An Act

ENROLLED HOUSE
BILL NO. 2963

By: Sears, Duncan, Smithson, McCullough, Fields, McDaniel (Randy) and Roan of the House

and

Schulz, Gumm and Sparks of the Senate

An Act relating to game and fish; amending 29 O.S. 2001, Section 2-138, as amended by Section 1, Chapter 44, O.S.L. 2007 (29 O.S. Supp. 2009, Section 2-138), which relates to the definition of resident for licensing purposes; modifying definition of resident; amending 29 O.S. 2001, Section 4-101, as last amended by Section 3, Chapter 44, O.S.L. 2007 (29 O.S. Supp. 2009, Section 4-101), which relates to license usage and revocation; providing for termination dates of certain hunting licenses; 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; clarifying exemptions from hunting and fishing license requirements; deleting certain exemption from hunting and fishing license requirements; increasing the fee for nonresident fishing license; clarifying purpose of certain fees; requiring deposit of certain fees in certain fund; extending duration of certain nonresident fishing license; modifying fishing and hunting license exemptions for persons with certain senior citizen license; specifying expiration date for certain nonresident license; adding certain nonresident license with certain expiration date; changing certain fees; clarifying purpose of certain fees; adding certain nonresident hunting licenses;

making certain hunting licenses valid for all allowed deer; deleting certain additional license requirements for nonresidents; modifying statutory outline; clarifying language; specifying expiration date for certain resident hunting license; adding certain resident licenses with certain expiration date; requiring deposit of certain fees in certain funds; deleting certain deer gun hunting license exemptions for persons with certain senior citizen license; specifying expiration date of the combination license; adding a combination license with a certain expiration date; clarifying deposit of certain combination license fees; 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; authorizing persons under a certain age to purchase certain lifetime licenses over a certain period of time; prohibiting issuance of license until full payment is made; providing for forfeiture of money paid if payments are not made within certain time; 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 4-120, as last amended by Section 6, Chapter 287, O.S.L. 2003 (29 O.S. Supp. 2009, Section 4-120), which relates to trout license requirements; modifying license requirement for fishing in certain trout waters; deleting fee requirements; deleting certain penalties; 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; 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; clarifying certain exemption; deleting certain exemption; clarifying certain deposit requirements; modifying expiration date of the Oklahoma Wildlife Land Stamp based on expiration date of certain licenses; 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; 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:

SECTION 1. AMENDATORY 29 O.S. 2001, Section 2-138, as amended by Section 1, Chapter 44, O.S.L. 2007 (29 O.S. Supp. 2009, Section 2-138), is amended to read as follows:

Section 2-138. "Resident" is any individual who has an established bona fide or actual residence in Oklahoma for a period of not less than sixty (60) consecutive days immediately preceding the date the application for a license, permit, stamp, or any other issue of the Department is submitted. The burden of establishing proof of residency shall be on the person claiming residency status. A person holding a valid driver license or permit to operate a motor vehicle shall be deemed to be a resident of the state issuing the license or permit. For a valid Oklahoma driver license to be used as the sole source of proof of residency, it shall have been issued not less than sixty (60) days prior to submission of the application. If a person does not hold a valid Oklahoma driver license, the Department may consider other reliable documentation for establishing proof of residency including, but not limited to, property tax receipts, resident income tax returns, voter registration, motor vehicle or vessel registrations, and other public records documenting residence. Residency status of children under eighteen (18) years of age is presumed to be that of the custodial parent or legal guardian unless otherwise documented. Ownership or possession of real property in the state by a person

residing outside the state shall not qualify the person as a resident. A person shall not be entitled to claim multiple states of residence, except as follows:

1. A person who is not otherwise a resident of the state and is a member of the Armed Forces of the United States and is on active duty and permanently assigned to a military installation located in the state shall be eligible to qualify as a resident if the person presents with the license application a certificate of assignment in the state from a commanding officer or designated representative. A spouse or dependent of the person who is not otherwise a resident of the state, is living within the same household and is similarly certified by a commanding officer, shall also be eligible to qualify as a resident; ~~and~~

