

1 STATE OF OKLAHOMA

2 2nd Session of the 52nd Legislature (2010)

3 COMMITTEE SUBSTITUTE

4 FOR

5 HOUSE BILL NO. 2963

6 By: Sears

7 COMMITTEE SUBSTITUTE

8 An Act relating to game and fish; amending 29 O.S.
9 2001, Sections 4-110, as last amended by Section 1,
10 Chapter 123, O.S.L. 2009, 4-112, as last amended by
11 Section 1, Chapter 49, O.S.L. 2008, 4-113, as last
12 amended by Section 2, Chapter 123, O.S.L. 2009, and
13 4-114, as last amended by Section 16, Chapter 16,
14 O.S.L. 2006 (29 O.S. Supp. 2009, Sections 4-110, 4-
15 112, 4-113 and 4-114), which relate to hunting and
16 fishing licenses; modifying fishing and hunting
17 license exemptions for persons with certain senior
18 citizen license; changing certain fees; clarifying
19 purpose of certain fees; requiring deposit of certain
20 fees in certain funds; deleting certain deer gun
21 hunting license exemptions for persons with certain
22 senior citizen license; deleting certain lifetime
23 licenses; adding a senior citizen lifetime hunting,
24 fishing and combination license; establishing fees
for the licenses; modifying licenses required to
purchase a Lifetime Oklahoma Wildlife Land Stamp;
allowing a person who has reached a certain age to be
eligible for the senior citizen lifetime license;
amending 29 O.S. 2001, Section 4-134, which relates
to the Wildlife Heritage Fund; changing statutory
citation; amending Section 1, Chapter 513, O.S.L.
2004, as last amended by Section 3, Chapter 123,
O.S.L. 2009 (29 O.S. Supp. 2009, Section 4-140),
which relates to the Oklahoma Wildlife Land Stamp;
modifying certain exemption; clarifying certain
deposit requirements; amending Section 2, Chapter
513, O.S.L. 2004, as amended by Section 3, Chapter
304, O.S.L. 2005 (29 O.S. Supp. 2009, Section 4-141),
which relates to the Oklahoma Wildlife Land Fund;
modifying fee deposit requirements; amending 29 O.S.
2001, Section 4-119, as amended by Section 5, Chapter

1 160, O.S.L. 2003 (29 O.S. Supp. 2009, Section 4-119),
2 which relates to trapping licenses; adding certain
3 exemption; changing expiration date; amending 29 O.S.
4 2001, Section 4-130, as last amended by Section 3,
5 Chapter 284, O.S.L. 2004 (29 O.S. Supp. 2009, Section
6 4-130), which relates to the waterfowl hunting stamp;
7 deleting lifetime Oklahoma Waterfowl license;
8 deleting certain investment requirements; providing
9 for purchase of a temporary waterfowl stamp or
10 license; establishing fee; specifying use of the
11 fees; repealing 29 O.S. 2001, Section 4-133, which
12 relates to the senior citizen lifetime hunting and
13 fishing license; and providing an effective date.

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

15 SECTION 1. AMENDATORY 29 O.S. 2001, Section 4-110, as
16 last amended by Section 1, Chapter 123, O.S.L. 2009 (29 O.S. Supp.
17 2009, Section 4-110), is amended to read as follows:

18 Section 4-110. A. Except as otherwise provided in the Oklahoma
19 Wildlife Conservation Code, no person shall fish, pursue, harass,
20 catch, kill, take in any manner, use, have in possession, sell, or
21 transport all or any portion of fish without having first procured a
22 license for such from the Director or from any of the authorized
23 agents of the Department of Wildlife Conservation. The Wildlife
24 Conservation Commission may designate two (2) days per year in which
residents and nonresidents may fish without first procuring a
fishing license pursuant to the provisions of this section.

B. Pursuant to the provisions of this Code, persons excepted
from the license requirements of this section are:

1 1. Legal residents under sixteen (16) years of age and
2 nonresidents under sixteen (16) years of age from states which do
3 not require nonresident fishing licenses for persons under sixteen
4 (16) years of age;

5 2. Legal residents ~~sixty-four (64)~~ sixty-five (65) years of age
6 or older and nonresidents ~~sixty-four (64)~~ sixty-five (65) years of
7 age or older from states which do not require nonresident fishing
8 licenses for persons ~~sixty-four (64)~~ sixty-five (65) years of age or
9 older, provided ~~such~~ a legal resident has obtained a senior
10 ~~citizen's~~ citizen lifetime fishing or combination hunting and
11 fishing license pursuant to the provisions of Section ~~4-133~~ 4-114 of
12 this title;

13 3. Legal residents born on or before January 1, 1923;

14 4. Legal resident veterans having a disability of sixty percent
15 (60%) or more;

16 5. Legal resident owners or tenants, their spouses, parents,
17 grandparents, children and their spouses, grandchildren and their
18 spouses who fish in private ponds on land owned or leased by them;

19 6. Every Oklahoma citizen who is serving in a branch of the
20 United States Armed Forces, is on properly authorized leave of
21 absence from military duty, has in possession proper written
22 evidence showing such authorized leave, and is serving outside the
23 State of Oklahoma at the time of such fishing;

24

1 7. Any patient of an institution of the State of Oklahoma
2 established for the care and treatment of mental illness or alcohol
3 or drug dependency or any developmentally disabled person residing
4 in any group home or other institution or developmentally disabled
5 persons when accompanied by an attendant of such institution or
6 legal guardian of said patient, or when fishing on institutional
7 property;

