

1 ENGROSSED HOUSE
2 BILL NO. 1890

By: Richardson, Roan, Inman and
Walker of the House

3 and

4 Barrington of the Senate
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8 An Act relating to game and fish; amending 29 O.S.
9 2001, Sections 4-110, as last amended by Section 10,
Chapter 16, O.S.L. 2006, 4-112, as last amended by
10 Section 1, Chapter 49, O.S.L. 2008 and 4-114, as last
amended by Section 16, Chapter 16, O.S.L. 2006 (29
11 O.S. Supp. 2008, Sections 4-110, 4-112 and 4-114),
which relate to hunting and fishing licenses;
12 modifying fishing and hunting license exemptions for
persons with certain senior citizens license;
13 deleting certain deer gun hunting license exemptions
for persons with certain senior citizens license;
14 adding a senior citizen lifetime combination hunting
and fishing license; establishing fee for the
15 license; modifying licenses required to purchase a
Lifetime Oklahoma Wildlife Land Stamp; amending 29
16 O.S. 2001, Section 4-134, which relates to the
Wildlife Heritage Fund; changing statutory citation;
17 amending Section 1, Chapter 513, O.S.L. 2004, as last
amended by Section 2, Chapter 35, O.S.L. 2007 (29
18 O.S. Supp. 2005, Section 4-140), which relates to the
Oklahoma Wildlife Land Stamp; modifying certain
19 exemption; repealing 29 O.S. 2001, Section 4-133,
which relates to the senior citizen lifetime hunting
and fishing license; and declaring an emergency.
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23 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:
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1 SECTION 1. AMENDATORY 29 O.S. 2001, Section 4-110, as
2 last amended by Section 10, Chapter 16, O.S.L. 2006 (29 O.S. Supp.
3 2008, Section 4-110), is amended to read as follows:

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

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

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

19 2. Legal residents sixty-four (64) years of age or older and
20 nonresidents sixty-four (64) years of age or older from states which
21 do not require nonresident fishing licenses for persons sixty-four
22 (64) years of age or older, provided ~~such~~ a legal resident has
23 obtained a senior ~~citizen's~~ citizen combination hunting and fishing
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1 license pursuant to the provisions of Section ~~4-133~~ 4-114 of this
2 title;

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

4 4. Legal resident veterans having a disability of sixty percent
5 (60%) or more;

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

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

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

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

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

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

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

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

20 13. Any legal resident having a proven disability which renders
21 the resident nonambulatory and confined to a wheelchair as certified
22 by a physician licensed in this state or any state which borders
23 this state;

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1 14. Any person who is fishing with a pole and line, trotline,
2 or throwline in streams, natural lakes, natural ponds, and mine pits
3 in the county in which the person is a resident, or in streams,
4 natural lakes, natural ponds, and mine pits which form a part of the
5 boundary line of the county in which the person is a resident, when
6 using any bait other than commercial or artificial bait, blood,
7 stink bait, cut fish, and shrimp; and

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

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

13 1. For legal residents eighteen (18) years of age and older,
14 Nineteen Dollars (\$19.00); for legal residents sixteen (16) or
15 seventeen (17) years of age, Four Dollars (\$4.00). For a two-day
16 resident permit license, Nine Dollars (\$9.00); and

17 2. For nonresidents, Thirty-six Dollars (\$36.00), provided the
18 Commission may enter into reciprocity agreements with states wherein
19 nonresident license fees shall be in conformity with such reciprocal
20 agreements. For a five-day nonresident permit license, Seventeen
21 Dollars and fifty cents (\$17.50). Of the amount of monies collected
22 pursuant to the provisions of this paragraph, Five Dollars (\$5.00)
23 of the license fee for nonresidents, and One Dollar and fifty cents
24 (\$1.50) of the five-day nonresident permit fee shall be deposited in

1 the Wildlife Land Acquisition Fund created pursuant to the
2 provisions of Section 4-132 of this title.

3 D. Legal residents who have resided in this state for at least
4 six (6) months and who are receiving Social Security Disability
5 benefits, Supplemental Security Income benefits, disability benefits
6 under the Railroad Retirement Act, 45 U.S.C.A., Section 231a,
7 postal employees receiving disability benefits pursuant to 5,
8 U.S.C., Section 8451 (1998) or legal residents who are one hundred
9 percent (100%) disabled and are receiving disability payments from
10 the Multiple Injury Trust Fund pursuant to Section 173 of Title 85
11 of the Oklahoma Statutes, may purchase a disability fishing license
12 from the Director for Ten Dollars (\$10.00) for five (5) years.

