

THE HOUSE OF REPRESENTATIVES
Monday, February 15, 2010

Committee Substitute for
House Bill No. 2963

COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 2963 - By: SEARS of the House.

An Act relating to game and fish; amending 29 O.S. 2001, Sections 4-110, as last amended by Section 1, Chapter 123, O.S.L. 2009, 4-112, as last amended by Section 1, Chapter 49, O.S.L. 2008, 4-113, as last amended by Section 2, Chapter 123, O.S.L. 2009, and 4-114, as last amended by Section 16, Chapter 16, O.S.L. 2006 (29 O.S. Supp. 2009, Sections 4-110, 4-112, 4-113 and 4-114), which relate to hunting and fishing licenses; modifying fishing and hunting license exemptions for persons with certain senior citizen license; changing certain fees; clarifying purpose of certain fees; requiring deposit of certain fees in certain funds; deleting certain deer gun hunting license exemptions for persons with certain senior citizen license; deleting certain lifetime licenses; adding a senior citizen lifetime hunting, 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 160, O.S.L. 2003 (29 O.S. Supp. 2009, Section 4-119), which relates to trapping licenses; adding certain exemption; changing expiration date; amending 29 O.S. 2001, Section 4-130, as last amended by Section 3, Chapter 284, O.S.L. 2004 (29 O.S. Supp. 2009, Section 4-130), which relates to the waterfowl hunting stamp; deleting lifetime Oklahoma Waterfowl license; deleting certain investment requirements; providing for purchase of a temporary waterfowl stamp or license; establishing fee; specifying use of the fees; repealing 29 O.S. 2001,

Section 4-133, which relates to the senior citizen lifetime hunting and fishing license; and providing an effective date.

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

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

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

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

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

16 2. Legal residents ~~sixty-four (64)~~ sixty-five (65) years of age or older and
17 nonresidents ~~sixty-four (64)~~ sixty-five (65) years of age or older from states which do not

1 require nonresident fishing licenses for persons ~~sixty-four (64)~~ sixty-five (65) years of age
2 or older, provided ~~such a legal~~ resident has obtained a senior ~~citizen's~~ citizen lifetime
3 fishing or combination hunting and fishing license pursuant to the provisions of Section
4 ~~4-133~~ 4-114 of this title;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

3 1. For legal residents eighteen (18) years of age and older, Twenty-four Dollars
4 (\$24.00); for legal residents sixteen (16) or seventeen (17) years of age, Four Dollars
5 (\$4.00). For a two-day resident permit license, Fourteen Dollars (\$14.00). Of the amount
6 of monies collected pursuant to the provisions of this paragraph, Five Dollars (\$5.00) of
7 ~~each~~ the license fee for residents and of the two-day resident license fee shall be for the
8 Oklahoma Wildlife Land Stamp and shall be deposited in the Oklahoma Wildlife Land
9 ~~Stamp~~ Fund created pursuant to the provisions of Section 4-141 of this title; and

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

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

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

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

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

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

20 F. Unless a substitute license is purchased as provided for by subsection E of this
21 section, any resident of this state convicted of violating the provisions of this section shall
22 be punished by the imposition of a fine of not less than Twenty-five Dollars (\$25.00) nor

1 more than Two Hundred Dollars (\$200.00) or by imprisonment in the county jail for a
2 period not to exceed thirty (30) days, or by both said fine and imprisonment.

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

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

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

17 Section 4-112. A. Except as otherwise provided for in the Oklahoma Wildlife
18 Conservation Code or the Oklahoma Farmed Cervidae Act, no person may hunt, pursue,
19 trap, harass, catch, kill, take or attempt to take in any manner, use, have in possession,
20 sell, or transport all or any portion of any wildlife except fish, without having first
21 procured a license from the Department of Wildlife Conservation. The Wildlife
22 Conservation Commission shall designate a consecutive Saturday and Sunday in

1 September of each year as free hunting days in which residents of this state may hunt
2 without first procuring a hunting license pursuant to the provisions of this section.

