

STATE OF OKLAHOMA

1st Session of the 50th Legislature (2005)

HOUSE BILL 1396

By: Ellis

AS INTRODUCED

An Act relating to game and fish; amending 29 O.S. 2001, Section 4-114, as last amended by Section 4, Chapter 513, O.S.L. 2004 (29 O.S. Supp. 2004, Section 4-114), which relates to lifetime hunting and fishing licenses; providing for a lifetime trout license for any person purchasing certain lifetime licenses; amending 29 O.S. 2001, Section 4-120, as last amended by Section 6, Chapter 287, O.S.L. 2003 (29 O.S. Supp. 2004, Section 4-120), which relates to the trout license; exempting persons with a lifetime trout license from trout licensing requirements; repealing 29 O.S. 2001, Section 4-114, as last amended by Section 2, Chapter 284, O.S.L. 2004 (29 O.S. Supp. 2004, Section 4-114), which relates to lifetime hunting and fishing licenses; 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, as last amended by Section 4, Chapter 513, O.S.L. 2004 (29 O.S. Supp. 2004, 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);
2. Lifetime hunting license, Six Hundred Dollars (\$600.00);
3. Lifetime combination hunting/fishing license, Seven Hundred Fifty Dollars (\$750.00);

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

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

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

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. 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.

D. Nonresidents may purchase a lifetime nonresident fishing license. The fee for such license shall be Two Hundred Fifty Dollars (\$250.00).

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. 1. In addition to the fees imposed pursuant to subsections B and D of this section, a person purchasing a lifetime fishing, hunting or combination license shall be required to purchase a Lifetime Oklahoma Wildlife Land Stamp. Each person shall have the stamp in their possession while hunting, fishing, or taking any wildlife. The fee for the Lifetime Oklahoma Wildlife Land Stamp shall be Twenty-five Dollars (\$25.00). The fee for the stamp shall be distributed as follows:

- a. Twenty Dollars (\$20.00) from each stamp shall be deposited in the Oklahoma Wildlife Land Fund, created in Section ~~2~~ 4-141 of this ~~act~~ title, to be used to retire the obligations and related expenses as

authorized pursuant to Section ~~5~~ 168.9 of ~~this act~~
Title 73 of the Oklahoma Statutes; and

- b. Five Dollars (\$5.00) from each stamp shall be deposited in the Oklahoma Wildlife Land Fund, created in Section ~~2~~ 4-141 of this ~~act~~ title, to be used by the Commission for management of the real property acquired pursuant to Section ~~5~~ 168.9 of ~~this act~~ Title 73 of the Oklahoma Statutes.

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

3. Within one (1) year of the final retirement, redemption, or defeasance of the obligations created pursuant to Section ~~5~~ 168.9 of ~~this act~~ Title 73 of the Oklahoma Statutes, the Lifetime Oklahoma Wildlife Land Stamp and Lifetime Oklahoma Wildlife Land Stamp fee requirements provided for in this subsection shall terminate.

H. Any person purchasing a lifetime fishing or combination license pursuant to subsections B and D of this section shall also be provided with a lifetime trout license. There shall be no additional charge for the lifetime trout license.

SECTION 2. AMENDATORY 29 O.S. 2001, Section 4-120, as last amended by Section 6, Chapter 287, O.S.L. 2003 (29 O.S. Supp. 2004, Section 4-120), is amended to read as follows:

Section 4-120. A. No person may fish in designated trout waters without having first procured a license from the Director or authorized agents of the Director. Persons with a lifetime trout license issued pursuant to Section 4-114 of this title shall be exempt from the license requirements of this section.

B. The Commission shall decide the open season for trout fishing and which waters are designated trout waters.

C. The fee for a license under this section shall be Nine Dollars (\$9.00); for persons under eighteen (18) years of age, Four Dollars (\$4.00).

D. Any person arrested while violating the provisions of this section may purchase a substitute temporary thirty-day license from the arresting game warden in lieu of posting bond. The fee for a substitute license purchased pursuant to the provisions of this subsection shall be:

1. For legal residents, Thirty-five Dollars (\$35.00); and
2. For nonresidents, Seventy-five Dollars (\$75.00).

The fees from licenses purchased pursuant to the provision of this subsection shall be deposited in the Wildlife Conservation Fund to be used exclusively for developing, managing, preserving and protecting wildlife and wildlife habitat.

E. Unless a substitute license is purchased as provided for by subsection D of this section, any resident of this state convicted of violating 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), or by imprisonment in the county jail for a period not more than thirty (30) days, or by both such fine and imprisonment.

F. Unless a substitute temporary license is purchased as provided for by subsection D of this section, any nonresident convicted of violating the provisions of this section shall be punished by the imposition of a fine of not less than Twenty-five Dollars (\$25.00) nor more than One Hundred Dollars (\$100.00), or by imprisonment in the county jail for a period not to exceed thirty (30) days, or by both said fine and imprisonment.

SECTION 3. REPEALER 29 O.S. 2001, Section 4-114, as last amended by Section 2, Chapter 284, O.S.L. 2004 (29 O.S. Supp. 2004, Section 4-114), is hereby repealed.

SECTION 4. This act shall become effective July 1, 2005.

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.

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