2. The residency of a person shall not terminate upon entering the Armed Forces of the United States. A ~~person~~ member of the Armed Forces of the United States on active duty ~~who resided in the state upon entering military service~~, and any dependents of the ~~person~~ member, is presumed to retain residency status in the state for purposes of purchasing any annual license issued by the Department of Wildlife Conservation as long as the ~~person~~ member is on active duty ~~and maintains Oklahoma as their official "state of residence" or "home of record",~~ as ~~shown on current leave and earnings statement.~~ verified by valid military documentation; and

3. The residency status of any person, ~~including~~ excluding a member of the Armed Forces of the United States while on active duty as verified by valid military documentation and any dependents of the member, shall terminate if the person obtains any resident hunting, fishing, trapping license or permit or valid driver license issued by another state.

SECTION 2. AMENDATORY 29 O.S. 2001, Section 4-101, as last amended by Section 3, Chapter 44, O.S.L. 2007 (29 O.S. Supp. 2009, Section 4-101), is amended to read as follows:

Section 4-101. A. All licenses and permits issued by the Director of Wildlife Conservation, the Department of Wildlife Conservation or by any of its agents shall be used only in conformity with the provisions of this title and the rules promulgated by the Oklahoma Wildlife Conservation Commission.

B. All persons making application for any licenses required by this section shall produce a valid license to operate a motor

vehicle or other positive proof of identification, age and residency, and any such license issued shall show such data as well as the date and time of issuance.

C. All licenses are nontransferable. No person shall alter, change, lend or transfer any license. No person shall use or borrow a license which has not been issued to that person by the Director, the Department or by any of its agents pursuant to the provisions of this section.

D. No person may engage in activities requiring a license without that person's carrying such license on their person and producing the same for an inspection upon the demand of any Oklahoma citizen or game warden.

E. Any person required to produce a license must also identify themselves as the person to whom such license was issued, and failure or refusal to comply shall be deemed prima facie evidence of a violation of this section.

F. Unless otherwise provided in this Code:

1. Hunting licenses issued pursuant to paragraph 1 of subsection C and paragraphs 1 and 3 of subsection E of Section 4-112 of this title and paragraphs 1 and 3 of subsection B of Section 4-113 of this title shall expire on December 31 of the year issued. Hunting licenses issued pursuant to paragraph 2 of subsection C and paragraphs 2 and 4 of subsection E of Section 4-112 of this title and paragraphs 2 and 4 of subsection B of Section 4-113 of this title shall expire on June 30 of the fiscal year issued. All other licenses shall terminate December 31 for the year issued; and

2. Any person convicted of violating any of the provisions of this title may have any or all licenses held by that person or the privilege of applying for, purchasing or exercising the benefits conferred by the licenses revoked by the Department in accordance with rules promulgated by the Commission or by a court of competent jurisdiction for a period of not less than one (1) year. For purposes of this paragraph, a court conviction, a plea of guilty, a plea of nolo contendere, the imposition of a deferred or suspended sentence by a court, or forfeiture of bond shall be deemed a conviction.

G. Should any license or permit issued pursuant to Part 1 of Article IV of this title be lost or destroyed, duplicates will be

issued by the Department at a fee of One Dollar and fifty cents ($1.50).

H. Upon harvesting any whitetail or mule deer, or any other wildlife where the hunter, according to Commission rules, is required to check the wildlife in at a Department check station, the taker of the wildlife shall:

1. Securely attach the name and license number to the carcass of the wildlife;

2. Transport to and check in the carcass of the wildlife at the nearest hunter check station that is open or with an authorized Department employee; and

3. Not remove evidence of the sex of the animal until after the carcass of the animal has been checked in.

I. It shall be unlawful for any license or permit holder to knowingly make a false statement or give false information to any person operating an authorized hunter check station or to an authorized Department employee when complying with the provisions of subsection H of this section. Information which may be collected at a Department check station shall include but not be limited to the name, address, license or permit number and signature of the taker, the date, time, county, method or weapon of the kill, sex and weight of carcass, whether or not the animal was taken on public hunting land and if so in what area, or any other information which may be required by the Commission.