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

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

6 2. Legal residents of Oklahoma ~~sixty-four (64)~~ sixty-five (65) years of age or older
7 provided they have obtained a senior ~~citizen's~~ citizen lifetime hunting or combination
8 hunting and fishing license pursuant to the provisions of Section ~~4-133~~ 4-114 of this title;

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

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

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

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

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

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

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

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

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

- 7 1. a. Annual hunting licenses for nonresidents hunting game other than
8 deer, antelope, or elk, ~~One Hundred Thirty-six Dollars (\$136.00)~~ One
9 Hundred Forty-one Dollars (\$141.00); for deer, ~~Two Hundred Dollars~~
10 ~~(\$200.00)~~ Two Hundred Five Dollars (\$205.00); for antelope and elk,
11 ~~Three Hundred Dollars (\$300.00)~~ Three Hundred Five Dollars
12 (\$305.00). There shall be no exemptions for deer, antelope, elk, or
13 turkey. Any nonresident hunting in a big game or combination big
14 game and upland game commercial hunting area shall be required to
15 have an annual nonresident hunting license pursuant to this
16 subparagraph, and the fee shall be ~~One Hundred Thirty-six Dollars~~
17 ~~(\$136.00)~~ One Hundred Forty-one Dollars (\$141.00). For a five-day
18 nonresident hunting license to hunt game other than deer, antelope,
19 elk, or turkey, the fee shall be ~~Sixty-nine Dollars (\$69.00)~~ Seventy-four
20 Dollars (\$74.00).
- 21 b. Annual combination hunting licenses for nonresidents hunting one
22 antlered and one antlerless deer, ~~Two Hundred Fifty Dollars (\$250.00)~~

1 Two Hundred Fifty-five Dollars (\$255.00); for nonresidents hunting an
2 additional antlerless deer, Fifty Dollars (\$50.00) which shall be valid
3 only on private lands not managed by the Department of Wildlife
4 Conservation.

5 c. Of the amount of monies collected pursuant to the provisions of this
6 paragraph, Five Dollars (\$5.00) of the license fee for hunting game
7 other than deer, antelope and elk, Five Dollars (\$5.00) of the license fee
8 for hunting deer, Five Dollars (\$5.00) of the license fee for hunting
9 antelope and elk and Two Dollars and fifty cents (\$2.50) of the five-day
10 hunting license shall be deposited in the Wildlife Land Acquisition
11 Fund created pursuant to the provisions of Section 4-132 of this title.

12 d. Of the amount of monies collected pursuant to the provisions of this
13 paragraph, Five Dollars (\$5.00) of the license fee for hunting game
14 other than deer, antelope and elk, Five Dollars (\$5.00) of the license fee
15 for hunting deer, Five Dollars (\$5.00) of the license fee for hunting
16 antelope and elk, Five Dollars (\$5.00) of the five-day hunting license,
17 and Five Dollars (\$5.00) of the annual combination hunting license
18 shall be for the Oklahoma Wildlife Land Stamp and shall be deposited
19 in the Oklahoma Wildlife Land Fund created pursuant to Section 4-
20 141 of this title.

21 2. Disability hunting license, residents of this state for at least six (6) months and
22 who are receiving Social Security Disability benefits, Supplemental Security Income

1 benefits or disability benefits under the Railroad Retirement Act, 45 U.S.C.A., Section
2 231a or residents who are one-hundred-percent disabled and are receiving disability
3 payments from the Multiple Injury Trust Fund pursuant to Section 173 of Title 85 of the
4 Oklahoma Statutes, may purchase a disability hunting license from the Director for Ten
5 Dollars (\$10.00) for five (5) years.

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

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

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

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

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

UNDERLINED language denotes Amendments to present Statutes.
BOLD FACE CAPITALIZED language denotes Committee Amendments.
~~Strike thru~~ language denotes deletion from present Statutes.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

20 G. Any person producing proof in court that a current hunting license issued by the
21 Department of Wildlife Conservation to that person was in force at the time of the
22 alleged offense shall be entitled to dismissal of a charge of violating this section upon

1 payment of court costs; however, if proof of hunting license is presented to the court or
2 district attorney within seventy-two (72) hours after the violation, the charge shall be
3 dismissed without payment of court costs.

