~~Four Dollars (\$4.00)~~ Seven Dollars and fifty cents (\$7.50) for residents and Fifteen Dollars (\$15.00) for nonresidents. ~~Fifty cents (\$0.50)~~ One Dollar (\$1.00) of this fee shall be retained by the authorized agent issuing the stamp. The remainder of the fee shall be deposited in the Wildlife Conservation Fund, to be used exclusively in the State of Oklahoma, for the purpose of developing, managing, preserving, restoring and maintaining ~~wetland~~ game bird habitats, providing public education about game bird habitat management and conservation, and for the conservation and management of ~~waterfowl~~ game birds and ecologically related species.

2. The collection and remittance procedures applicable to hunting license fees under this title shall apply to ~~waterfowl~~ game bird stamp or license fees.

3. The ~~waterfowl~~ game bird stamp or license issued pursuant to this section shall expire on June 30 of each year.

D. The Oklahoma Wildlife Conservation Commission shall prescribe, by regulation, the form, design and manner of issuance of the ~~waterfowl~~ game bird stamp. The art for the stamp shall be selected from an art contest which shall be regulated by the Commission.

E. Any ~~person~~ resident may purchase from the Department a lifetime Oklahoma ~~Waterfowl~~ Game Bird License. The fee for such lifetime ~~Oklahoma Waterfowl License~~ game bird license shall be ~~Fifty Dollars (\$50.00)~~ One Hundred Dollars (\$100.00). The income from the sale of the lifetime ~~waterfowl~~ game bird license ~~will~~ shall be invested by the Department in any investment permitted by a written investment policy adopted by the Wildlife Conservation Commission ~~provided, all.~~ All investments shall be made in accordance with the Oklahoma Uniform Prudent Investor Act. The interest derived ~~therefrom~~ from the investments shall be expended by the Commission for the purpose of developing, managing, preserving, restoring, and maintaining ~~waterfowl~~ game bird habitats and ~~waterfowl~~ game bird species.

F. Any person convicted of violating any of the provisions of this section shall be punished by a fine of not less than Twenty-five Dollars (\$25.00) nor more than One Hundred Dollars (\$100.00).

G. Nothing in this title shall prohibit a person from hunting ~~waterfowl~~ game bird exclusively on their own property without an Oklahoma ~~waterfowl~~ game bird hunting stamp or license.

SECTION 3. REPEALER 29 O.S. 2001, Section 4-131, is hereby repealed.

SECTION 4. This act shall become effective July 1, 2002.

SECTION 5. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby

declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

48-2-8625 KB 6/12/15