

2002 Legislative Session

New Laws passed by the Legislature and signed by the Governor 2002

Senate Bill 920 by Carol Martin of the Senate and Paul Roan of the House. Transferring administration of commercial aquaculture provisions and regulations from the Wildlife Department to the State Department of Agriculture. Requiring licensure from the Department of Agriculture to engage in the private commercial production of catfish, minnows, fingerlings, fish, frogs and other water species; setting the initial and renewal license fees at \$10 annually; authorizing the department to provide technical assistance for persons; lawfully engaged in commercial operations, requiring that such assistance be through recommendations but prohibiting the department from providing manpower or funds to effectuate its recommendations; authorizing the department to charge reasonable fees for providing such assistance; requiring segregation of commercially produced and wild species; authorizing inspections by the agriculture department; specifying penalties for violations; repealing sections relating to aquaculture, confinement and separation; from wild species and to inspections and reporting. Effective date Nov. 1, 2002. Signed by Governor May 22, 2002.

Senate Bill 938 by Robert Kerr of the Senate. Exempting persons under age 18 who are in the physical custody of child care facilities from hunting and fishing license requirements. Bill is effective immediately.

Senate Bill 1370 by Frank Shurden of the Senate and M.C. Leist of the House. Conference Committee Report Submitted, Senate Adopted Conference Committee Report, Passed Bill 39-0; bill now goes to the House. The conference committee substitute provides for an annual combination hunting license for nonresidents hunting one antlered and one antlerless deer, at a fee of \$250, and, for nonresidents hunting antlerless deer, \$50, which would be valid only on private lands not managed by the Department of Wildlife Conservation. It also establishes a lifetime fishing license for persons 60 years of age or older for \$30 and a lifetime combination hunting and fishing license for persons aged 60 or older for \$215; and it establishes certain exceptions from the prohibition against possessing wildlife or parts during closed season or any endangered or threatened species or parts thereof. Effective date Nov. 1, 2002. Signed by Governor May 21, 2002

House Bill 2150 by Joe Hutchison of the House and Jeff Rabon of the Senate. Modifying provisions of the land access fee to authorize the Wildlife Conservation Commission to establish a three-day special use permit for private lands leased and administered by the

Wildlife Department for non-hunting or non-fishing activities for up to three consecutive days. The bill also sets the fee not to exceed \$5 for the three-day resident access permit.

House Bill 2040 by Clay Pope of the House and Bruce Price of the Senate. Authorizing the OK Conservation Commission to administer the carbon sequestration certification program. Signed by Governor

House Bill 2374 by Paul Roan, Wayne Pettigrew and Dale Smith of the House and Frank Shurden of the Senate. Authorizing the Wildlife Conservation Commission to establish a special use permit to be designated as the "Blue River Conservation Passport" for entering or using the Blue River Public Fishing and Hunting Area. Limiting the fee to \$1 more than the cost of an annual resident fishing license, and exempting persons holding valid hunting or fishing licenses from the passport requirements. Also establishing exemptions for those under 18, students on educational tours and those participating in organized events sanctioned in advance by the Oklahoma Department of Wildlife Conservation. Signed by the Governor.

Bills that died during the 2002 Legislative Session

Senate Bill 937 by Frank Shurden of the Senate. Increasing resident lifetime license fees to \$175 for a lifetime fishing license, \$625 for a lifetime hunting license and \$750 for a lifetime combination license. The bill would be effective Nov. 1, 2002. Passed the Senate 39-1; amended and passed by the House Wildlife Committee (Committee amendment is not substantive in nature); Bill failed to pass House 16-79.

Senate Bill 941 by Frank Shurden of the Senate. This was a shell bill; never acted on by the Senate Wildlife Committee.

Senate Bill 989 by Frank Shurden of the Senate and M.C. Leist of the House. Expanding activities deemed not to be violations of state lottery or gambling laws to include fundraising by qualified organizations issuing numbered tickets in conjunction with voluntary contributions, with the corresponding stub or stubs of one or more of the tickets to be drawn by lot under supervision of an official of the qualified organization, the stub or stubs so drawn entitling the ticket holder to a prize. Defining "qualified organization" as a church, a public or private school accredited by the Department of Education or registered by the State Board of Education for purposes of participating in federal programs, a student group or organization affiliated with a public or private school, a parent-teacher association or organization affiliated with a public or private school, or a religious, charitable, labor, fraternal, veteran, firefighter, law enforcement, educational or other such entity. Bill would

be effective immediately upon passage. Amended (by striking title) and passed by the Senate 28-1; emergency failed 29-15; bill failed to be acted on by the House Rules Committee.

Senate Bill 1239 by Jim Maddox of the Senate and Bill Paulk of the House. Requiring that primary state agency telephone numbers be answered by an employee during normal business hours. Bill would be effective July 1, 2003. Amended (by striking title) and passed Senate 43-1; bill fails to be acted on by the House Government Operations and Agency Oversight Committee.

House Bill 1994 by Clay Pope of the House. Providing that law relating to property owner liability for recreational activity shall not apply to land unless primarily for farming or ranching activities and structures attached to realty on such property. Bill would be effective Nov. 1, 2002. Never acted on by the House Environment and Natural Resources.

House Bill 2022 by M.C. Leist of the House. Creating a new section of law that shall be known and may be cited as the "Environment and Natural Resources Committee Act." Never acted on by the House Environment and Natural Resources Committee.

House Bill 2153 by Joe Hutchison of the House and Frank Shurden of the Senate. This was a shell bill; never acted on by the House Wildlife Committee; this shell bill has been returned to the House Wildlife Committee.

House Bill 2204 by Dale Smith of the House and Frank Shurden of the Senate. This is a shell bill that passed the House 78-19; bill failed to be acted on by the Senate Rules Committee.

House Bill 2205 by Dale Smith of the House. The Wildlife Conservation Commission may establish a special use permit for public fishing and hunting areas to be designated the "Public Fishing and Hunting Area Use Passport". The Passport shall be required of all persons not otherwise exempt who enter or use a public fishing and hunting area. The Commission may establish and assess an annual fee of not more than \$1 above the cost of an annual resident fishing license for the Passport. All persons who possess a valid Oklahoma fishing or hunting license are exempt from the passport, as are those under 18 years of age on the first day of the current calendar year. Students and instructors participating in bona fide educational tours or activities sponsored or organized by an educational institution or entity or any other organized event sanctioned in advance by the Oklahoma Department of Wildlife Conservation also would be exempt. Sponsors of such activities shall provide notice of the date and number of persons participating in the activity to the Department of Wildlife Conservation for approval not less than 20 days prior to the date of the activity. Bill would be effective July 1, 2002. Never acted on by the House Wildlife Committee.

House Bill 2329 by Elmer Maddux and Dale Smith of the House and Frank Shurden of the Senate. Expanding the State Waterfowl License to be required of all game bird hunters; setting the cost of the license at \$7.50 for residents and \$15 for nonresidents; increasing the lifetime game bird license from \$50 to \$100; specifying that the funds be used for game bird habitat enhancement and public education; providing exemptions for persons who hold a lifetime hunting or lifetime combination license prior to the bill's effective date; also provides an exemption for persons who qualify for a disability hunting license. Bill would be effective July 1, 2002. Passed the House 83-13; the Senate Wildlife Committee struck title and passed bill; passed the Senate 31-9 (emergency passed 37-7); House rejects Senate amendments and requests a conference. House names conferees. They are: Maddux, Matlock, Smith (Dale), DeWitt, Smith (Hopper), Bonny, Hutchison. Senate grants conference. Senate conferees are Shurden, Crutchfield, Rabon, Milacek and Johnson. Bill failed to come out of conference committee.

HB 2724 by Jack Bonny of the House and Frank Shurden of the Senate. Appropriating \$4.4 million to the Department of Wildlife Conservation to purchase or repair outdated and unsafe equipment used by agency employees. Bill would be effective July 1, 2002. Amended (by striking title) and passed the House 80-18; bill not acted on in the Senate Appropriations Committee.