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

19 a. for legal residents, Fifty Dollars (\$50.00), and

20 b. for nonresidents, Ninety Dollars (\$90.00).

21 2. Except as otherwise provided by this subsection, the fees
22 from licenses purchased pursuant to the provisions of this
23 subsection shall be deposited in the Wildlife Conservation Fund to

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1 be used exclusively for developing, managing, preserving, and
2 protecting wildlife and wildlife habitat.

3 F. Unless a substitute license is purchased as provided for by
4 subsection E of this section, any resident of this state convicted
5 of violating the provisions of this section shall be punished by the
6 imposition of a fine of not less than Twenty-five Dollars (\$25.00)
7 nor more than Two Hundred Dollars (\$200.00) or by imprisonment in
8 the county jail for a period not to exceed thirty (30) days, or by
9 both said fine and imprisonment.

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

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

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1 SECTION 2. AMENDATORY 29 O.S. 2001, Section 4-112, as
2 last amended by Section 1, Chapter 49, O.S.L. 2008 (29 O.S. Supp.
3 2008, Section 4-112), is amended to read as follows:

4 Section 4-112. A. Except as otherwise provided for in the
5 Oklahoma Wildlife Conservation Code or the Oklahoma Farmed Cervidae
6 Act, no person may hunt, pursue, trap, harass, catch, kill, take or
7 attempt to take in any manner, use, have in possession, sell, or
8 transport all or any portion of any wildlife except fish, without
9 having first procured a license from the Department of Wildlife
10 Conservation. The Wildlife Conservation Commission shall designate
11 a consecutive Saturday and Sunday in September of each year as free
12 hunting days in which residents of this state may hunt without first
13 procuring a hunting license pursuant to the provisions of this
14 section.

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

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

18 2. Legal residents of Oklahoma sixty-four (64) years of age or
19 older provided they have obtained a senior ~~citizen's~~ citizen
20 lifetime combination hunting and fishing license pursuant to the
21 provisions of Section ~~4-133~~ 4-114 of this title;

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

23 4. Legal resident veterans having a disability of sixty percent
24 (60%) or more;

1 5. Legal resident owners or tenants who hunt on land owned or
2 leased by them;

3 6. Every citizen of Oklahoma serving in a branch of the United
4 States Armed Forces on properly authorized leave from military duty
5 having in his or her possession proper written evidence showing such
6 authorized leave and serving outside the State of Oklahoma at the
7 time of the hunting;

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

9 8. Legal residents having a proven disability which renders
10 them nonambulatory and confines them to a wheelchair, as certified
11 by a physician licensed in this state or in any state which borders
12 this state;

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

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

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

23 1. a. Annual hunting licenses for nonresidents hunting game
24 other than deer, antelope, or elk, One Hundred Thirty-

1 six Dollars (\$136.00); for deer, Two Hundred Dollars
2 (\$200.00); for antelope and elk, Three Hundred Dollars
3 (\$300.00). There shall be no exemptions for deer,
4 antelope, elk, or turkey. Any nonresident hunting in
5 a big game or combination big game and upland game
6 commercial hunting area shall be required to have an
7 annual nonresident hunting license pursuant to this
8 subparagraph, and the fee shall be One Hundred Thirty-
9 six Dollars (\$136.00). For a five-day nonresident
10 hunting license to hunt game other than deer,
11 antelope, elk, or turkey, the fee shall be Sixty-nine
12 Dollars (\$69.00).

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

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

1 license fee for hunting antelope and elk and Two
2 Dollars and fifty cents (\$2.50) of the five-day
3 hunting license shall be deposited in the Wildlife
4 Land Acquisition Fund created pursuant to the
5 provisions of Section 4-132 of this title.

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

15 3. Deer gun hunting license, residents, Nineteen Dollars
16 (\$19.00). There shall be no exemptions except:

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

21 ~~b.~~ legal residents of Oklahoma under eighteen (18) years
22 of age provided such residents shall be required to
23 pay a deer gun hunting license fee of Nine Dollars
24 (\$9.00),

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

7 ~~d.~~ c. residents hunting in big game or combination big game
8 and upland game commercial hunting areas shall be
9 exempt from the fees specified pursuant to this
10 paragraph.

