

ENGROSSED HOUSE  
BILL NO. 2341

By: Smith of the House

and

Shurden of the Senate

( game and fish - Oklahoma Wildlife Land Stamp -  
amending 29 O.S., Sections 3-303 and 4-114 -  
lifetime licenses - codification -  
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 4-140 of Title 29, unless there is created a duplication in numbering, reads as follows:

A. Except as otherwise provided for in this section, no person may hunt, pursue, trap, harass, catch, kill, take, or attempt to take in any manner, use, have in possession, sell, or transport all or any portion of any wildlife including fish unless the person has first obtained an Oklahoma Wildlife Land Stamp from the Director or any authorized agents of the Department of Wildlife Conservation. Each person shall have the stamp in their possession when hunting, fishing, or taking any wildlife.

B. Persons exempt from the Oklahoma Wildlife Land Stamp requirements of this section are:

1. Legal residents of Oklahoma under eighteen (18) years of age;

2. Legal residents of Oklahoma sixty-five (65) years of age or older;

3. Legal residents of Oklahoma who have a valid lifetime fishing, hunting, or combination license;

4. Legal residents of Oklahoma who have a valid senior citizen lifetime fishing, hunting or combination license;

5. Persons holding a valid nonresident lifetime fishing, hunting or combination license; and

6. Persons who have acquired a license pursuant to Section 4-110 or Section 4-128 of Title 29 of the Oklahoma Statutes for fishing in the area of Lake Texoma located within the state.

C. 1. The Oklahoma Wildlife Land Stamp fee shall be Three Dollars (\$3.00). Fifty cents (\$0.50) of this fee shall be retained by the authorized agent issuing the stamp. The remainder of the fee shall be deposited in the Oklahoma Wildlife Land Fund, created in Section 2 of this act, to be used exclusively for payment of bond debt and related expenses incurred pursuant to Section 5 of this act for the purchase of public hunting, fishing, and trapping areas where the public may hunt, fish, or trap as authorized by law.

2. The collection and remittance procedures applicable to hunting license fees under this title shall apply to the Oklahoma Wildlife Land Stamp fees.

3. The Oklahoma Wildlife Land Stamp issued pursuant to this section shall expire on December 31 of each year.

D. The Oklahoma Wildlife Conservation Commission shall prescribe, by rule, the form, design, and manner of issuance of the Oklahoma Wildlife Land Stamp.

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 4-141 of Title 29, unless there is created a duplication in numbering, reads as follows:

There is hereby created in the State Treasury a revolving fund for the Oklahoma Wildlife Conservation Commission to be designated the "Oklahoma Wildlife Land Fund". The Fund shall be a continuing fund, not subject to fiscal year limitations, and shall consist of all monies received pursuant to the provisions of Section 1 of this act from fees for the Oklahoma Wildlife Land Stamp and the monies

apportioned to the Fund by paragraph 1 of subsection G of Section 4-114 of Title 29 of the Oklahoma Statutes. All monies accruing to the credit of the Fund are hereby appropriated and shall be expended by the Commission as follows:

1. An amount equal to Two Dollars (\$2.00) per stamp to be used to retire the obligations and related expenses as authorized pursuant to Section 5 of this act; and

2. An amount equal to fifty cents (\$0.50) per stamp to be used by the Commission for management of the real property acquired pursuant to Section 5 of this act.

SECTION 3. AMENDATORY 29 O.S. 2001, Section 3-303, is amended to read as follows:

Section 3-303. A. The Commission may acquire, by purchase, gift, grants, grant-in-aid from the federal government, or from any other source public or private, all property or money necessary, useful or convenient for its use in carrying out the objects and purposes of this Code.

B. Any and all gifts, grants, royalties and rentals received by the Commission shall, however, be allocated and used in the same manner as Wildlife Conservation Funds, except that gifts given for specified purposes by the donor shall be used for such specified purposes.

C. On any land acquired by the Oklahoma Wildlife Conservation Commission pursuant to the provisions of the Oklahoma Wildlife Conservation Code, after the effective date of this act, the Commission shall annually make in lieu of tax payments equal to the average ad valorem tax per acre paid on similar land in that county. Said payments shall be made from any funds created in or pursuant to the authority granted by the Oklahoma Wildlife Conservation Code. The payments shall be made by the Commission within sixty (60) days from receipt of an itemized statement from the county treasurer of the county in which the land is located.

D. The provisions of subsection C of this section shall be applicable to any lands acquired by or on behalf of the Oklahoma Wildlife Conservation Commission pursuant to Section 5 of this act and the Oklahoma Capitol Improvement Authority may enter into such agreements with the Oklahoma Wildlife Conservation Commission as may be required for the Commission to make such in lieu payments with respect to real property title to which is held by the Oklahoma Capitol Improvement Authority until title is transferred to the Commission as provided by Section 5 of this act.

SECTION 4. AMENDATORY 29 O.S. 2001, Section 4-114, as last amended by Section 1, Chapter 157, O.S.L. 2003 (29 O.S. Supp. 2003, 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 State Wildlife Conservation Director.

B. The fee for these licenses shall be:

1. Lifetime fishing license, ~~Two Hundred Dollars (\$200.00)~~ Two Hundred Twenty-five Dollars (\$225.00);

2. Lifetime hunting license, ~~Six Hundred Dollars (\$600.00)~~ Six Hundred Twenty-five Dollars (\$625.00);

3. Lifetime combination hunting/fishing license, ~~Seven Hundred Fifty Dollars (\$750.00)~~ Seven Hundred Seventy-five Dollars (\$775.00);

4. Lifetime hunting license for persons sixty (60) years of age or older, ~~Two Hundred Dollars (\$200.00)~~ Two Hundred Twenty-five Dollars (\$225.00);

5. Lifetime fishing license for persons sixty (60) years of age or older, ~~Thirty Dollars (\$30.00)~~ Fifty-five Dollars (\$55.00); and

6. Lifetime combination hunting/fishing license for persons sixty (60) years of age or older, ~~Two Hundred Fifteen Dollars (\$215.00)~~ Two Hundred Forty Dollars (\$240.00).