J. Any person convicted of violating the provisions of this section or of making a false statement or giving any false information in order to acquire any license or permit, pursuant to the provisions of this section, shall be punishable by a fine of not less than Twenty-five Dollars ($25.00) nor more than One Hundred Dollars ($100.00), or by imprisonment in the county jail for a period not to exceed ten (10) days, or by both such fine and imprisonment.

K. Any person who has had their license privileges revoked shall not be entitled to purchase, apply for, or exercise the benefits conferred by any license until the revocation period has expired or the person has obtained approval from the Director. Any person violating the provisions of this subsection, upon conviction, shall be punished by a fine of not more than Five Hundred Dollars

($500.00), or by imprisonment in a county jail for a term of not more than ninety (90) days or by both the fine and imprisonment. Upon conviction under this subsection, the previously granted license revocation period shall be extended by two (2) additional years.

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

Section 4-110. A. Except as otherwise provided in the Oklahoma Wildlife Conservation Code, no person shall fish, pursue, harass, catch, kill, take in any manner, use, have in possession, sell, or transport all or any portion of fish without having first procured a license for such from the Director or from any of the authorized agents of the Department of Wildlife Conservation. The Wildlife 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~~ The following legal residents of Oklahoma shall be exempt from the annual fishing license requirements of subsection C of this section ~~are~~ and the following nonresidents shall be exempt from the annual nonresident fishing licenses required pursuant to subsection E of this section:

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

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

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

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

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

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

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

~~8.~~ 7. Any ~~person~~ legal resident or nonresident under eighteen (18) years of age who is in the legal and physical custody of the State of Oklahoma or one of its agencies by court order;

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

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

~~11.~~ 10. Nonresidents under fourteen (14) years of age;

~~12.~~ 11. Any legal resident or nonresident who is a Job Corps ~~trainees~~ trainee of this state, provided that ~~such~~ the trainees shall have on their persons a duly authorized identification card issued by their respective Job Corps Center and shall present ~~such~~ the card upon request, in lieu of a fishing license. The trainees

shall return their cards to their respective Job Corps Center when the trainees leave their respective Job Corps training programs;

~~13.~~ 12. Any legal resident having a proven disability which renders the resident nonambulatory and confined to a wheelchair as certified by a physician licensed in this state or any state which borders this state;

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

~~15.~~ 14. Any ~~person~~ legal resident or nonresident participating in an aquatic education event or clinic sanctioned by the Department of Wildlife Conservation.

C. Except as otherwise provided for in the Oklahoma Wildlife Conservation Code, the ~~fee for an annual license~~ resident fishing licenses issued pursuant to the provisions of this section and the fee for each shall be:

1. ~~For~~ Annual fishing license for legal residents eighteen (18) years of age and older~~,~~ - Twenty-four Dollars ($24.00); ~~for~~

2. Annual fishing license for legal residents sixteen (16) or seventeen (17) years of age~~,~~ - Four Dollars ($4.00)~~. For a two day resident permit~~; and

3. Two-day fishing license~~,~~ for legal residents - Fourteen Dollars ($14.00).

D. Of the ~~amount of monies~~ fees collected pursuant to the provisions of ~~this paragraph~~ paragraphs 1 and 3 of subsection C of this section, Five Dollars ($5.00) of ~~each~~ the license fee shall be for the Oklahoma Wildlife Land Stamp and shall be deposited in the Oklahoma Wildlife Land ~~Stamp~~ Fund created pursuant to the provisions of Section 4-141 of this title~~; and~~

~~2. For~~.

E. Except as otherwise provided for in the Oklahoma Wildlife Conservation Code, the nonresident fishing licenses issued pursuant to the provisions of this section and the fee for each shall be:

1. Annual fishing license for nonresidents~~, Forty one Dollars ($41.00)~~ - Fifty-four Dollars ($54.00), provided the Commission may enter into reciprocity agreements with states wherein nonresident license fees shall be in conformity with such reciprocal agreements~~. For a five-day nonresident permit~~; and

2. Six-day fishing license~~, Twenty two Dollars and fifty cents ($22.50)~~ for nonresidents - Thirty-four Dollars ($34.00).