8 8. Any person under eighteen (18) years of age who is in the
9 legal and physical custody of the State of Oklahoma or one of its
10 agencies by court order;

11 9. Any person under eighteen (18) years of age who is in the
12 physical custody of a child care facility as defined by Section 402
13 of Title 10 of the Oklahoma Statutes;

14 10. Any person who is legally blind or who has any other
15 physical impairment, as certified by a physician licensed in this
16 state or any state which borders this state, which prevents the
17 person from properly using fishing apparatus without the assistance
18 of another person, and any one person actually accompanying and
19 actually assisting such legally blind or otherwise physically
20 impaired person while the latter is fishing. This certification
21 shall be carried by the individual while fishing;

22 11. Nonresidents under fourteen (14) years of age;

23 12. Job Corps trainees of this state, provided that such
24 trainees shall have on their persons a duly authorized

1 identification card issued by their respective Job Corps Center and
2 shall present such card upon request, in lieu of a fishing license.
3 The trainees shall return their cards to their respective Job Corps
4 Center when the trainees leave their respective Job Corps training
5 programs;

6 13. Any legal resident having a proven disability which renders
7 the resident nonambulatory and confined to a wheelchair as certified
8 by a physician licensed in this state or any state which borders
9 this state;

10 14. Any person who is fishing with a pole and line, trotline,
11 or throwline in streams, natural lakes, natural ponds, and mine pits
12 in the county in which the person is a resident, or in streams,
13 natural lakes, natural ponds, and mine pits which form a part of the
14 boundary line of the county in which the person is a resident, when
15 using any bait other than commercial or artificial bait, blood,
16 stink bait, cut fish, and shrimp; and

17 15. Any person participating in an aquatic education event or
18 clinic sanctioned by the Department of Wildlife Conservation.

19 C. Except as otherwise provided for in the Oklahoma Wildlife
20 Conservation Code, the fee for an annual license issued pursuant to
21 the provisions of this section shall be:

22 1. For legal residents eighteen (18) years of age and older,
23 Twenty-four Dollars (\$24.00); for legal residents sixteen (16) or
24 seventeen (17) years of age, Four Dollars (\$4.00). For a two-day

1 resident permit license, Fourteen Dollars (\$14.00). Of the amount
2 of monies collected pursuant to the provisions of this paragraph,
3 Five Dollars (\$5.00) of ~~each~~ the license fee for residents and of
4 the two-day resident license fee shall be for the Oklahoma Wildlife
5 Land Stamp and shall be deposited in the Oklahoma Wildlife Land
6 Stamp Fund created pursuant to the provisions of Section 4-141 of
7 this title; and

8 2. For nonresidents, Forty-one Dollars (\$41.00), provided the
9 Commission may enter into reciprocity agreements with states wherein
10 nonresident license fees shall be in conformity with such reciprocal
11 agreements. For a five-day nonresident permit license, Twenty-two
12 Dollars and fifty cents (\$22.50). Of the amount of monies collected
13 pursuant to the provisions of this paragraph, Five Dollars (\$5.00)
14 of the license fee for nonresidents, and One Dollar and fifty cents
15 (\$1.50) of the five-day nonresident permit fee shall be deposited in
16 the Wildlife Land Acquisition Fund created pursuant to the
17 provisions of Section 4-132 of this title. Of the amount of monies
18 collected pursuant to the provisions of this paragraph, Five Dollars
19 (\$5.00) of the license fee for nonresidents and of the five-day
20 nonresident permit fee shall be for the Oklahoma Wildlife Land Stamp
21 and shall be deposited in the Oklahoma Wildlife Land Fund created
22 pursuant to the provisions of Section 4-141 of this title.

23 D. Legal residents who have resided in this state for at least
24 six (6) months and who are receiving Social Security Disability

1 benefits, Supplemental Security Income benefits, disability benefits
2 under the Railroad Retirement Act, 45 U.S.C.A., Section 231a,
3 postal employees receiving disability benefits pursuant to 5,
4 U.S.C., Section 8451 (1998) or legal residents who are one hundred
5 percent (100%) disabled and are receiving disability payments from
6 the Multiple Injury Trust Fund pursuant to Section 173 of Title 85
7 of the Oklahoma Statutes, may purchase a disability fishing license
8 from the Director for Ten Dollars (\$10.00) for five (5) years.

9 E. 1. Any person arrested while violating the provisions of
10 this section who does not meet the requirements of subsection H of
11 this section, may purchase a substitute temporary thirty-day license
12 from the arresting game warden in lieu of posting bond. The fee for
13 a substitute license purchased pursuant to the provisions of this
14 subsection shall be:

- 15 a. for legal residents, Fifty Dollars (\$50.00), and
- 16 b. for nonresidents, Ninety Dollars (\$90.00).

17 2. Except as otherwise provided by this subsection, the fees
18 from licenses purchased pursuant to the provisions of this
19 subsection shall be deposited in the Wildlife Conservation Fund to
20 be used exclusively for developing, managing, preserving, and
21 protecting wildlife and wildlife habitat.

22 F. Unless a substitute license is purchased as provided for by
23 subsection E of this section, any resident of this state convicted
24 of violating the provisions of this section shall be punished by the

1 imposition of a fine of not less than Twenty-five Dollars (\$25.00)
2 nor more than Two Hundred Dollars (\$200.00) or by imprisonment in
3 the county jail for a period not to exceed thirty (30) days, or by
4 both said fine and imprisonment.