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

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

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

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

21 B. The fee for a license under this section for legal residents eighteen (18) years of
22 age and older shall be Forty-one Dollars (\$41.00); for legal residents sixteen (16) or

1 seventeen (17) years of age, Thirteen Dollars (\$13.00). Of the amount of monies collected
2 pursuant to the provisions of this subsection, Five Dollars (\$5.00) of the license fee shall
3 be for the Oklahoma Wildlife Land Stamp and shall be deposited in the Oklahoma
4 Wildlife Land Fund created pursuant to the provisions of Section 4-141 of this title.

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

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

11 B. The fee for these licenses shall be:

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

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

14 3. Lifetime combination hunting/ and fishing license, Seven Hundred Fifty Dollars
15 (\$750.00);

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

18 ~~5. Lifetime fishing license for persons sixty (60) years of age or older, Thirty Dollars~~
19 ~~(\$30.00); and~~

20 ~~6. Lifetime combination hunting/fishing license for persons sixty (60) years of age~~
21 ~~or older, Two Hundred Fifteen Dollars (\$215.00) Senior citizen lifetime hunting license~~
22 ~~for persons sixty-five (65) years of age or older, Fifteen Dollars (\$15.00);~~

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

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

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

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

11 2. Twenty-five Dollars (\$25.00) for veterans having a disability of sixty percent
12 (60%) or more.

13 D. The use of the licenses provided in this section are subject to those restrictions
14 provided by statute and the regulations of the Wildlife Conservation Commission.

15 Except as otherwise provided for in this section, ~~the~~ each lifetime hunting license issued
16 pursuant to subsection B of this section shall be in lieu of all annual hunting licenses and
17 all special season permits.

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

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

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

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

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

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

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

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

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

- 14 1. Management of game animals, protected animals and birds, furbearing animals,
15 game birds, fish, and their restoration, propagation, and protection; and
- 16 2. Creation and management of public hunting, fishing, and trapping areas as
17 places where the public may hunt, fish, or trap as authorized by law.

18 C. The Oklahoma Wildlife Conservation Commission may accept private
19 contributions, grants, and donations made for the purposes of this section. Any monies
20 received pursuant to this subsection shall be deposited in the Wildlife Heritage Fund
21 created in subsection A of this section. Any property received pursuant to this subsection
22 which is not suitable for the purposes of this section may be sold by the Oklahoma

1 Wildlife Conservation Commission and the proceeds from such sales shall be deposited in
2 the Wildlife Heritage Fund created in subsection A of this section.

3 D. Whenever the Oklahoma Wildlife Conservation Commission acquires title to
4 land pursuant to this section, the Commission shall annually make in lieu of tax
5 payments equal to the average ad valorem tax per acre paid on similar land in that
6 county. Said payments shall be made to the county treasurer of the county in which the
7 land is located to be distributed by said county treasurer in the manner provided for by
8 law for ad valorem tax payments.

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

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

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

- 20 1. Legal residents of Oklahoma under eighteen (18) years of age;
- 21 2. Legal residents of Oklahoma sixty-four (64) years of age or older;

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

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

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

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

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

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

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

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

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

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

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

3 13. Any person who is legally blind or who has any other physical impairment, as
4 certified by a physician licensed in this state or any state which borders this state, which
5 prevents the person from properly using fishing apparatus without the assistance of
6 another person, and any one person actually accompanying and actually assisting such
7 legally blind or otherwise physically impaired person while the latter is fishing. This
8 certification 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 trainees shall have on their
11 persons a duly authorized identification card issued by their respective Job Corps Center
12 and shall present such card upon request, in lieu of a fishing license. The trainees shall
13 return their cards to their respective Job Corps Center when the trainees leave their
14 respective Job Corps training programs;

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

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

21 18. Any person hunting, pursuing, trapping, harassing, catching, killing, taking, or
22 attempting to take in any manner any species of rattlesnake during an organized

1 rattlesnake hunting event or festival and who has a rattlesnake permit issued pursuant
2 to Section 4-143 of this title.

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

- 6 a. the payment of bond debt and related expenses incurred pursuant to
7 Section 168.9 of Title 73 of the Oklahoma Statutes for the purchase of
8 public hunting, fishing, and trapping areas where the public may hunt,
9 fish, or trap as authorized by law or for the purchase, lease, or
10 purchasing of easements on real property to be used as public hunting,
11 fishing, and trapping areas, and
- 12 b. the management of the real property acquired pursuant to Section
13 168.9 of Title 73 of the Oklahoma Statutes or acquired with proceeds
14 from the Oklahoma Wildlife Land Stamp fee.

