

# 2006 Legislative Session

## **New Laws passed by the Legislature and signed by the Governor 2006**

House Bill 2621 by Rep. Purcy Walker and Sen. Charles Wyrick. Would change the annual fee for a commercial hunting area offering big game hunts to \$500; specifies nonresidents must purchase an annual nonresident hunting license to hunt big game in a commercial hunting area; provides that residents would be exempt from big game permit requirements but must have an annual hunting license, unless exempt, if hunting big game in a commercial hunting area. Bill is effective immediately upon approval. Passed by the House and Senate. Signed by the Governor.

Senate Bill 1296 by Sen. Frank Shurden and Rep. Purcy Walker. Senate floor amendment authorizes the Wildlife Conservation Commission to declare an open season on mountain lions, black bears and river otters. Bill is effective immediately upon approval. Bill passed by the House and Senate. Signed by the Governor

Senate Bill 1678 by Sen. Owen Laughlin and Rep. Jeff Hickman. Designates the Mexican free-tailed bat as the state flying mammal. Signed by the Governor

## **Dormant bills for the 2006 Legislative Session**

House Bill 2077 by Reps. Jerry Ellis, Neil Brannon, Wes Hilliard, Terry Hyman, Mark Liotta, Ray Miller, Paul Roan, Jerry Shoemake, Bud Smithson, Purcy Walker and Paul Wesselhoft and Sen. Frank Shurden. Would exempt legal Oklahoma residents serving in a branch of the U.S. Armed Forces from land access permit requirements. Bill would be effective immediately upon approval. Passed by the House 98-0. Title stricken and passed by the Senate Tourism and Wildlife Committee. Passed by the Senate 46-0; House refuses to concur with Senate amendments. Bill now goes to a conference committee. Senate conferees named: Shurden, Wilson, Rabon, Corn, Nichols, Riley. The House rejected the first conference committee report; bill now goes back to conference. The second conference committee report has been submitted. Fencing requirements that were outlined in the first conference committee report have been amended to 40 acres as opposed to two acres. I have a complete copy of the bill for those who want it. Bill went dormant.

House Bill 2401 by Ray McCarter. Shell bill relating to annual combination hunting and fishing licenses. Bill would be effective Nov. 1, 2006. Failed to be acted on in the House Rules Committee.

House Bill 2406 by Rep. Dale Turner. Committee substitute creates the "Farmed Cervidae Act." The Act authorizes the Department of Agriculture to promulgate rules governing farmed cervidae. The bill does not change rules governing cervidae in commercial hunting areas, which would remain regulated by the Wildlife Department. Bill would be effective Nov. 1, 2006. Passed by the House Agriculture and Rural Development Committee. Bill goes dormant awaiting action by the full House.

House Bill 2563 by Reps. Mike Jackson and Purcy Walker and Sen. Jim Wilson. Would change hunter education requirements to allow persons between 16 and 35 years of age to hunt without hunter education certification if accompanied by a licensed, hunter education certified person who is at least 21. Bill provides for the definition of accompany. It also changes hunter education requirements such that youth under 16 must be accompanied while hunting unless they are hunter education certified. Bill would be effective immediately upon passage. Passed by the House 89-3. Title stricken and passed by the Senate Tourism and Wildlife Committee. Bill amended, title restored and voted down (33 to 12) by the full Senate.

House Bill 2710 by Rep. Mike Jackson. Shell bill that creates the Rights of Landowners Act of 2006. Bill would be effective Nov. 1, 2006. Failed in the House Corrections Committee.

House Bill 2929 by Reps. Richardson, Hyman, Brown, Covey, Denney, DeWitt, McCarter, McMullen, Morgan (Fred), Roan, Shoemaker, Turner and Walker, and Senators Frank Shurden and Ron Justice. House floor substitute would establish the Feral Swine Control Act. Provides that no person shall be required to obtain a hunting license to remove feral swine during daylight hours on property owned or leased by that person. Provides that a person shall obtain a permit from the Department of Wildlife to remove feral swine at night. Any person removing feral swine from public property during an established hunting season shall do so according to rules prescribed by the Wildlife Department with weapons and methods authorized for that season. The bill also specifies parameters for importing feral swine into Oklahoma. It also provides for and specifies that the Department of Agriculture shall promulgate rules for the testing and intrastate movement of feral swine. Title stricken and passed by the House 100-0. Committee substitute passed by the Senate Agriculture and Rural Development Committee retains much of the same language except that it specifies during designated muzzleloader and firearms deer seasons hunters must possess deer hunting licenses and permits as required by the Wildlife Department. It specifies, however, that landowner may obtain a free permit from their local game warden that shall allow the owner and one person of lineal or collateral descent to kill feral swine on their property during these seasons without any licenses or permits. Passed by the Senate 46-0. House refuses to concur with Senate amendments; bill now goes to a conference committee. House adopted conference committee report 96-0; The Senate has

rejected the first conference committee report; bill went dormant in conference committee.