5 G. Unless a substitute license is purchased as provided for by
6 subsection E of this section, any nonresident convicted of violating
7 this section shall be punished by a fine of not less than Fifty
8 Dollars (\$50.00) nor more than Two Hundred Dollars (\$200.00) or by
9 imprisonment in the county jail for a period not more than thirty
10 (30) days, or by both such fine and imprisonment.

11 H. Any person producing proof in court that a current fishing
12 license issued by the Department of Wildlife Conservation to such
13 person was in force at the time of the alleged offense shall be
14 entitled to dismissal of a charge of violating this section upon
15 payment of court costs; however, if proof of fishing license is
16 presented to the court or district attorney within seventy-two (72)
17 hours after the violation, the charge shall be dismissed without
18 payment of court costs.

19 SECTION 2. AMENDATORY 29 O.S. 2001, Section 4-112, as
20 last amended by Section 1, Chapter 49, O.S.L. 2008 (29 O.S. Supp.
21 2009, Section 4-112), is amended to read as follows:

22 Section 4-112. A. Except as otherwise provided for in the
23 Oklahoma Wildlife Conservation Code or the Oklahoma Farmed Cervidae
24 Act, no person may hunt, pursue, trap, harass, catch, kill, take or

1 attempt to take in any manner, use, have in possession, sell, or
2 transport all or any portion of any wildlife except fish, without
3 having first procured a license from the Department of Wildlife
4 Conservation. The Wildlife Conservation Commission shall designate
5 a consecutive Saturday and Sunday in September of each year as free
6 hunting days in which residents of this state may hunt without first
7 procuring a hunting license pursuant to the provisions of this
8 section.

9 B. Pursuant to the provisions of this Code, persons excepted
10 from the license requirement of this section are:

- 11 1. Legal residents of Oklahoma under sixteen (16) years of age;
- 12 2. Legal residents of Oklahoma ~~sixty-four (64)~~ sixty-five (65)
13 years of age or older provided they have obtained a senior ~~citizen's~~
14 citizen lifetime hunting or combination hunting and fishing license
15 pursuant to the provisions of Section ~~4-133~~ 4-114 of this title;
- 16 3. Legal residents born on or before January 1, 1923;
- 17 4. Legal resident veterans having a disability of sixty percent
18 (60%) or more;
- 19 5. Legal resident owners or tenants who hunt on land owned or
20 leased by them;
- 21 6. Every citizen of Oklahoma serving in a branch of the United
22 States Armed Forces on properly authorized leave from military duty
23 having in his or her possession proper written evidence showing such
24

1 authorized leave and serving outside the State of Oklahoma at the
2 time of the hunting;

3 7. Any nonresident under fourteen (14) years of age;

4 8. Legal residents having a proven disability which renders
5 them nonambulatory and confines them to a wheelchair, as certified
6 by a physician licensed in this state or in any state which borders
7 this state;

8 9. Any person under eighteen (18) years of age who is in the
9 physical custody of a child care facility as defined by Section 402
10 of Title 10 of the Oklahoma Statutes; and

11 10. Any person hunting, pursuing, trapping, harassing,
12 catching, killing, taking, or attempting to take in any manner any
13 species of rattlesnake during an organized rattlesnake-hunting event
14 or festival and who has a rattlesnake permit issued pursuant to
15 Section 4-143 of this title.

16 C. Except as otherwise provided for in this Code, the fees for
17 licenses listed in this subsection are:

18 1. a. Annual hunting licenses for nonresidents hunting game
19 other than deer, antelope, or elk, ~~One Hundred Thirty~~
20 ~~six Dollars (\$136.00)~~ One Hundred Forty-one Dollars
21 (\$141.00); for deer, ~~Two Hundred Dollars (\$200.00)~~ Two
22 Hundred Five Dollars (\$205.00); for antelope and elk,
23 ~~Three Hundred Dollars (\$300.00)~~ Three Hundred Five
24 Dollars (\$305.00). There shall be no exemptions for

1 deer, antelope, elk, or turkey. Any nonresident
2 hunting in a big game or combination big game and
3 upland game commercial hunting area shall be required
4 to have an annual nonresident hunting license pursuant
5 to this subparagraph, and the fee shall be ~~One Hundred~~
6 ~~Thirty six Dollars (\$136.00)~~ One Hundred Forty-one
7 Dollars (\$141.00). For a five-day nonresident hunting
8 license to hunt game other than deer, antelope, elk,
9 or turkey, the fee shall be ~~Sixty-nine Dollars~~
10 ~~(\$69.00)~~ Seventy-four Dollars (\$74.00).

11 b. Annual combination hunting licenses for nonresidents
12 hunting one antlered and one antlerless deer, ~~Two~~
13 ~~Hundred Fifty Dollars (\$250.00)~~ Two Hundred Fifty-five
14 Dollars (\$255.00); for nonresidents hunting an
15 additional antlerless deer, Fifty Dollars (\$50.00)
16 which shall be valid only on private lands not managed
17 by the Department of Wildlife Conservation.

18 c. Of the amount of monies collected pursuant to the
19 provisions of this paragraph, Five Dollars (\$5.00) of
20 the license fee for hunting game other than deer,
21 antelope and elk, Five Dollars (\$5.00) of the license
22 fee for hunting deer, Five Dollars (\$5.00) of the
23 license fee for hunting antelope and elk and Two
24 Dollars and fifty cents (\$2.50) of the five-day

1 hunting license shall be deposited in the Wildlife
2 Land Acquisition Fund created pursuant to the
3 provisions of Section 4-132 of this title.

