

1 SB76
2 114912-4
3 By Senator Bedford
4 RFD: Finance and Taxation General Fund
5 First Read: 12-JAN-10
6 PFD: 01/05/2010

1 SB76

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4 ENROLLED, An Act,

5 Relating to commercial bird hunting preserves; to
6 amend Sections 9-11-410, 9-11-412, 9-11-413, 9-11-414, and
7 9-11-417 of the Code of Alabama 1975, to further provide for
8 the licensure and regulation of the preserves; to authorize an
9 additional form of license and fee for preserves where hunters
10 would not be required to be licensed to hunt on the preserve;
11 and to repeal Sections 9-11-411, 9-11-415, and 9-11-416 of the
12 Code of Alabama 1975, providing additional requirements for
13 the operation of the preserves.

14 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

15 Section 1. Sections 9-11-410, 9-11-412, 9-11-413,
16 9-11-414, and 9-11-417 of the Code of Alabama 1975, are
17 amended to read as follows:

18 "§9-11-410.

19 "Any person, firm, or corporation desiring to
20 operate a bird hunting preserve commercially on which
21 artificially propagated birds may be hunted, taken, captured,
22 killed, harvested, or otherwise recovered shall obtain a bird
23 hunting preserve license and comply with the provisions of
24 this article and all rules promulgated by the Commissioner of

1 Conservation and Natural Resources governing the operation of
2 hunting preserves.

3 "§9-11-412.

4 "Game which may be hunted on a preserve licensed
5 under this article shall be artificially propagated or
6 "pen-raised" bob-white quail, pheasants, chukar partridge, and
7 such other species of birds, except for artificially
8 propagated or "pen-raised" turkeys, as the Commissioner of
9 Conservation and Natural Resources shall designate.

10 "§9-11-413.

11 " (a) Except as provided in subsection (b), the
12 privilege license fee for operating a hunting preserve shall
13 be twenty-five dollars (\$25) per year for the first 100 acres
14 of hunting preserve area plus five dollars (\$5) per year for
15 each additional 100 acres or part thereof. Upon application to
16 the judge of probate of the county in which the preserve is
17 located and payment of the license fee required in this
18 subsection and an issuance fee of two dollars (\$2), the judge
19 of probate shall issue a privilege license to operate a
20 hunting preserve to the applicant. Privilege licenses to
21 operate hunting preserves shall be issued on forms prescribed
22 by the Commissioner of Conservation and Natural Resources
23 furnished to the judge of probate. All fees collected by the
24 judge of probate for issuing hunting preserve licenses shall
25 be remitted at the same time and in the same manner that

1 hunting and fishing license fees are remitted and shall be
2 paid into the Game and Fish Fund of the state Department of
3 Conservation and Natural Resources.

4 "(b) In lieu of the license fee provided for in
5 subsection (a), the operator of a commercial bird hunting
6 preserve may purchase a license which entitles the licensee to
7 operate a commercial bird hunting preserve and exempts the
8 patrons of the preserve from the license requirement of
9 Section 9-11-417. The fee for the license shall be five
10 hundred dollars (\$500), plus a two dollar (\$2) issuance fee.
11 The license shall be issued in the same manner as the license
12 provided for in subsection (a). The license or a copy thereof
13 shall be in the possession of at least one person in each
14 hunting party.

15 "§9-11-414.

16 " There shall be no daily commercial limit as to the
17 number of released "pen-raised birds" commercially taken or
18 recovered by patrons under this article. The period during
19 which "pen-raised birds" may be hunted, taken, captured,
20 killed, or otherwise recovered on preserves shall begin on
21 October 1 each year and extend through March 31 of the
22 following calendar year.

23 "§9-11-417.

24 "(a) Except for patrons hunting artificially
25 propagated or "pen-raised" birds on preserves licensed

1 pursuant to subsection (b) of Section 9-11-413, Alabama
2 hunting licenses shall be required of all persons hunting on
3 licensed hunting preserves. Alabama residents shall be
4 licensed under the regularly established game laws. Each
5 non-resident hunting on a licensed preserve shall be required
6 to possess a regular non-resident annual hunting license or a
7 non-resident trip hunting license.

8 "(b) In lieu of a regular hunting license as
9 provided in subsection (a), either a resident or a
10 non-resident may purchase a seven-day commercial bird hunting
11 preserve license that allows that person the privilege of
12 hunting only artificially propagated or pen-raised birds as
13 designated by the Commissioner of Conservation and Natural
14 Resources as legal to hunt on a licensed commercial bird
15 hunting preserve. The cost of a seven-day commercial bird
16 hunting preserve license shall be eight dollars (\$8), plus a
17 two dollar (\$2) issuance fee. The license shall be valid for
18 seven consecutive days from the date of issuance.

19 "(c) To better serve the public and in order that
20 the state will not lose revenue from the loss of sale of
21 licenses to out-of-state visitors arriving on weekends, each
22 hunting preserve operator licensed pursuant to this article
23 shall be an agent vendor of all non-resident and resident
24 hunting licenses with any issuance fees collected therefor to

1 be remitted to the judge of probate of the county in which the
2 preserve is located."

3 Section 2. Sections 9-11-411, 9-11-415, and 9-11-416
4 of the Code of Alabama 1975, are repealed.

5 Section 3. This act shall become effective on the
6 first day of the third month following its passage and
7 approval by the Governor, or its otherwise becoming law.

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President and Presiding Officer of the Senate

Speaker of the House of Representatives

SB76
Senate 23-FEB-10
I hereby certify that the within Act originated in and passed
the Senate.

McDowell Lee
Secretary

House of Representatives
Passed: 01-APR-10

By: Senator Bedford