C. The use of the licenses provided in this section are subject to those restrictions provided by statute and the regulations of the Wildlife Conservation Commission. The lifetime hunting license shall be in lieu of all annual hunting licenses and all special season permits.

D. Nonresidents may purchase:

1. A lifetime nonresident fishing license. The fee for such license shall be ~~Two Hundred Fifty Dollars (\$250.00)~~ Two Hundred Seventy-five Dollars (\$275.00);

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)~~ Four Hundred Seventy-five Dollars (\$475.00); or

3. A lifetime nonresident combination fishing and small game hunting license. The fee shall be ~~Six Hundred Fifty Dollars (\$650.00)~~ Six Hundred Seventy-five Dollars (\$675.00).

E. Should any lifetime license be lost or destroyed, a duplicate will be issued by the Department of Wildlife Conservation for a fee of Ten Dollars (\$10.00).

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

G. Of the fees imposed pursuant to subsections B and D of this section:

1. Twenty Dollars (\$20.00) from each such license fee shall be apportioned to the Oklahoma Wildlife Land Fund to be used to retire the obligations and related expenses as authorized pursuant to Section 5 of this act; and

2. Five Dollars (\$5.00) from each such license fee shall be apportioned to the Oklahoma Wildlife Land Fund to be used by the

Commission for management of the real property acquired pursuant to Section 5 of this act.

SECTION 5. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 168.9 of Title 73, unless there is created a duplication in numbering, reads as follows:

A. The Oklahoma Capitol Improvement Authority is authorized to acquire the real property, together with improvements located thereon, for purposes of providing public hunting, fishing, and trapping areas as places where the public may hunt, fish, or trap as authorized by law.

B. The Authority may hold title to the real property and improvements until such time as any obligations issued for this purpose are retired or defeased and shall lease the real property and improvements to the Oklahoma Wildlife Conservation Commission for an amount not to exceed One Dollar (\$1.00) per year for each parcel.

C. The Commission shall have exclusive management and control over any real property acquired by the Authority and leased to the Commission pursuant to this section.

D. The Commission shall have exclusive authority to direct the Oklahoma Capitol Improvement Authority for purposes of acquiring any real property as otherwise authorized by this section and the Oklahoma Capitol Improvement Authority shall only acquire such real property as described by subsection A of this section as may be approved by the Oklahoma Wildlife Conservation Commission.

E. The Oklahoma Wildlife Conservation Commission shall only acquire real property as authorized by this section on a willing-seller willing-buyer basis.

F. Upon final redemption or defeasance of the obligations created pursuant to this section, title to the real property and improvements shall be transferred from the Oklahoma Capitol

Improvement Authority, to the Oklahoma Wildlife Conservation Commission.

G. For the purpose of paying the costs for acquisition of the real property and improvements authorized in subsection A of this section, and for the purpose authorized in subsection I of this section, the Authority is hereby authorized to borrow monies on the credit of the revenues to be derived from issuance of the Oklahoma Wildlife Land Stamp and, in anticipation of the collection of such revenues, to issue negotiable obligations in an amount not to exceed \_\_\_\_\_.

H. The costs for acquisition of the real property and improvements authorized in subsection A of this section shall not exceed the fair market value of the property.

I. To the extent funds are available from the proceeds of the borrowing authorized by subsection G of this section, the Oklahoma Capitol Improvement Authority shall provide for the payment of professional fees and associated costs approved by the Oklahoma Wildlife Conservation Commission.

J. The Authority may issue obligations in one or more series and in conjunction with other issues of the Authority. The Authority is authorized to hire bond counsel, financial consultants, and such other professionals as it may deem necessary to provide for the efficient sale of the obligations and may utilize a portion of the proceeds of any borrowing to create such reserves as may be deemed necessary and to pay costs associated with the issuance and administration of such obligations.

K. The obligations authorized under this section may be sold at either competitive or negotiated sale, as determined by the Authority, and in such form and at such prices as may be authorized by the Authority. The Authority may enter into agreements with such credit enhancers and liquidity providers as may be determined necessary to efficiently market the obligations. The obligations

may mature and have such provisions for redemption as shall be determined by the Authority, but in no event shall the final maturity of such obligations occur later than thirty (30) years from the first principal maturity date with respect to each series issued.

L. Any interest earnings on funds or accounts created for the purposes of this section may be utilized as partial payment of the annual debt service or for the purposes directed by the Authority.

M. The obligations issued under this section, the transfer thereof and the interest earned on such obligations, including any profit derived from the sale thereof, shall not be subject to taxation of any kind by the State of Oklahoma, or by any county, municipality or political subdivision therein.

N. The Authority may direct the investment of all monies in any funds or accounts created in connection with the offering of the obligations authorized under this section. Such investments shall be made in a manner consistent with the investment guidelines of the State Treasurer. The Authority may place additional restrictions on the investment of such monies if necessary to enhance the marketability of the obligations.

SECTION 6. This act shall become effective July 1, 2004.

Passed the House of Representatives the 10th day of March, 2004.

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Presiding Officer of the House of  
Representatives

Passed the Senate the \_\_\_\_ day of \_\_\_\_\_, 2004.

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Presiding Officer of the Senate