4 d. Of the amount of monies collected pursuant to the
5 provisions of this paragraph, Five Dollars (\$5.00) of
6 the license fee for hunting game other than deer,
7 antelope and elk, Five Dollars (\$5.00) of the license
8 fee for hunting deer, Five Dollars (\$5.00) of the
9 license fee for hunting antelope and elk, Five Dollars
10 (\$5.00) of the five-day hunting license, and Five
11 Dollars (\$5.00) of the annual combination hunting
12 license shall be for the Oklahoma Wildlife Land Stamp
13 and shall be deposited in the Oklahoma Wildlife Land
14 Fund created pursuant to Section 4-141 of this title.

15 2. Disability hunting license, residents of this state for at
16 least six (6) months and who are receiving Social Security
17 Disability benefits, Supplemental Security Income benefits or
18 disability benefits under the Railroad Retirement Act, 45 U.S.C.A.,
19 Section 231a or residents who are one-hundred-percent disabled and
20 are receiving disability payments from the Multiple Injury Trust
21 Fund pursuant to Section 173 of Title 85 of the Oklahoma Statutes,
22 may purchase a disability hunting license from the Director for Ten
23 Dollars (\$10.00) for five (5) years.

1 3. Deer gun hunting license, residents, Nineteen Dollars
2 (\$19.00). There shall be no exemptions except:

3 a. ~~residents sixty-four (64) years of age or older~~
4 ~~provided such residents have obtained a senior~~
5 ~~citizen's license pursuant to the provisions of~~
6 ~~Section 4-133 of this title,~~

7 ~~b.~~ legal residents of Oklahoma under eighteen (18) years
8 of age provided such residents shall be required to
9 pay a deer gun hunting license fee of Nine Dollars
10 (\$9.00),

11 ~~e.~~ b. residents with proper certification from the United
12 States Department of Veterans Affairs or its
13 successor, certifying that the person is a disabled
14 veteran in receipt of compensation at the one-hundred-
15 percent rate shall be exempt from the fees specified
16 pursuant to this paragraph, and

17 ~~d.~~ c. residents hunting in big game or combination big game
18 and upland game commercial hunting areas shall be
19 exempt from the fees specified pursuant to this
20 paragraph.

21 4. Deer archery hunting license, residents, Nineteen Dollars
22 (\$19.00) and for legal residents of Oklahoma under eighteen (18)
23 years of age, Nine Dollars (\$9.00). There shall be no exemptions
24 except residents with proper certification from the United States

1 Department of Veterans Affairs or its successor, certifying that the
2 person is a disabled veteran in receipt of compensation at the one-
3 hundred-percent rate and residents hunting in big game or
4 combination big game and upland game commercial hunting areas shall
5 be exempt from the fees specified pursuant to this paragraph.

6 5. Primitive firearms license, residents, Nineteen Dollars
7 (\$19.00) and for legal residents of Oklahoma under eighteen (18)
8 years of age, Nine Dollars (\$9.00). There shall be no exemptions
9 except residents with proper certification from the United States
10 Department of Veterans Affairs or its successor, certifying that the
11 person is a disabled veteran in receipt of compensation at the one-
12 hundred-percent rate and residents hunting in big game or
13 combination big game and upland game commercial hunting areas shall
14 be exempt from the fees specified pursuant to this paragraph.

15 6. Elk or antelope hunting license, residents, Fifty Dollars
16 (\$50.00). There shall be no exemptions except residents hunting in
17 big game or combination big game and upland game commercial hunting
18 areas shall be exempt from the fees specified pursuant to this
19 paragraph.

20 7. Bonus, special or second deer gun hunting license,
21 residents, Nineteen Dollars (\$19.00). No exemptions except:

22 a. ~~residents sixty five (65) years of age or older~~
23 ~~provided such residents have obtained a senior~~
24

1 ~~citizen's license pursuant to the provisions of~~
2 ~~Section 4-133 of this title,~~

3 ~~b.~~ persons with proper certification from the United
4 States Department of Veterans Affairs or its
5 successor, certifying that the person is a disabled
6 veteran in receipt of compensation at the one-hundred-
7 percent rate shall be exempt from the fees specified
8 pursuant to this paragraph, and

9 ~~e.~~ b. residents hunting in big game or combination big game
10 and upland game commercial hunting areas shall be
11 exempt from the fees specified pursuant to this
12 paragraph.

13 D. The fees for hunting licenses, except as provided for in the
14 Oklahoma Wildlife Conservation Code, are:

15 1. For legal residents eighteen (18) years of age and older,
16 ~~Nineteen Dollars (\$19.00)~~ Twenty-four Dollars (\$24.00); for legal
17 residents sixteen (16) or seventeen (17) years of age, Four Dollars
18 (\$4.00). Of the amount of monies collected pursuant to the
19 provisions of this paragraph, Five Dollars (\$5.00) of the license
20 fee for residents eighteen (18) years of age and older shall be for
21 the Oklahoma Wildlife Land Stamp and shall be deposited in the
22 Oklahoma Wildlife Land Fund created pursuant to the provisions of
23 Section 4-141 of this title; and

1 2. Commercial hunting area small game ten-day permit, resident
2 or nonresident, Five Dollars (\$5.00).

3 E. The provisions of this section shall not be construed to
4 require a hunting license, resident or nonresident, of any person
5 merely because the person participates, as owner or handler of an
6 entry, as an official, or as a spectator in the conduct of a field
7 trial or performance test of dogs, whether a resident or nonresident
8 of the State of Oklahoma. No license to hunt shall be required of
9 any person engaged in training or working dogs, provided that person
10 is in no way engaged in hunting and does not take or attempt to take
11 in any manner any game.

