

1 ENGROSSED HOUSE
2 BILL NO. 3365

By: McNiel of the House

and

Ford of the Senate

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7 An Act relating to game and fish; amending 29 O.S.
8 2001, Section 6-303.1, which relates to possession
9 and transportation of paddlefish eggs; modifying
10 restrictions for possession of paddlefish eggs;
11 making transportation restriction apply to frozen
12 paddlefish eggs; prohibiting transportation of
13 paddlefish with viscera out of state; increasing
14 penalties; and declaring an emergency.

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

16 SECTION 1. AMENDATORY 29 O.S. 2001, Section 6-303.1, is
17 amended to read as follows:

18 Section 6-303.1 A. Except as otherwise provided, no person ~~may~~
19 shall possess:

20 1. ~~Fifty (50) pounds or more of raw unprocessed and unfrozen~~
21 ~~paddlefish~~ The eggs of more than one paddlefish that are still
22 attached to the egg membrane; or

23 2. ~~Five (5)~~ More than three (3) pounds or more combined of
24 processed paddlefish eggs or fresh paddlefish eggs that have been
removed from the egg membrane.

1 B. Except as otherwise provided, no person ~~may~~ shall ship into
2 or out of, transport into or out of, have in possession with the
3 intent to so transport, or cause to be removed from this state raw
4 unprocessed ~~or,~~ processed, or frozen paddlefish eggs. ~~This~~
5 ~~subsection~~ No person shall not apply to transport paddlefish eggs
6 ~~that are in a solid, frozen~~ with viscera out of the state.

7 C. The provisions of this section shall not apply to:

8 1. The Director of the Department of Wildlife Conservation,
9 employees of the Department of Wildlife Conservation or authorized
10 agents of the Department who are acting pursuant to their duties;

11 2. Any paddlefish products which are derived from lawfully
12 propagated fish licensed under rules promulgated by the Wildlife
13 Conservation Commission;

14 3. Any paddlefish products to which the Director has given an
15 individual specific written authority to transport the product into
16 or out of the state; and

17 4. Any processed and packaged paddlefish products imported into
18 the state if accompanied by an invoice stating the point of
19 origination of the paddlefish product.

20 D. Any person convicted of violating the provisions of this
21 section shall be punished by the imposition of a fine of not less
22 than ~~Five Hundred Dollars (\$500.00)~~ One Thousand Dollars
23 (\$1,000.00) nor more than ~~One Thousand Dollars (\$1,000.00)~~ Ten
24 Thousand Dollars (\$10,000.00) for the first offense and not less

1 than Two Thousand Dollars (\$2,000.00) nor more than Twenty-five
2 Thousand Dollars (\$25,000.00) for a second offense, or by
3 imprisonment in the county jail for a period not to exceed ~~ninety~~
4 ~~(90) days~~ one (1) year, or by confiscation of any equipment used in
5 violation of this section pursuant to the provisions of Section 7-
6 206 of this title, or by a combination of fine, imprisonment and
7 confiscation. In addition, all fishing licenses and all fishing
8 privileges within the state held by a person convicted of violating
9 the provisions of this section shall be revoked for a period of not
10 less than one (1) year from the date of conviction.

11 SECTION 2. It being immediately necessary for the preservation
12 of the public peace, health and safety, an emergency is hereby
13 declared to exist, by reason whereof this act shall take effect and
14 be in full force from and after its passage and approval.

15 Passed the House of Representatives the 4th day of March, 2008.

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Presiding Officer of the House of
19 Representatives

20 Passed the Senate the ____ day of _____, 2008.

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Presiding Officer of the Senate

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