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

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

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

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

4 Section 4-141. There is hereby created in the State Treasury a revolving fund for
5 the Oklahoma Wildlife Conservation Commission to be designated the “Oklahoma
6 Wildlife Land Fund”. The fund shall be a continuing fund, not subject to fiscal year
7 limitations, and shall consist of all monies received ~~pursuant to the provisions of Section~~
8 ~~4-140 of this title~~ from fees for the Oklahoma Wildlife Land Stamp and required to be
9 deposited in the fund and the monies received pursuant to the provisions of subsection G
10 of Section 4-114 of this title from fees for the Lifetime Oklahoma Wildlife Land Stamp
11 and required to be deposited in the fund. All monies accruing to the credit of the fund
12 are hereby appropriated and shall be expended by the Commission as follows:

- 13 1. An amount equal to Four Dollars (\$4.00) per stamp to be used to retire the
14 obligations and related expenses as authorized pursuant to Section 168.9 of Title 73 of
15 the Oklahoma Statutes or to purchase, lease, or purchase easements on real property to
16 be used as public hunting, fishing, and trapping areas; and
- 17 2. An amount equal to fifty cents (\$0.50) per stamp to be used by the Commission
18 for management of the real property acquired pursuant to Section 168.9 of Title 73 of the
19 Oklahoma Statutes or acquired with proceeds from the Oklahoma Wildlife Land Stamp
20 fee.

UNDERLINED language denotes Amendments to present Statutes.
BOLD FACE CAPITALIZED language denotes Committee Amendments.
~~Strike thru~~ language denotes deletion from present Statutes.

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

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

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

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

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

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

14 1. For residents:

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

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

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

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

1 E. Any person convicted of violating the provisions of subparagraph a, of paragraph
2 1 of subsection C of this section shall be punished by a fine of not less than Twenty-five
3 Dollars (\$25.00) nor more than One Hundred Dollars (\$100.00).

4 F. Any person convicted of violating the provisions of subparagraph b, of paragraph
5 1 of subsection C of this section shall be punished by the imposition of a fine of not less
6 than One Hundred Dollars (\$100.00) nor more than Two Hundred Dollars (\$200.00) or by
7 imprisonment in the county jail for a period not to exceed six (6) months, or by both said
8 fine and imprisonment.

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

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

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

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

- 3 1. Legal residents of Oklahoma under sixteen (16) years of age; and
- 4 2. Legal residents of Oklahoma sixty-five (65) years of age or older.

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

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

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

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

17 E. ~~An Oklahoma resident may purchase from the Department a lifetime Oklahoma~~
18 ~~Waterfowl License. The fee for such lifetime Oklahoma Waterfowl License shall be Fifty~~
19 ~~Dollars (\$50.00). The income from the sale of the lifetime waterfowl license will be~~
20 ~~invested by the Department in any investment permitted by a written investment policy~~
21 ~~adopted by the Wildlife Conservation Commission; provided, all investments shall be~~
22 ~~made in accordance with the Oklahoma Uniform Prudent Investor Act. The interest~~

1 ~~derived therefrom shall be expended by the Commission for the purpose of developing,~~
2 ~~managing, preserving, restoring, and maintaining waterfowl habitats and waterfowl~~
3 ~~species.~~

4 1. Any person arrested for hunting or taking any waterfowl during the open season
5 on waterfowl without a valid Oklahoma waterfowl hunting stamp or license as required
6 by the provisions of subsection A of this section may purchase a substitute temporary
7 thirty-day stamp or license from the arresting game warden in lieu of posting bond.
8 Proof of hunter safety certification shall not be required for the temporary substitute
9 stamp or license. The fee for a substitute stamp or license purchased pursuant to the
10 provisions of this subsection shall be:

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

12 b. for nonresidents – One Hundred Forty-five Dollars (\$145.00).

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

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

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

- 1 SECTION 9. REPEALER 29 O.S. 2001, Section 4-133, is hereby repealed.
- 2 SECTION 10. This act shall become effective January 1, 2011.
- 3 COMMITTEE REPORT BY: COMMITTEE ON WILDLIFE, dated 02-11-10 - DO PASS,
- 4 As Amended.