House Bill 2948 by Joe Dorman. Authorizes the Director of the Wildlife Department is authorized to issue rattlesnake hunting permit forms to a municipal entity or organizer of a rattlesnake-hunting event or festival which shall issue the rattlesnake permit and collect and remit the permit fees to the Department of Wildlife Conservation. Bill would be effective immediately upon approval. Not heard in the House Wildlife Committee. Referred to the House Rules Committee.

House Bill 2943 by Joe Dorman. Committee substitute provides for a tax credit of 100 percent of the cost of certain hunting and fishing licenses for many of the individuals who are normally exempt from hunting and fishing license requirements while keeping license exemptions for select individuals. Bill would be effective Jan. 1, 2007. Passed by the House Revenue and Taxation Committee. Bill goes dormant awaiting action by the full House.

House Bill 2952 by Rep. Joe Dorman. Shell bill relating to exotic wildlife. Bill would be effective Nov. 1, 2006. Failed to be acted on in the House Rules Committee.

House Bill 3006 by Rep. Fred Morgan. Would remove authority from the Wildlife Conservation Commission to develop and implement a plan to provide step raises for Commission Employees so that discrepancies within pay levels within a pay grade will be eliminated; further provide that the Director of the Wildlife Department shall determine the salaries and wages to be paid to employees under the Commission subject to the rules promulgated by the Commission and the subject to the Oklahoma Personnel Act and the Merit System of Personnel Administration. Bill would also provide for suspension, discharge, station or transfer of employees subject to the Oklahoma Personnel Act and the Merit System of Personnel Administration. Specifies that effective July 1, 2006, the Department of Wildlife Conservation shall be a Merit System agency and all employees shall be classified employees subject to the Oklahoma Personnel Act and the Merit System of Personnel Administration. Bill would be effective immediately upon approval. Failed to be acted on in the House Appropriations and Budget Committee.

House Bill 3018 by Rep. Don Armes. Provides that no person may harass, attempt to capture, capture, attempt to take or take, kill or attempt to kill any wildlife, including waterfowl, from or with the aid of an air boat on any body of water designated by the Director of Wildlife Conservation. Bill would be effective immediately upon approval. Failed to be acted on in the House Wildlife Committee.

Senate Bill 1019 by Sen. Jay Paul Gumm and Rep. Paul Roan. Adding those portions of the Blue River and tributaries located in Johnston County from the Pontotoc/Johnston County

line ending where Blue River passes under State Hwy. 48A to the list of scenic river areas. Bill would be effective Nov. 1, 2006. Passed by the Senate 42-0. Bill failed in the House Environment and Natural Resources Committee.

Senate Bill 1045 by Senators Shurden, Crutchfield and Rabon and Rep. Bud Smithson. Senate floor substitute provides that prior to enclosure of any tract of more than two acres with a fence capable of confining deer or other wildlife, a drive must be made throughout the area to ensure that any wild whitetail or mule deer, elk, antelope or other big game are not present on the area. Such drive must be made in the presence of designated Wildlife Department employees and shall be to the satisfaction of such employees. Provides a penalty of up to \$1,000 per acre for every acre in violation of the law. Bill would be effective Nov. 1, 2006. Passed by the Senate 30-16. Committee substitute with similar language passed by the House Wildlife Committee. Bill goes dormant awaiting action by the full House.

Senate Bill 1300 by Sen. Frank Shurden and Rep. Dale Turner. Specifies that any person using a Wildlife Management Area must possess a hunting or fishing license, whether or not they are hunting or fishing. Provides exemptions for those under 18 years of age; students and instructors in bona fide educational tours and persons entering, but not fishing or hunting on the following Department fishing areas: Etling, Raymond Gary, Watonga and Blue River Public Fishing and Hunting Area. Bill would be effective immediately upon approval. Title stricken and passed by the Senate Tourism and Wildlife Committee. Bill fails in the Senate by a vote of 11-30.

Senate Bill 1506 by Sen. Jim Wilson. Shell bill relating to in lieu of tax payments by the Wildlife Department. Bill would be effective Nov. 1, 2006. Assigned to the Senate Rules Committee.

Senate Bill 1783 by Sen. Jeff Rabon and Rep. Mike Jackson. Senate committee amendment would provide any Wildlife Department employee aggrieved by disciplinary action resulting from a complaint from the public with the opportunity to file an appeal with the Oklahoma Merit Protection Commission within 60 days of the alleged disciplinary action. Title struck and passed by the Senate 36-9. Bill failed in the House Wildlife Committee.

Senate Bill 1833 by Sen. Mike Johnson. Would require written permission to hunt or fish on private land. Bill would become effective Nov. 1, 2006. Introduced but not yet assigned to a committee. Assigned to the Senate Appropriations Committee.

Senate Joint Resolution 44 by Sen. Frank Shurden and Rep. Dale Turner. Refers to a vote of the people a proposed constitutional amendment to add one at-large member to the

Oklahoma Wildlife Conservation Commission. Title stricken and passed by the Senate  
Tourism and Wildlife Committee. Bill goes dormant while awaiting action by the full Senate.