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

20 5. Primitive firearms license, residents, Nineteen Dollars
21 (\$19.00) and for legal residents of Oklahoma under eighteen (18)
22 years of age, Nine Dollars (\$9.00). There shall be no exemptions
23 except residents with proper certification from the United States
24 Department of Veterans Affairs or its successor, certifying that the

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

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

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

12 a. ~~residents sixty five (65) years of age or older~~
13 ~~provided such residents have obtained a senior~~
14 ~~citizen's license pursuant to the provisions of~~
15 ~~Section 4-133 of this title,~~

16 ~~b.~~ persons with proper certification from the United
17 States Department of Veterans Affairs or its
18 successor, certifying that the person is a disabled
19 veteran in receipt of compensation at the one-hundred-
20 percent rate shall be exempt from the fees specified
21 pursuant to this paragraph, and

22 ~~e.~~ b. residents hunting in big game or combination big game
23 and upland game commercial hunting areas shall be
24

1 exempt from the fees specified pursuant to this
2 paragraph.

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

5 1. For legal residents eighteen (18) years of age and older,
6 Nineteen Dollars (\$19.00); for legal residents sixteen (16) or
7 seventeen (17) years of age, Four Dollars (\$4.00); and

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

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

19 F. 1. Any person arrested for hunting game other than deer,
20 antelope, elk, or turkey without a valid hunting license as required
21 by the provisions of subsection A of this section may purchase a
22 substitute temporary thirty-day license from the arresting game
23 warden in lieu of posting bond. Proof of hunter safety
24 certification will not be required for the temporary substitute

1 license. The fee for a substitute license purchased pursuant to the
2 provisions of this subsection shall be:

- 3 a. for legal residents, Fifty Dollars (\$50.00), and
- 4 b. for nonresidents, One Hundred Forty-five Dollars
5 (\$145.00).

6 2. Except as otherwise provided for by this subsection, the
7 fees from licenses purchased pursuant to the provisions of this
8 subsection shall be deposited in the Wildlife Conservation Fund to
9 be used exclusively for developing, managing, preserving, and
10 protecting wildlife and wildlife habitat.

11 G. Any person producing proof in court that a current hunting
12 license issued by the Department of Wildlife Conservation to that
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 hunting 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 H. Unless a substitute license is purchased as provided for by
20 subsection F of this section, any resident convicted of violating
21 the provisions of this section shall be punished by the imposition
22 of a fine of not less than Twenty-five Dollars (\$25.00) nor more
23 than Two Hundred Dollars (\$200.00), or by imprisonment in the county
24 jail for a period not to exceed thirty (30) days, or by both.

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

7 SECTION 3. AMENDATORY 29 O.S. 2001, Section 4-114, as
8 last amended by Section 16, Chapter 16, O.S.L. 2006 (29 O.S. Supp.
9 2008, Section 4-114), is amended to read as follows:

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

14 B. The fee for these licenses shall be:

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

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

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

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

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

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

4 7. Senior citizen lifetime combination hunting and fishing
5 license for persons sixty-four (64) years of age or older, Twenty-
6 five Dollars (\$25.00).

7 C. Legal resident having proper certification from the United
8 States Department of Veterans Affairs or its successor certifying
9 that the person is a disabled veteran may purchase a disability
10 lifetime combination hunting/ and fishing license from the State
11 Wildlife Conservation Director. The fees for the license shall be
12 as follows:

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

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

17 D. The use of the licenses provided in this section are subject
18 to those restrictions provided by statute and the regulations of the
19 Wildlife Conservation Commission. Except as otherwise provided for
20 in this section, the lifetime hunting license shall be in lieu of
21 all annual hunting licenses and all special season permits.

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

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

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

6 H. 1. In addition to the fees imposed pursuant to ~~subsections~~
7 paragraphs 1 through 6 of subsection B, C and subsection E of this
8 section, a person purchasing a lifetime fishing, hunting or
9 combination license, excluding a senior citizen lifetime combination
10 hunting and fishing license and a disability lifetime combination
11 hunting and fishing license, shall be required to purchase a
12 Lifetime Oklahoma Wildlife Land Stamp. Each person shall have the
13 stamp in their possession while hunting, fishing, or taking any
14 wildlife. The fee for the Lifetime Oklahoma Wildlife Land Stamp
15 shall be Twenty-five Dollars (\$25.00). The fee for the stamp shall
16 be distributed as follows:

17 a. Twenty Dollars (\$20.00) from each stamp shall be
18 deposited in the Oklahoma Wildlife Land Fund, created
19 in Section 4-141 of this title, to be used to retire
20 the obligations and related expenses as authorized
21 pursuant to Section 168.9 of Title 73 of the Oklahoma
22 Statutes or to purchase, lease, or purchase easements
23 on real property to be used as public hunting,
24 fishing, and trapping areas; and

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

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

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

16 SECTION 4. AMENDATORY 29 O.S. 2001, Section 4-134, is
17 amended to read as follows:

18 Section 4-134. A. There is hereby created in the State
19 Treasury a revolving fund for the Oklahoma Wildlife Conservation
20 Commission to be designated the "Wildlife Heritage Fund". The fund
21 shall be a continuing fund, not subject to fiscal year limitations,
22 and shall consist of all monies received pursuant to the provisions
23 of paragraph 7 of subsection B of Section 4-133 4-114 of this title
24 by the Oklahoma Wildlife Conservation Commission. The Oklahoma

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

18 B. The Wildlife Heritage Fund shall be used by the Oklahoma
19 Wildlife Conservation Commission for the acquisition of land on a
20 willing-seller willing-buyer basis only, leasing of land, and the
21 taking of easements, and for the development, management, and
22 enhancement of such lands acquired pursuant to this section for the
23 following purposes:
24

1 1. Management of game animals, protected animals and birds,
2 furbearing animals, game birds, fish, and their restoration,
3 propagation, and protection; and

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

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

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

1 SECTION 5. AMENDATORY Section 1, Chapter 513, O.S.L.
2 2004, as last amended by Section 2, Chapter 35, O.S.L. 2007 (29 O.S.
3 Supp. 2008, Section 4-140), is amended to read as follows:

4 Section 4-140. A. Except as otherwise provided for in this
5 section, no person may hunt, pursue, trap, harass, catch, kill,
6 take, or attempt to take in any manner, use, have in possession,
7 sell, or transport all or any portion of any wildlife including fish
8 unless the person has first obtained an Oklahoma Wildlife Land Stamp
9 from the Director or any authorized agents of the Department of
10 Wildlife Conservation. Each person shall have the stamp in their
11 possession when hunting, fishing, or taking any wildlife.

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

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

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

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

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

23 5. Persons holding a valid nonresident lifetime fishing
24 license;

1 6. Persons who have acquired a license pursuant to Section 4-
2 110 or Section 4-128 of this title for fishing in the area of Lake
3 Texoma located within the state;

4 7. Nonresidents under sixteen (16) years of age from states
5 which do not require nonresident fishing licenses for persons under
6 sixteen (16) years of age;

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

10 9. Legal resident veterans having a disability of sixty percent
11 (60%) or more;

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

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

21 12. Any patient of an institution of the State of Oklahoma
22 established for the care and treatment of mental illness or alcohol
23 or drug dependency or any developmentally disabled person residing
24 in any group home or other institution or developmentally disabled

1 persons when accompanied by an attendant of such institution or
2 legal guardian of said patient, or when fishing on institutional
3 property;

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

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

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

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

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

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

10 C. 1. The Oklahoma Wildlife Land Stamp fee shall be Five
11 Dollars (\$5.00). The fee shall be deposited in the Oklahoma
12 Wildlife Land Fund, created in Section 4-141 of this title, to be
13 used exclusively for:

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

21 b. the management of the real property acquired pursuant
22 to Section 168.9 of Title 73 of the Oklahoma Statutes
23 or acquired with proceeds from the Oklahoma Wildlife
24 Land Stamp fee.

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

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

6 4. Within one (1) year of the final retirement, redemption, or
7 defeasance of the obligations created pursuant to Section 168.9 of
8 Title 73 of the Oklahoma Statutes, the Oklahoma Wildlife Land Stamp
9 and Oklahoma Wildlife Land Stamp fee requirements provided for in
10 this section shall terminate.

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

14 SECTION 6. REPEALER 29 O.S. 2001, Section 4-133, is
15 hereby repealed.

16 SECTION 7. It being immediately necessary for the preservation
17 of the public peace, health and safety, an emergency is hereby
18 declared to exist, by reason whereof this act shall take effect and
19 be in full force from and after its passage and approval.

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1 Passed the House of Representatives the 26th day of February,
2 2009.

3
4
5 Presiding Officer of the House of
6 Representatives

7 Passed the Senate the ____ day of _____, 2009.

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10 Presiding Officer of the Senate

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