

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 54th Legislature (2013)

4 COMMITTEE SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 1010

By: Brown of the House

and

Wyrick of the Senate

7
8
9
10 COMMITTEE SUBSTITUTE

11 An Act relating to game and fish; amending 29 O.S.
12 2011, Section 5-401, which relates to the Wildlife
13 Conservation Commission; specifying Upper Illinois
14 River bowfishing season; and providing an effective
15 date.

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

17 SECTION 1. AMENDATORY 29 O.S. 2011, Section 5-401, is
18 amended to read as follows:

19 Section 5-401. A. The Wildlife Conservation Commission is
20 authorized to declare an open season on wildlife in any counties or
21 parts of counties of this state where, in the judgment of the
22 Commission, such wildlife exists in sufficient quantity to warrant
23 such open season, and such open season shall be declared by

1 Commission resolution not less than ten (10) days before the season
2 is opened.

3 B. The Commission may designate any two (2) consecutive days
4 after the open season declared for hunting deer to be senior
5 citizen's hunting days. During those two (2) days only legal
6 residents of Oklahoma who are sixty-four (64) years of age or older
7 may hunt deer provided the person has a valid license as otherwise
8 provided by law.

9 C. The Commission is further authorized to declare an open
10 season on mountain lions and black bears.

11 D. The Except as provided in subsection E of this section, the
12 Commission is further authorized to prescribe rules necessary to the
13 proper conduct and policing of such open season, the amount and kind
14 of wildlife that may be taken, and the dates and time limits of such
15 season.

16 E. Any bowfishing season set for nongame fish by the Commission
17 for the Upper Illinois River and its tributaries shall include the
18 following:

19 1. Upstream from the Horseshoe Bend boat ramp to where State
20 Highway 51 crosses the Illinois River bowfishing is permitted from
21 June 1 to March 31; and

22 2. Upstream from where State Highway 51 crosses the Illinois
23 River bowfishing is permitted from December 1 through March 31.

24

1 F. The Commission is further authorized to require any person
2 participating in such open season or hunting in open areas during
3 open season to procure, under rules prescribed by the Commission, a
4 special permit or license to participate in such season or hunt in
5 such areas during open season and to charge residents not to exceed
6 Twenty Dollars (\$20.00), nonresidents not to exceed Seventy-five
7 Dollars (\$75.00) and further providing that Five Dollars (\$5.00) of
8 this fee shall be set aside for compensation to Oklahoma surface
9 holders participating in the Acres for Wildlife Program at a rate to
10 be determined by the Wildlife Conservation Commission. No
11 exemptions shall be permitted.

12 ~~F.~~ G. Open seasons, closed seasons, bag limits, catch limits,
13 possession limits and territorial limitations set forth in the
14 statutes of this state, pertaining to wildlife of every sort, are
15 hereby declared to be based on the existence of a normal population
16 of such species of wildlife, compatible with and not damaging to the
17 proper agricultural use of the lands of the state.

18 ~~G.~~ H. Such seasons, catch limits, bag limits, possession limits
19 and territorial limitations as set by statute shall prevail and be
20 in full force and effect for each and every species of wildlife to
21 which they pertain so long as the population or numbers of such
22 wildlife species remain normal or are not damaging or endangering
23 crops or proper agricultural use of the lands of the state.

24

1 ~~H.~~ I. The Commission in session, and after having given ten
2 (10) days' public notice of such meeting being called and the
3 purpose of such meeting, the species of wildlife to be considered
4 and the reasons therefor, shall have the right to determine if there
5 does or does not exist a normal population of the wildlife species
6 under consideration, which does or does not endanger the crops of
7 the state or of any certain areas, or the agricultural use of the
8 lands therein. In the event the consideration is other than
9 statewide, the Commission shall meet at the most convenient place to
10 the people of the area in the area being considered. All meetings
11 shall be open to the public and proper records of those appearing
12 and testifying shall be made. If the Commission, after hearing and
13 after investigation, finds that the populations of the wildlife
14 species under hearing are not normal or that they are not compatible
15 to the agricultural use of the lands or are damaging or endangering
16 the farm crops of the area, they shall, by administrative order,
17 make the necessary changes by either extending, shortening, opening
18 or closing such seasons, and change such bag limits, catch limits
19 and possession limits, and regulate methods or devices for taking,
20 killing or capturing of the wildlife species affected in any area or
21 areas covered by the notice of meeting and hearing, except as
22 otherwise set by the Legislature.

23
24

1 ~~F.~~ J. Such administrative order shall take effect after
2 publication in at least one newspaper of general state circulation,
3 or in a newspaper having circulation in the territory affected. A
4 copy of all such orders shall, before publication, be filed with the
5 Secretary of State, and such order shall not be construed as
6 authorizing the Commission to change any penalty for violating any
7 game law or regulation or change the amount of any license
8 established by the Legislature.

9 SECTION 2. This act shall become effective November 1, 2013.

10

11 COMMITTEE REPORT BY: COMMITTEE ON AGRICULTURE AND WILDLIFE, dated
12 02/12/2013 - DO PASS, As Amended and Coauthored.

13

14

15

16

17

18

19

20

21

22

23

24