F. Of the ~~amount of monies~~ fees collected pursuant to the provisions of ~~this paragraph~~ paragraphs 1 and 2 of subsection E of this section, Five Dollars ($5.00) of the annual license fee for nonresidents, and One Dollar and fifty cents ($1.50) of the ~~five day nonresident permit~~ six-day fishing license for nonresidents fee shall be deposited in the Wildlife Land Acquisition Fund created pursuant to the provisions of Section 4-132 of this title. Of the fees collected pursuant to the provisions of paragraphs 1 and 2 of subsection E of this section, Five Dollars ($5.00) of the license fee shall be for the Oklahoma Wildlife Land Stamp and shall be deposited in the Oklahoma Wildlife Land Fund created pursuant to the provisions of Section 4-141 of this title.

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

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

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

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

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

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

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

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

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

Section 4-112. A. Except as otherwise provided for in the Oklahoma Wildlife Conservation Code or the Oklahoma Farmed Cervidae Act, no person may hunt, pursue, trap, harass, catch, kill, take or attempt to take in any manner, use, have in possession, sell, or transport all or any portion of any wildlife except fish, without

having first procured a license from the Department of Wildlife Conservation. The Wildlife Conservation Commission shall designate a consecutive Saturday and Sunday in September of each year as free hunting days in which residents of this state may hunt without first procuring a hunting license pursuant to the provisions of this section.

B. ~~Pursuant to the provisions of this Code, persons excepted~~ The following legal residents of Oklahoma shall be exempt from the annual hunting license requirement of paragraph 1 of subsection E of this section ~~are~~ and the following nonresidents shall be exempt from the annual nonresident hunting licenses required pursuant to paragraph 1 of subsection C of this section:

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

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

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

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

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

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

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

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

~~9.~~ 8. Any ~~person~~ legal resident or nonresident under eighteen (18) years of age who is in the physical custody of a child care

facility as defined by Section 402 of Title 10 of the Oklahoma Statutes; and

~~10.~~ 9. Any ~~person~~ legal resident or nonresident hunting, pursuing, trapping, harassing, catching, killing, taking, or attempting to take in any manner any species of rattlesnake during an organized rattlesnake-hunting event or festival and who has a rattlesnake permit issued pursuant to Section 4-143 of this title.

C. Except as otherwise provided for in ~~this~~ the Oklahoma Wildlife Conservation Code, the ~~fees for~~ nonresident hunting licenses ~~listed in~~ issued pursuant to this ~~subsection are~~ section and the fee for each license shall be:

1. ~~a. Annual hunting licenses for nonresidents hunting game other than deer, antelope, or elk, One Hundred Thirty-six Dollars ($136.00); for deer, Two Hundred Dollars ($200.00); for antelope and elk, Three Hundred Dollars ($300.00). There shall be no exemptions for deer, antelope, elk, or turkey. Any nonresident hunting in a big game or combination big game and upland game commercial hunting area shall be required to have an annual nonresident hunting license pursuant to this subparagraph, and the fee shall be One Hundred Thirty-six Dollars ($136.00). For a five-day nonresident hunting license to hunt game other than deer, antelope, elk, or turkey, the fee shall be Sixty-nine Dollars ($69.00).~~

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

~~c.~~

Annual hunting license for nonresidents hunting game other than deer, antelope, elk or bear which expires on December 31 of the year purchased - One Hundred Forty-one Dollars ($141.00). Nonresidents hunting big game or combination big game and upland game in a commercial hunting area shall be required to have this license;

2. Annual hunting license for nonresidents hunting game other than deer, antelope, elk or bear which expires on June 30 of the fiscal year purchased - One Hundred Seventy-five Dollars ($175.00). Nonresidents hunting big game or combination big game and upland game in a commercial hunting area shall be required to have this license;