12 F. 1. Any person arrested for hunting game other than deer,
13 antelope, elk, or turkey without a valid hunting license as required
14 by the provisions of subsection A of this section may purchase a
15 substitute temporary thirty-day license from the arresting game
16 warden in lieu of posting bond. Proof of hunter safety
17 certification will not be required for the temporary substitute
18 license. The fee for a substitute license purchased pursuant to the
19 provisions of this subsection shall be:

- 20 a. for legal residents, Fifty Dollars (\$50.00), and
- 21 b. for nonresidents, One Hundred Forty-five Dollars
22 (\$145.00).

23 2. Except as otherwise provided for by this subsection, the
24 fees from licenses purchased pursuant to the provisions of this

1 subsection shall be deposited in the Wildlife Conservation Fund to
2 be used exclusively for developing, managing, preserving, and
3 protecting wildlife and wildlife habitat.

4 G. Any person producing proof in court that a current hunting
5 license issued by the Department of Wildlife Conservation to that
6 person was in force at the time of the alleged offense shall be
7 entitled to dismissal of a charge of violating this section upon
8 payment of court costs; however, if proof of hunting license is
9 presented to the court or district attorney within seventy-two (72)
10 hours after the violation, the charge shall be dismissed without
11 payment of court costs.

12 H. Unless a substitute license is purchased as provided for by
13 subsection F of this section, any resident convicted of violating
14 the provisions of this section shall be punished by the imposition
15 of a fine of not less than Twenty-five Dollars (\$25.00) nor more
16 than Two Hundred Dollars (\$200.00), or by imprisonment in the county
17 jail for a period not to exceed thirty (30) days, or by both.

18 I. Unless a substitute license is purchased as provided for by
19 subsection F of this section, any nonresident convicted of violating
20 the provisions of this section shall be punished by the imposition
21 of a fine of not less than Two Hundred Dollars (\$200.00) nor more
22 than Five Hundred Dollars (\$500.00), or by imprisonment in the
23 county jail for a period not to exceed six (6) months, or by both.

1 SECTION 3. AMENDATORY 29 O.S. 2001, Section 4-113, as
2 last amended by Section 2, Chapter 123, O.S.L. 2009 (29 O.S. Supp.
3 2009, Section 4-113), is amended to read as follows:

4 Section 4-113. A. All legal residents who are not the
5 individuals excepted from the license requirement as provided in
6 subsection B of Section 4-112 of the Oklahoma Wildlife Conservation
7 Code may purchase an annual combination hunting/fishing license from
8 the Director or agents of the Director.

9 B. The fee for a license under this section for legal residents
10 eighteen (18) years of age and older shall be Forty-one Dollars
11 (\$41.00); for legal residents sixteen (16) or seventeen (17) years
12 of age, Thirteen Dollars (\$13.00). Of the amount of monies
13 collected pursuant to the provisions of this subsection, Five
14 Dollars (\$5.00) of the license fee shall be for the Oklahoma
15 Wildlife Land Stamp and shall be deposited in the Oklahoma Wildlife
16 Land Fund created pursuant to the provisions of Section 4-141 of
17 this title.

18 SECTION 4. AMENDATORY 29 O.S. 2001, Section 4-114, as
19 last amended by Section 16, Chapter 16, O.S.L. 2006 (29 O.S. Supp.
20 2009, Section 4-114), is amended to read as follows:

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

1 B. The fee for these licenses shall be:

2 1. Lifetime fishing license, Two Hundred Dollars (\$200.00);

3 2. Lifetime hunting license, Six Hundred Dollars (\$600.00);

4 3. Lifetime combination hunting/ and fishing license, Seven
5 Hundred Fifty Dollars (\$750.00);

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

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

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

12 ~~(\$215.00)~~ Senior citizen lifetime hunting license for persons sixty-
13 five (65) years of age or older, Fifteen Dollars (\$15.00);

14 5. Senior citizen lifetime fishing license for persons sixty-
15 five (65) years of age or older, Fifteen Dollars (\$15.00); and

16 6. Senior citizen lifetime combination hunting and fishing
17 license for persons sixty-five (65) years of age or older, Twenty-
18 five Dollars (\$25.00).

19 C. Legal resident having proper certification from the United
20 States Department of Veterans Affairs or its successor certifying
21 that the person is a disabled veteran may purchase a disability
22 lifetime combination hunting/ and fishing license from the State
23 Wildlife Conservation Director. The fees for the license shall be
24 as follows:

1 1. Two Hundred Dollars (\$200.00) for veterans having a
2 disability of less than sixty percent (60%); and

3 2. Twenty-five Dollars (\$25.00) for veterans having a
4 disability of sixty percent (60%) or more.

5 D. The use of the licenses provided in this section are subject
6 to those restrictions provided by statute and the regulations of the
7 Wildlife Conservation Commission. Except as otherwise provided for
8 in this section, ~~the~~ each lifetime hunting license issued pursuant
9 to subsection B of this section shall be in lieu of all annual
10 hunting licenses and all special season permits.

