

STATE OF OKLAHOMA

2nd Session of the 49th Legislature (2004)

HOUSE BILL HB1883:

Smith

AS INTRODUCED

An Act relating to game and fish; requiring certain persons or entities who provide guide or outfitter services to procure a guide and outfitting license; requiring certain persons employed by a licensed guide and outfitter to procure an associate guide license; establishing fees for guide and outfitter licenses; providing an expiration date; requiring notification of where guide services will be provided; providing certain exemptions; directing the Wildlife Conservation Commission to promulgate rules; requiring submission of proof of intent to insure; requiring applicants to submit to a criminal background investigation; directing the Department of Wildlife Conservation to submit applications to the Oklahoma Tax Commission; providing for codification; and declaring an emergency.

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 4-113A of Title 29, unless there is created a duplication in numbering, reads as follows:

A. No person, business or corporation, including a hunting club or land leasing agent, who advertises, or holds themselves, land, service, or equipment out to the public for hire or remuneration to provide guide and outfitter service for the taking of game during hunting activities shall perform or advertise without having first procured a guide and outfitting license from the Director of the Department of Wildlife Conservation.

B. No person who is employed by or operating under a licensed guide and outfitter shall advertise or hold themselves out for hire or remuneration to provide guide and outfitter service or contract to perform such activities without having first procured an associate guide license from the Director.

C. The fees for a resident guide and outfitter license and resident associate guide license shall be Twenty-five Dollars (\$25.00). The fees for a nonresident guide and outfitter license and nonresident associate guide license shall be Thirty-five Dollars (\$35.00). The licenses shall expire June 30 of each year.

1. All licensees shall notify the Department of Wildlife Conservation of the counties where guide services will be provided, prior to the commencement of said activities.

2. Persons exempted from the license requirements pursuant to the provisions of this act are:

- a. landowners providing services on lands owned by the person, business or corporation, and used primarily for agricultural purposes, and
- b. persons, businesses or corporations providing services on commercial hunting areas.

D. The Wildlife Conservation Commission shall promulgate rules regarding the performance of services including, but not limited to, applications, issuance, liability insurance requirements, renewal, denial, suspension, fines, citations and revocation of these licenses.

1. Applicants must provide the Department of Wildlife Conservation with a letter of intent to insure from an authorized insurance company. Guide and outfitters letter of intent will suffice as long as the associate guide is listed on the letter as an employee.

2. Applicants must submit to a criminal background investigation.

E. The Department of Wildlife Conservation shall report all applications for proposed guides and outfitters, and associate guides to the Oklahoma Tax Commission for tax information purposes.

SECTION 2. 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.

49-2-7515 KB 1/09/04