3. Gun hunting license for deer for nonresidents which shall be valid for hunting all deer allowed during the current calendar year deer gun season - Two Hundred Seventy-nine Dollars ($279.00);

4. Archery hunting license for deer for nonresidents which shall be valid for hunting all deer allowed during the current calendar year deer archery season - Two Hundred Seventy-nine Dollars ($279.00);

5. Primitive firearms hunting license for deer for nonresidents which shall be valid for hunting all deer allowed during the current calendar year deer primitive firearms season - Two Hundred Seventy-nine Dollars ($279.00);

6. Hunting license for antelope for nonresidents - Three Hundred Five Dollars ($305.00);

7. Hunting license for elk for nonresidents - Three Hundred Five Dollars ($305.00);

8. Five-day hunting license for nonresidents hunting game other than deer, antelope, elk, turkey or bear - Seventy-four Dollars ($74.00); and

9. Ten-day hunting license for nonresidents hunting small game in a commercial hunting area - Five Dollars ($5.00).

D. Of the ~~amount of monies~~ fees collected pursuant to the provisions of ~~this paragraph,~~ subsection C of this section:

1. Five Dollars ($5.00) of the license fee ~~for hunting game other than deer, antelope and elk, Five Dollars ($5.00) of the license fee for hunting deer, Five Dollars ($5.00) of the license fee for hunting antelope and elk~~ of each license issued pursuant to paragraphs 1 through 7 of subsection C of this section and Two Dollars and fifty cents ($2.50) of the ~~five day hunting~~ license fee for each license issued pursuant to paragraph 8 of subsection C of this section shall be deposited in the Wildlife Land Acquisition

Fund created pursuant to the provisions of Section 4-132 of this title; and

2. Five Dollars ($5.00) of the license fee for each license issued pursuant to paragraphs 1 through 8 of subsection C of this section shall be for the Oklahoma Wildlife Land Stamp and shall be deposited in the Oklahoma Wildlife Land Fund created pursuant to the provisions of Section 4-141 of this title.

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

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

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

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

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

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

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

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

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

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

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

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

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

~~D. The fees for~~ E. Except as otherwise provided, the resident hunting licenses~~, except as provided for in the Oklahoma Wildlife Conservation Code, are~~ issued pursuant to this section and the fee for each license shall be:

1. ~~For legal~~ Annual hunting license for residents eighteen (18) years of age and older~~, Nineteen Dollars ($19.00)~~ which expires on December 31 of the year purchased - Twenty-four Dollars ($24.00); ~~for legal~~

2. Annual hunting license for residents eighteen (18) years of age and older which expires on June 30 of the fiscal year purchased - Thirty-one Dollars ($31.00);

3. Annual hunting license for residents sixteen (16) or seventeen (17) years of age~~,~~ which expires on December 31 of the year purchased - Four Dollars ($4.00); ~~and~~

~~2. Commercial~~ 4. Annual hunting license for residents sixteen (16) or seventeen (17) years of age which expires on June 30 of the fiscal year purchased - Six Dollars ($6.00);

5. Ten-day hunting ~~area~~ license for residents for small game ~~ten day permit, resident or nonresident,~~ in a commercial hunting area - Five Dollars ($5.00);

6. Five-year disability hunting license for residents of this state for at least six (6) months who are receiving Social Security Disability benefits, Supplemental Security Income benefits or disability benefits under the Railroad Retirement Act, 45 U.S.C.A., Section 231a, or residents who are one-hundred-percent disabled and are receiving disability payments from the Multiple Injury Trust Fund pursuant to Section 173 of Title 85 of the Oklahoma Statutes - Ten Dollars ($10.00);

7. Gun hunting license for deer for residents eighteen (18) years of age or older - Nineteen Dollars ($19.00). The following persons shall be exempt:

a. residents with proper certification from the United States Department of Veterans Affairs or its successor, certifying that the person is a disabled veteran in receipt of compensation at the one-hundred-percent rate, and

b. residents hunting in big game or combination big game and upland game commercial hunting areas;

