

2005 Legislative Session

New Laws passed by the Legislature and signed by the Governor 2005

House Bill 1240 by Rep. Chris Benge and Sen. Nancy Riley. Would exempt veterans who are 100 percent disabled as certified by the U.S. Dept. of Veterans Affairs from all deer archery, deer primitive firearms and deer gun licenses. Bill effective immediately.

House Bill 1575 by Rep. Rep. Purcy Walker and Sen. Johnnie Crutchfield. Authorizes legal residents who are 100 percent disabled and are receiving disability payments from the Multiple Injury Trust Fund to purchase disability hunting and fishing licenses. Bill effective immediately.

House Bill 1722 by Rep. Rex Duncan and Sen. Patrick Anderson. Provides that any person who has been convicted or has pleaded guilty to two wildlife violations in a two-year period, may, after one year, apply for a new hunting or fishing license only after paying a reinstatement fee of \$200 for residents and \$500 for nonresidents. The reinstatement fee shall be in addition to other fees required for the hunting or fishing license. The bill would become effective Nov. 1, 2005.

House Bill 1814 by Rep. Don Armes and Sen. Frank Shurden. Modifying the Fishing and Hunting Legacy permit legislation to allow the Department to use permit revenue to purchase, lease, or purchase easements for property to be used for public fishing and hunting. Also modifies persons exempt from having to purchase the permit to include anyone who is normally exempt from an annual hunting or fishing license. Conference committee substitute also creates a \$5 rattlesnake harvest license and exempts persons with this license who are participating in an organized rattlesnake hunting event or festival from the requirements of the Fishing and Hunting Legacy Permit. Bill effective immediately.

Senate Bill 498 by Sen. Scott Pruitt and Rep. Doug Miller. Conference committee substitute exempts 100 percent disabled veterans from all deer archery, gun and muzzleloader licenses. It also creates a \$25 lifetime combination license for disabled veterans with a compensable disability of 60 percent or more. It also creates a \$200 lifetime combination license for veterans who have a compensable disability up to 60 percent. It also exempts persons fishing in a Department sanctioned aquatic education fishing clinic from fishing license requirements, and allows for \$1.50 duplicate annual licenses to be issued by the Wildlife Department. Bill effective immediately.

Senate Bill 685 by Sen. Owen Laughlin and Rep. Jeff Hickman. Removes the prohibition against issuing nonresident deer, antelope or elk licenses to residents of Kansas and any other states that have a deer season but do not allow Oklahoma residents the opportunity to purchase general unrestricted nonresident licenses in their state. The bill is effective July 1, 2005.

Other Action taken by the Legislature

House Concurrent Resolution 1010. That the Oklahoma Legislature directs the Oklahoma Wildlife Conservation Commission to adopt rules changing the class hour requirement for the traditional hunter education course from ten hours to eight hours. Adopted by both the House and the Senate.

Bills that died during the 2005 Legislative Session

House Bill 1341 by Mike Jackson. Modifies laws relating to trespass to allow for posting of property by placing purple paint on trees or posts. It specifies that additional signs must accompany the purple posting until July 1, 2007. Bill also increases the fine to \$500 for trespassing on posted property. Passed by the House 90 to 5. Bill goes dormant awaiting Committee assignment in the Senate.

House Bill 1376 by Rep. Mike Jackson. Committee substitute establishes an expiration date of June 30 for all annual fishing and hunting licenses. The cost for licenses effective between Jan. 1, 2006 and June 30, 2006, will be 50 percent of the normal charge. Passed by the House Appropriations Committee – Subcommittee on Select Agencies. The bill would be effective Jan. 1, 2006. Bill fails to get acted on by the full House Appropriations Committee.

House Bill 1396 by Rep. Jerry Ellis. Specifies that any person purchasing a lifetime fishing or combination license shall also be provided with a lifetime trout license at no additional charge. This lifetime trout license would make them exempt from trout license requirements. The bill would become effective immediately upon final passage. Bill dormant in the House Appropriations Committee – Subcommittee on Select Agencies.

House Bill 1505 by Rep. Paul Roan. Adds the Blue River and tributaries in Pontotoc and Johnston counties to the list of areas designated as scenic rivers. The bill would become effective Nov. 1, 2005. Failed in the House Environment and Natural Resources Committee.

House Bill 1575 by Rep. Purcy Walker. Shell bill relating to the disposal of dead fish caught or obtained from waters of the state. The bill would become effective Nov. 1, 2005. Bill dormant in the House Wildlife Committee.

House Bill 1597 by Rep. Jerry McPeak and Sen. Earl Garrison. House floor substitute would provide a credit against the state income tax imposed in an amount equal to 100 percent of the cost of annual fishing and hunting license fees for paid firefighters employed by any county or municipality of the state, paid municipal police officers, county sheriffs, deputy sheriffs, state troopers, any law enforcement officer having CLEET certification to carry a firearm, volunteer firefighters, reserve police officers and any member of the U.S. Armed forces, including active duty personnel, reserve personnel and members of the Oklahoma National Guard. The bill would become effective Jan. 1, 2006. Bill fails to be acted on by the full House.

House Bill 1723 by Rep. Rex Duncan. Provides that equipment may be confiscated on the first offense for wildlife violations. The bill would become effective immediately upon final passage. Failed to pass the House 36 to 62. Bill dormant.

House Bill 1724 by Rep. Rex Duncan. Shell bill relating to game warden arrests. Bill would be effective Nov. 1, 2005. Bill dormant in the House Wildlife Committee.

House Bill 1930 by Rep. Dorman. Shell bill relating to the retention of firearm by a game warden upon retirement. The bill would become effective Nov. 1, 2005. Bill dormant in the House Rules Committee.

House Joint Resolution 1012 by Rep. Fred Morgan and Sen. Jeff Rabon. Proposed constitutional amendment specifying that state citizens have the right to hunt, trap, fish and take game. State laws which keep people from engaging in such activities would not be allowed. Gives authority to approve methods and practices relating to hunting, trapping and fishing to the Oklahoma Wildlife Conservation Commission. The amendment would not prevent reasonable regulation of such activities. Passed by the House 97 to 0. Title stricken and passed by the Senate Tourism and Wildlife Committee. Bill goes dormant awaiting action by the full Senate.

Senate Bill 269 by Sen. Nancy Riley. Provides an exemption from the annual hunting license for person having a proven temporary or permanent disability which renders them nonambulatory and confines them to a wheelchair, as certified by physician licensed in this state or in a bordering state. The bill would become effective immediately upon final passage. Bill dormant the Senate Tourism and Wildlife Committee.

Senate Bill 336 by David Myers. Provides a 30 percent tax credit, to be applied against the tax imposed by Section 2355 of Title 68 of the Oklahoma statutes, for donations to nonprofit organizations dedicated to natural resource protection and wildlife habitat improvement. Provides requirements for qualified nonprofit organizations and specifies that the credit not exceed \$1,000 for a taxpayer in any year. Bill would be effective Nov. 1, 2005. Went dormant in the Senate Finance Committee.

Senate Bill 342 by Sen. Jim Wilson and Rep. Purcy Walker. Provides exemptions to the annual Fishing and Hunting Legacy permit for persons otherwise exempt from the purchase of a hunting or fishing license and veterans in receipt of a disability compensation at the rate of 100 percent. Also specifies that funds accrued from the sale of these permits can be used by the Wildlife Conservation Commission to purchase and manage land. The bill would become effective Sept. 1, 2005. Title struck and passed by the Senate Tourism and Wildlife Committee. Passed by the Senate 44 to 0. Amended to add exemptions for nonresidents who purchase a five-day fishing license from a license dealer located on a body of water and residents who purchase a two-day fishing licenses, enacting clause struck and passed by the House 83 to 16. Bill goes dormant in a conference committee.

Senate Bill 430 by Sen. Patrick Anderson and Rep. Purcy Walker. Committee substitute modifies laws relating to trespass to allow for posting of property by placing purple paint on posts. It specifies additional signs must accompany the purple posting until July 1, 2006, at which time signs will not be required to explain the purple posting. The bill would be effective immediately upon passage. Title stricken and passed the Senate 26 to 20. Emergency passes 30 to 16. Title restored and passed by the House 79 to 16. Bill passed the Senate for 25 to 22. Bill vetoed by Governor.

Senate Bill 474 by Sen. Jeff Rabon and Rep. R.C. Pruett. Prohibits the cutting of any live tree that is 10 inches or more in diameter from the McCurtain County Wilderness Area. The bill would be effective immediately. Title stricken and passed by the Senate 45 to 0. Emergency passed 45 to 0. Failed in the House Environment and Natural Resources Committee.

Senate Bill 480 by Sen. Randy Bass. Would exempt resident veterans who are disabled to a 60 percent or more compensable degree by the U.S. Department of Veterans Affairs from having to purchase deer archery or deer muzzleloader licenses. Bill would be effective Nov. 1, 2005. Bill dormant in the Senate Tourism and Wildlife Committee.

Senate Bill 481 by Sen. Jeff Rabon. Creates the Oklahoma quail hunting license. Requires the license of anyone hunting quail, except those under 16 and 65 years of age or older. Also exempts landowners hunting only on their own property. Sets the fee for an annual quail license at \$10 and an expiration date of June 30 of each year. All proceeds are to be spent

on quail management and conservation. Bill would be effective Nov. 1, 2005. Amended and passed by the Senate Tourism and Wildlife Committee. Committee amendment sets the fee at \$5. Bill failed in the Senate 33 to 13.

Senate Joint Resolution 13 by Sen. Jeff Rabon. Proposed constitutional amendment specifying that state citizens have an inherent right to hunt, trap, fish and take game within reasonable regulations for doing so. Gives authority to approve methods and practices relating to circuses, rodeos, hunting, trapping and fishing to the Oklahoma Wildlife Conservation Commission and the State Department of Agriculture. Also provides that no method, practice or procedure which is lawful on the effective date of the adoption of the amendment shall ever be disapproved by the Wildlife Conservation Commission or Department of Agriculture. Title stricken and passed by the Senate 35 to 7. Bill amended by the House to remove all references to circuses and rodeos. House passed the bill 100 to 0. Bill goes dormant in a conference committee.