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

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

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

19 ~~H.~~ G. 1. In addition to the fees imposed pursuant to
20 ~~subsections~~ paragraphs 1 through 3 of subsection B, C and E of this
21 section, a person purchasing a lifetime fishing, hunting or
22 combination license, excluding a senior citizen lifetime hunting,
23 fishing or combination hunting and fishing license and a disability
24 lifetime combination hunting and fishing license, shall be required

1 to purchase a Lifetime Oklahoma Wildlife Land Stamp. Each person
2 shall have the stamp in their possession while hunting, fishing, or
3 taking any wildlife. The fee for the Lifetime Oklahoma Wildlife
4 Land Stamp shall be Twenty-five Dollars (\$25.00). The fee for the
5 stamp shall be distributed as follows:

6 a. Twenty Dollars (\$20.00) from each stamp shall be
7 deposited in the Oklahoma Wildlife Land Fund, created
8 in Section 4-141 of this title, to be used to retire
9 the obligations and related expenses as authorized
10 pursuant to Section 168.9 of Title 73 of the Oklahoma
11 Statutes or to purchase, lease, or purchase easements
12 on real property to be used as public hunting,
13 fishing, and trapping areas, and

14 b. Five Dollars (\$5.00) from each stamp shall be
15 deposited in the Oklahoma Wildlife Land Fund, created
16 in Section 4-141 of this title, to be used by the
17 Commission for management of the real property
18 acquired pursuant to Section 168.9 of Title 73 of the
19 Oklahoma Statutes or acquired with proceeds from the
20 Oklahoma Wildlife Land Stamp fee.

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

24

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

6 H. A person who is sixty-four (64) years of age shall be
7 eligible to purchase a senior citizen lifetime license issued
8 pursuant to paragraphs 4 through 6 of subsection B of this section
9 during the calendar year in which the person turns sixty-five (65)
10 years of age.

11 SECTION 5. AMENDATORY 29 O.S. 2001, Section 4-134, is
12 amended to read as follows:

13 Section 4-134. A. There is hereby created in the State
14 Treasury a revolving fund for the Oklahoma Wildlife Conservation
15 Commission to be designated the "Wildlife Heritage Fund". The fund
16 shall be a continuing fund, not subject to fiscal year limitations,
17 and shall consist of all monies received from senior citizen
18 lifetime licenses issued pursuant to the provisions of paragraphs 4
19 through 6 of subsection B of Section ~~4-133~~ 4-114 of this title by
20 the Oklahoma Wildlife Conservation Commission. The Oklahoma
21 Wildlife Conservation Commission is hereby authorized to invest all
22 or part of the monies of said fund in any investment permitted by a
23 written investment policy adopted by the Wildlife Conservation
24 Commission; provided, all investments shall be made in accordance

1 with the Oklahoma Uniform Prudent Investor Act. Any interest or
2 dividends accruing from such investments shall be deposited in the
3 Wildlife Heritage Fund. Only interest and dividends derived from
4 the principle can be expended and are hereby appropriated and may be
5 budgeted and expended by the Oklahoma Wildlife Conservation
6 Commission for the purposes specified in subsection B of this
7 section. Any monies withdrawn from said fund by the Oklahoma
8 Wildlife Conservation Commission for investment pursuant to this
9 subsection shall be deemed to be for the purposes specified in
10 subsection B of this section. Expenditures from said fund shall be
11 made upon warrants issued by the State Treasurer against claims
12 filed as prescribed by law with the Director of State Finance for
13 approval and payment.

14 B. The Wildlife Heritage Fund shall be used by the Oklahoma
15 Wildlife Conservation Commission for the acquisition of land on a
16 willing-seller willing-buyer basis only, leasing of land, and the
17 taking of easements, and for the development, management, and
18 enhancement of such lands acquired pursuant to this section for the
19 following purposes:

20 1. Management of game animals, protected animals and birds,
21 furbearing animals, game birds, fish, and their restoration,
22 propagation, and protection; and
23
24

1 2. Creation and management of public hunting, fishing, and
2 trapping areas as places where the public may hunt, fish, or trap as
3 authorized by law.

4 C. The Oklahoma Wildlife Conservation Commission may accept
5 private contributions, grants, and donations made for the purposes
6 of this section. Any monies received pursuant to this subsection
7 shall be deposited in the Wildlife Heritage Fund created in
8 subsection A of this section. Any property received pursuant to
9 this subsection which is not suitable for the purposes of this
10 section may be sold by the Oklahoma Wildlife Conservation Commission
11 and the proceeds from such sales shall be deposited in the Wildlife
12 Heritage Fund created in subsection A of this section.

13 D. Whenever the Oklahoma Wildlife Conservation Commission
14 acquires title to land pursuant to this section, the Commission
15 shall annually make in lieu of tax payments equal to the average ad
16 valorem tax per acre paid on similar land in that county. Said
17 payments shall be made to the county treasurer of the county in
18 which the land is located to be distributed by said county treasurer
19 in the manner provided for by law for ad valorem tax payments.

20 SECTION 6. AMENDATORY Section 1, Chapter 513, O.S.L.
21 2004, as last amended by Section 3, Chapter 123, O.S.L. 2009 (29
22 O.S. Supp. 2009, Section 4-140), is amended to read as follows:

23 Section 4-140. A. Except as otherwise provided for in this
24 section, no person may hunt, pursue, trap, harass, catch, kill,

1 take, or attempt to take in any manner, use, have in possession,
2 sell, or transport all or any portion of any wildlife including fish
3 unless the person has first obtained an Oklahoma Wildlife Land Stamp
4 from the Director or any authorized agents of the Department of
5 Wildlife Conservation. Each person shall have the stamp in their
6 possession when hunting, fishing, or taking any wildlife.

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

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

11 2. Legal residents of Oklahoma sixty-four (64) years of age or
12 older;

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

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

18 5. Persons holding a valid nonresident lifetime fishing
19 license;

20 6. Persons who have acquired a license pursuant to Section 4-
21 110 or Section 4-128 of this title for fishing in the area of Lake
22 Texoma located within the state;

23

24

1 7. Nonresidents under sixteen (16) years of age from states
2 which do not require nonresident fishing licenses for persons under
3 sixteen (16) years of age;

4 8. Nonresidents sixty-four (64) years of age or older from
5 states which do not require nonresident fishing licenses for persons
6 sixty-four (64) years of age or older;

7 9. Legal resident veterans having a disability of sixty percent
8 (60%) or more;

9 10. Legal resident owners or tenants, their spouses, parents,
10 grandparents, children and their spouses, grandchildren and their
11 spouses who hunt on land owned or leased by them or fish in private
12 ponds on land owned or leased by them;

13 11. Every Oklahoma citizen who is serving in a branch of the
14 United States Armed Forces, is on properly authorized leave of
15 absence from military duty, has in possession proper written
16 evidence showing such authorized leave, and is serving outside the
17 State of Oklahoma at the time of such fishing or hunting;

18 12. Any patient of an institution of the State of Oklahoma
19 established for the care and treatment of mental illness or alcohol
20 or drug dependency or any developmentally disabled person residing
21 in any group home or other institution or developmentally disabled
22 persons when accompanied by an attendant of such institution or
23 legal guardian of said patient, or when fishing on institutional
24 property;

1 13. Any person who is legally blind or who has any other
2 physical impairment, as certified by a physician licensed in this
3 state or any state which borders this state, which prevents the
4 person from properly using fishing apparatus without the assistance
5 of another person, and any one person actually accompanying and
6 actually assisting such legally blind or otherwise physically
7 impaired person while the latter is fishing. This certification
8 shall be carried by the individual while fishing;

9 14. Nonresidents under fourteen (14) years of age;

10 15. Job Corps trainees of this state, provided that such
11 trainees shall have on their persons a duly authorized
12 identification card issued by their respective Job Corps Center and
13 shall present such card upon request, in lieu of a fishing license.
14 The trainees shall return their cards to their respective Job Corps
15 Center when the trainees leave their respective Job Corps training
16 programs;

17 16. Any legal resident having a proven disability which renders
18 the resident nonambulatory and confined to a wheelchair as certified
19 by a physician licensed in this state or any state which borders
20 this state;

21 17. Any person who is fishing with a pole and line, trotline,
22 or throwline in streams, natural lakes, natural ponds, and mine pits
23 when using any bait other than commercial or artificial bait, blood,
24 stink bait, cut fish, and shrimp; and

1 18. Any person hunting, pursuing, trapping, harassing,
2 catching, killing, taking, or attempting to take in any manner any
3 species of rattlesnake during an organized rattlesnake hunting event
4 or festival and who has a rattlesnake permit issued pursuant to
5 Section 4-143 of this title.

6 C. 1. Any fees received for the Oklahoma Wildlife Land Stamp
7 and required to be deposited in the Oklahoma Wildlife Land Fund,
8 created in Section 4-141 of this title and any other money deposited
9 in the fund, shall be used exclusively for:

10 a. the payment of bond debt and related expenses incurred
11 pursuant to Section 168.9 of Title 73 of the Oklahoma
12 Statutes for the purchase of public hunting, fishing,
13 and trapping areas where the public may hunt, fish, or
14 trap as authorized by law or for the purchase, lease,
15 or purchasing of easements on real property to be used
16 as public hunting, fishing, and trapping areas, and

17 b. the management of the real property acquired pursuant
18 to Section 168.9 of Title 73 of the Oklahoma Statutes
19 or acquired with proceeds from the Oklahoma Wildlife
20 Land Stamp fee.

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

24

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

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

6 SECTION 6. AMENDATORY Section 2, Chapter 513, O.S.L.
7 2004, as amended by Section 3, Chapter 304, O.S.L. 2005 (29 O.S.
8 Supp. 2009, Section 4-141), is amended to read as follows:

9 Section 4-141. There is hereby created in the State Treasury a
10 revolving fund for the Oklahoma Wildlife Conservation Commission to
11 be designated the "Oklahoma Wildlife Land Fund". The fund shall be
12 a continuing fund, not subject to fiscal year limitations, and shall
13 consist of all monies received ~~pursuant to the provisions of Section~~
14 ~~4-140 of this title~~ from fees for the Oklahoma Wildlife Land Stamp
15 and required to be deposited in the fund and the monies received
16 pursuant to the provisions of subsection G of Section 4-114 of this
17 title from fees for the Lifetime Oklahoma Wildlife Land Stamp and
18 required to be deposited in the fund. All monies accruing to the
19 credit of the fund are hereby appropriated and shall be expended by
20 the Commission as follows:

21 1. An amount equal to Four Dollars (\$4.00) per stamp to be used
22 to retire the obligations and related expenses as authorized
23 pursuant to Section 168.9 of Title 73 of the Oklahoma Statutes or to
24

1 purchase, lease, or purchase easements on real property to be used
2 as public hunting, fishing, and trapping areas; and

3 2. An amount equal to fifty cents (\$0.50) per stamp to be used
4 by the Commission for management of the real property acquired
5 pursuant to Section 168.9 of Title 73 of the Oklahoma Statutes or
6 acquired with proceeds from the Oklahoma Wildlife Land Stamp fee.

7 SECTION 7. AMENDATORY 29 O.S. 2001, Section 4-119, as
8 amended by Section 5, Chapter 160, O.S.L. 2003 (29 O.S. Supp. 2009,
9 Section 4-119), is amended to read as follows:

10 Section 4-119. A. No person may trap any furbearers without
11 having first procured a license from the Director. A furbearer
12 trapping license may be issued only to persons holding a hunting
13 license applicable to their residency.

14 B. Persons excepted from the license requirements of this
15 section are ~~only those resident~~:

16 1. Residents holding a lifetime hunting license or a lifetime
17 combination hunting and fishing license issued pursuant to Section
18 4-114 of this title; and

19 2. Resident owners or tenants or the children of an owner or
20 tenant, who trap on land owned or leased by the owner or tenants.

21 C. The fees for a license under this section shall be:

22 1. For residents~~7~~:

23 a. Nine Dollars (\$9.00) for the use of twenty (20) traps
24 or less~~7~~, and

1 b. Sixty-eight Dollars and fifty cents (\$68.50) for a
2 professional trapper, defined as a person using more
3 than twenty (20) traps; and

4 2. For nonresidents, Three Hundred Forty-five Dollars
5 (\$345.00).

6 D. All licenses issued pursuant to this section shall expire on
7 ~~January 31~~ the last day of February of each year.

8 E. Any person convicted of violating the provisions of
9 subparagraph a, of paragraph 1 of subsection C of this section shall
10 be punished by a fine of not less than Twenty-five Dollars (\$25.00)
11 nor more than One Hundred Dollars (\$100.00).

12 F. Any person convicted of violating the provisions of
13 subparagraph b, of paragraph 1 of subsection C of this section shall
14 be punished by the imposition of a fine of not less than One Hundred
15 Dollars (\$100.00) nor more than Two Hundred Dollars (\$200.00) or by
16 imprisonment in the county jail for a period not to exceed six (6)
17 months, or by both said fine and imprisonment.

18 G. Any person convicted of violating the provisions of
19 paragraph 2 of subsection C of this section shall be punished by a
20 fine of not less than Five Hundred Dollars (\$500.00) nor more than
21 One Thousand Dollars (\$1,000.00) or by imprisonment in the county
22 jail for a period not to exceed one (1) year, or by both such fine
23 and imprisonment.

1 SECTION 8. AMENDATORY 29 O.S. 2001, Section 4-130, as
2 last amended by Section 3, Chapter 284, O.S.L. 2004 (29 O.S. Supp.
3 2009, Section 4-130), is amended to read as follows:

4 Section 4-130. A. Except as otherwise provided in the Oklahoma
5 Wildlife Conservation Code, no person may hunt or take any waterfowl
6 during the open season on waterfowl unless the person has first
7 obtained an Oklahoma waterfowl hunting stamp or license from the
8 Director or authorized agents of the Director. Each person shall
9 have the stamp or license in their possession when hunting or taking
10 any waterfowl. When a stamp is purchased, the stamp shall be
11 validated by the signature of the licensee written across the face
12 of the stamp.

13 B. Persons excepted from the Oklahoma waterfowl hunting stamp
14 or license requirement of this section are:

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

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

19 C. 1. The Oklahoma waterfowl hunting stamp fee shall be Nine
20 Dollars (\$9.00). The remainder of the fee shall be deposited in the
21 Wildlife Conservation Fund, to be used exclusively in the State of
22 Oklahoma, for the purpose of developing, managing, preserving,
23 restoring and maintaining wetland habitats and for the conservation
24 and management of waterfowl and ecologically related species.

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

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

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

10 E. ~~An Oklahoma resident may purchase from the Department a~~
11 ~~lifetime Oklahoma Waterfowl License. The fee for such lifetime~~
12 ~~Oklahoma Waterfowl License shall be Fifty Dollars (\$50.00). The~~
13 ~~income from the sale of the lifetime waterfowl license will be~~
14 ~~invested by the Department in any investment permitted by a written~~
15 ~~investment policy adopted by the Wildlife Conservation Commission;~~
16 ~~provided, all investments shall be made in accordance with the~~
17 ~~Oklahoma Uniform Prudent Investor Act. The interest derived~~
18 ~~therefrom shall be expended by the Commission for the purpose of~~
19 ~~developing, managing, preserving, restoring, and maintaining~~
20 ~~waterfowl habitats and waterfowl species.~~

21 1. Any person arrested for hunting or taking any waterfowl
22 during the open season on waterfowl without a valid Oklahoma
23 waterfowl hunting stamp or license as required by the provisions of
24 subsection A of this section may purchase a substitute temporary

1 thirty-day stamp or license from the arresting game warden in lieu
2 of posting bond. Proof of hunter safety certification shall not be
3 required for the temporary substitute stamp or license. The fee for
4 a substitute stamp or license purchased pursuant to the provisions
5 of this subsection shall be:

- 6 a. for legal residents - Fifty Dollars (\$50.00), and
- 7 b. for nonresidents - One Hundred Forty-five Dollars
8 (\$145.00).

9 2. The fees from the temporary stamp and license purchased
10 pursuant to the provisions of this subsection shall be deposited in
11 the Wildlife Conservation Fund, to be used exclusively in the State
12 of Oklahoma, for the purpose of developing, managing, preserving,
13 restoring and maintaining wetland habitats and for the conservation
14 and management of waterfowl and ecologically related species.

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

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

21 SECTION 9. REPEALER 29 O.S. 2001, Section 4-133, is
22 hereby repealed.

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SECTION 10. This act shall become effective January 1, 2011.

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