8. Gun hunting license for deer for residents under eighteen (18) years of age - Nine Dollars ($9.00);

9. Archery hunting license for deer for residents eighteen (18) years of age or older - Nineteen Dollars ($19.00). The following persons shall be exempt:

a. residents with proper certification from the United States Department of Veterans Affairs or its successor, certifying that the person is a disabled veteran in receipt of compensation at the one-hundred-percent rate, and

b. residents hunting in big game or combination big game and upland game commercial hunting areas;

10. Archery hunting license for deer for residents under eighteen (18) years of age - Nine Dollars ($9.00);

11. Primitive firearms hunting license for deer for residents eighteen (18) years of age or older - Nineteen Dollars ($19.00). The following persons shall be exempt:

a. residents with proper certification from the United States Department of Veterans Affairs or its successor, certifying that the person is a disabled veteran in receipt of compensation at the one-hundred-percent rate, and

b. residents hunting in big game or combination big game and upland game commercial hunting areas;

12. Primitive firearms hunting license for deer for residents under eighteen (18) years of age - Nine Dollars ($9.00);

13. Hunting license for elk for residents - Fifty Dollars ($50.00). Residents hunting in big game or combination big game and upland game commercial hunting areas shall be exempt from this license;

14. Hunting license for antelope for residents - Fifty Dollars ($50.00). Residents hunting in big game or combination big game and upland game commercial hunting areas shall be exempt from this license; and

15. Bonus, special or additional gun hunting license for deer for residents - Nineteen Dollars ($19.00). The following persons shall be exempt:

a. residents with proper certification from the United States Department of Veterans Affairs or its successor, certifying that the person is a disabled veteran in receipt of compensation at the one-hundred-percent rate, and

b. residents hunting in big game or combination big game and upland game commercial hunting areas.

~~E.~~ F. Of the fees collected pursuant to the provisions of paragraphs 1 and 2 of subsection E of this section, Five Dollars ($5.00) of the license fee shall be for the Oklahoma Wildlife Land Stamp and shall be deposited in the Oklahoma Wildlife Land Fund created pursuant to the provisions of Section 4-141 of this title.

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

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

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

b. for nonresidents, One Hundred Forty-five Dollars ($145.00).

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

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

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

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

SECTION 5. AMENDATORY 29 O.S. 2001, Section 4-113, as last amended by Section 2, Chapter 123, O.S.L. 2009 (29 O.S. Supp. 2009, Section 4-113), is amended to read as follows:

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

B. The fee for ~~a~~ each combination hunting/fishing license issued under this section ~~for legal residents~~ shall be:

1. For legal residents eighteen (18) years of age and older ~~shall be~~ for a license that expires on December 31 of the year purchased - Forty-one Dollars ($41.00); ~~for~~

2. For residents eighteen (18) years of age and older for a license that expires on June 30 of the fiscal year purchased - Fifty-two Dollars ($52.00);

3. For legal residents sixteen (16) or seventeen (17) years of age~~,~~ for a license that expires on December 31 of the year purchased - Thirteen Dollars ($13.00); and

4. For legal residents sixteen (16) or seventeen (17) years of age for a license that expires on June 30 of the fiscal year purchased - Eighteen Dollars ($18.00).

C. Of the ~~amount of monies~~ fees collected pursuant to the provisions of ~~this~~ paragraphs 1 and 2 of subsection B of this section, Five Dollars ($5.00) of the license fee shall be for the Oklahoma Wildlife Land Stamp and shall be deposited in the Oklahoma Wildlife Land Fund created pursuant to the provisions of Section 4-141 of this title.

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

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

B. The fee for these licenses shall be:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

~~H.~~ G. 1. In addition to the fees imposed pursuant to ~~subsections~~ paragraphs 1 through 3 of subsection B~~, C and E~~ of this section, a person purchasing a lifetime fishing, hunting or combination license, excluding a senior citizen lifetime hunting, fishing or combination hunting and fishing license issued pursuant to paragraphs 4 through 6 of subsection B of this section and a disability lifetime combination hunting and fishing license issued pursuant to subsection C of this section, shall be required to purchase a Lifetime Oklahoma Wildlife Land Stamp. Each person shall have the stamp in their possession while hunting, fishing, or taking any wildlife. The fee for the Lifetime Oklahoma Wildlife Land Stamp shall be Twenty-five Dollars ($25.00). The fee for the stamp shall be distributed as follows:

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

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

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

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

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

I. The fee for a lifetime fishing license, a lifetime hunting license, or a lifetime combination hunting and fishing license issued pursuant to paragraphs 1 through 3 of subsection B of this section for a legal resident under eighteen (18) years of age may be paid for by installments not to exceed a three-year period of time and in a manner determined by the Director. The lifetime license shall not be issued and become valid until full payment is received by the Department of Wildlife Conservation. If the entire amount of the license fee is not received within three (3) years from the date the application for installment payments is submitted to the Department, all funds received shall be forfeited and shall not be refunded.

SECTION 7. AMENDATORY 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), is amended to read as follows:

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

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

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

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

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

1. For residents~~,~~:

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

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

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

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

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

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

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

SECTION 8. AMENDATORY 29 O.S. 2001, Section 4-120, as last amended by Section 6, Chapter 287, O.S.L. 2003 (29 O.S. Supp. 2009, Section 4-120), is amended to read as follows:

Section 4-120. A. No person may fish in designated trout waters without having first procured a valid Oklahoma fishing license issued pursuant to Section 4-110 of this title from the Director or authorized agents of the Director.

B. The Commission shall decide the open season for trout fishing and which waters are designated trout waters.

~~C. The fee for a license under this section shall be Nine Dollars ($9.00); for persons under eighteen (18) years of age, Four Dollars ($4.00).~~

~~D. Any person arrested while violating the provisions of this section may purchase a substitute temporary thirty-day license from the arresting game warden in lieu of posting bond. The fee for a substitute license purchased pursuant to the provisions of this subsection shall be:~~

~~1. For legal residents, Thirty five Dollars ($35.00); and~~

~~2. For nonresidents, Seventy five Dollars ($75.00).~~

~~The fees from licenses purchased pursuant to the provision of this subsection shall be deposited in the Wildlife Conservation Fund to be used exclusively for developing, managing, preserving and protecting wildlife and wildlife habitat.~~

~~E. Unless a substitute license is purchased as provided for by subsection D of this section, any resident of this state convicted of violating this section shall be punished by a fine of not less than Twenty five Dollars ($25.00) nor more than One Hundred Dollars ($100.00), or by imprisonment in the county jail for a period not more than thirty (30) days, or by both such fine and imprisonment.~~

~~F. Unless a substitute temporary license is purchased as provided for by subsection D of this section, any nonresident convicted of violating the provisions of this section shall be punished by the imposition of a fine of not less than Twenty five Dollars ($25.00) nor more than One Hundred Dollars ($100.00), or by imprisonment in the county jail for a period not to exceed thirty (30) days, or by both said fine and imprisonment.~~

SECTION 9. AMENDATORY 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), is amended to read as follows:

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

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

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

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

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

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

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

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

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

1. Any person arrested for hunting or taking any waterfowl during the open season on waterfowl without a valid Oklahoma waterfowl hunting stamp or license as required by the provisions of subsection A of this section may purchase a substitute temporary thirty-day stamp or license from the arresting game warden in lieu

of posting bond. Proof of hunter safety certification shall not be required for the temporary substitute stamp or license. The fee for a substitute stamp or license purchased pursuant to the provisions of this subsection shall be:

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

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

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

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

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

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

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

Commission for the purposes specified in subsection B of this section. Any monies withdrawn from said fund by the Oklahoma Wildlife Conservation Commission for investment pursuant to this subsection shall be deemed to be for the purposes specified in subsection B of this section. Expenditures from said fund shall be made upon warrants issued by the State Treasurer against claims filed as prescribed by law with the Director of State Finance for approval and payment.

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

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

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

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

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

SECTION 11. AMENDATORY 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), is amended to read as follows:

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

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

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

2. Legal residents of Oklahoma ~~sixty four (64)~~ sixty-five (65) years of age or older;

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

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

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

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

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

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

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

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

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

~~12.~~ Any legal resident or nonresident who is a patient of an institution of the State of Oklahoma established for the care and treatment of mental illness or alcohol or drug dependency or any developmentally disabled person residing in any group home or other institution or developmentally disabled persons when accompanied by an attendant of such institution or legal guardian of said patient, or when fishing on institutional property;

~~13.~~ 12. Any ~~person~~ legal resident or nonresident who is legally blind or who has any other physical impairment, as certified by a physician licensed in this state or any state which borders this state, which prevents the person from properly using fishing apparatus without the assistance of another person, and any one person actually accompanying and actually assisting such legally blind or otherwise physically impaired person while the latter is fishing. This certification shall be carried by the individual while fishing;

~~14.~~ 13. Nonresidents under fourteen (14) years of age;

~~15.~~ 14. Any legal resident or nonresident who is a Job Corps ~~trainees~~ trainee of this state, provided that ~~such~~ the trainees shall have on their persons a duly authorized identification card issued by their respective Job Corps Center and shall present ~~such~~ the card upon request, in lieu of a fishing license. The trainees shall return their cards to their respective Job Corps Center when the trainees leave their respective Job Corps training programs;

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

~~17.~~ 16. Any ~~person~~ legal resident or nonresident who is fishing with a pole and line, trotline, or throwline in streams, natural lakes, natural ponds, and mine pits when using any bait other than commercial or artificial bait, blood, stink bait, cut fish, and shrimp; and

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

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

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

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

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

3. The Oklahoma Wildlife Land Stamp issued pursuant to this section for hunting licenses issued pursuant to paragraph 1 of subsection C and paragraphs 1 and 3 of subsection E of Section 4-112 of this title and paragraphs 1 and 3 of subsection B of Section 4-113 of this title, shall expire on December 31 ~~of each year~~. The Oklahoma Wildlife Land Stamp issued pursuant to this section for hunting licenses issued pursuant to paragraph 2 of subsection C and paragraphs 2 and 4 of subsection E of Section 4-112 of this title and paragraphs 2 and 4 of subsection B of Section 4-113 of this title, shall expire on June 30.

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

SECTION 12. AMENDATORY 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), is amended to read as follows:

Section 4-141. There is hereby created in the State Treasury a revolving fund for the Oklahoma Wildlife Conservation Commission to be designated the "Oklahoma Wildlife Land Fund". The fund shall be a continuing fund, not subject to fiscal year limitations, and shall consist of all monies received pursuant to the provisions of ~~Section 4-140~~ Sections 4-110, 4-112 and 4-113 of this title from fees for the Oklahoma Wildlife Land Stamp and ~~the monies received pursuant to the provisions of~~ required to be deposited in the fund, subsection G of Section 4-114 of this title from fees for the Lifetime Oklahoma Wildlife Land Stamp and required to be deposited in the fund and any other monies received from fees for the Oklahoma Wildlife Land Stamp and required to be deposited in the fund. All monies accruing to the credit of the fund are hereby appropriated and shall be expended by the Commission as follows:

1. An amount equal to Four Dollars ($4.00) per stamp to be used to retire the obligations and related expenses as authorized pursuant to Section 168.9 of Title 73 of the Oklahoma Statutes or to purchase, lease, or purchase easements on real property to be used as public hunting, fishing, and trapping areas; and

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

SECTION 13. REPEALER 29 O.S. 2001, Section 4-133, is hereby repealed.

SECTION 14. This act shall become effective January 1, 2011.

Passed the House of Representatives the 13th day of May, 2010.

Presiding Officer of the House of Representatives

Passed the Senate the 21st day of May, 2010.

Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Governor this 14th day of May, 2010, at 1:13 o'clock P M.

By:

Approved by the Governor of the State of Oklahoma the 5th day of June, 2010, at 2:47 o'clock P M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Secretary of State this 7th day of June, 2010, at 11:20 o'clock A M.

By: