

1 ENGROSSED SENATE AMENDMENT
TO

2 ENGROSSED HOUSE
3 BILL NO. 2029

By: Cornwell of the House

and

Murdock of the Senate

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6
7 An Act relating to game and fish; amending 29 O.S.
8 2011, Section 4-136, as amended by Section 1, Chapter
9 134, O.S.L. 2016 (29 O.S. Supp. 2018, Section 4-136),
10 which relates to special use permits; creating
11 certain special use permits on private land for
12 nonprofit events; exempting certain permit holders
13 from certain hunting and fishing licenses;
14 establishing fee; defining term; directing the
15 Department of Wildlife Conservation to promulgate
16 certain rules; and providing an effective date.

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24 AUTHOR: Remove principal House author Cornwell and substitute with
House coauthor McDugle and add House coauthor: Wallace

AMENDMENT NO. 1. Page 1, strike the stricken title, enacting clause
and entire bill and insert

"An Act relating to hunting seasons; amending 29 O.S.
2011, Section 3-103, as last amended by Section 1,
Chapter 24, O.S.L. 2017 (29 O.S. Supp. 2018, Section
3-103), which relates to the powers and duties of the
Wildlife Conservation Commission; providing exception
to the power to regulate the seasons and harvest of
wildlife; establishing the dates for deer gun season
on private lands; providing for codification; and
providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

1 SECTION 1. AMENDATORY 29 O.S. 2011, Section 3-103, as
2 last amended by Section 1, Chapter 24, O.S.L. 2017 (29 O.S. Supp.
3 2018, Section 3-103), is amended to read as follows:

4 Section 3-103. A. The Wildlife Conservation Commission shall
5 constitute an advisory, administrative and policymaking board for
6 the protection, restoration, perpetuation, conservation,
7 supervision, maintenance, enhancement, and management of wildlife in
8 this state as provided in the Oklahoma Wildlife Conservation Code.

9 B. The Director shall consult with the Commission regarding the
10 administration of the affairs of the Department of Wildlife
11 Conservation. The Commission is authorized and empowered to require
12 from the Director complete reports and information relative to the
13 affairs of the Department at the time and in the manner the
14 Commission may deem advisable.

15 C. The Commission shall meet in regular session at least nine
16 times per year not to exceed one meeting per month with not more
17 than two consecutive calendar months between meetings and in special
18 sessions as may be called by the Chair or a majority of the
19 Commission. The Commission may hold any regular or special session
20 at any location within this state. Should a location be chosen
21 other than Commission headquarters in Oklahoma City for a regular or
22 special meeting, notice shall be posted at Commission headquarters
23 in Oklahoma City and advertised in the local newspaper of the city
24 in which the meeting is to be held, at least one time during each of

1 the two (2) weeks prior to the meeting. The advertisements shall
2 include time, date, and address of location of the meeting.

3 D. In addition to the other powers and duties prescribed by
4 law, the Commission shall:

5 1. Institute an affirmative action plan for hiring women and
6 minorities throughout the agency;

7 2. Elect a chair, vice-chair, and secretary, who shall perform
8 the duties required of them by statutes, rules of the Commission,
9 and the Constitution of the State of Oklahoma. The chair, vice-
10 chair, and secretary shall receive no extra compensation;

11 3. Appoint a Director, and determine the qualifications of the
12 Director and all assistants and employees. A Commissioner shall not
13 be eligible for employment in any position within the Department;

14 4. Prescribe rules and policies for the transaction of its
15 business and the control of the Department;

16 5. Develop and implement a plan to provide step raises for
17 Commission employees so that discrepancies of pay levels within a
18 pay grade are eliminated;

19 6. Acquire by purchase, lease, gift, or devise, waters, real
20 property, and personal property incident to the exercise of its
21 functions and to maintain, operate, and dispose of the same;

22 7. Acquire real property by condemnation only when the Attorney
23 General or other counsel deems it an appropriate means of clearing
24 title from willing or unavailable sellers;

1 8. Supervise the establishment, extension, improvement, and
2 operation of the wildlife refuges, propagation areas or stations,
3 public hunting areas, public fishing areas, game management areas,
4 and fish hatcheries;

5 9. Prescribe the manner of cooperation with the Oklahoma
6 Tourism and Recreation Department, colleges and universities within
7 the state, other state agencies, any agency of the federal
8 government, and any city, town, school district, or any other agency
9 or organization in study of conservation and propagation of wildlife
10 and in the establishment, maintenance, and operation of visual
11 educational facilities, recreational facilities, and hunting and
12 fishing facilities, in the study and propagation of wildlife;

13 10. Supervise the letting of all contracts and purchases for
14 the Department, with all purchases of personal property to be made
15 through the Office of Management and Enterprise Services;

16 11. Authorize all claims or expenditures prior to incurring
17 payment except as otherwise provided in this Code;

18 12. Prescribe rules on the use of Department-owned vehicles by
19 the Director, department heads and other essential employees as the
20 Commission deems necessary in order to perform their duties;

21 13. Prescribe rules for the sale of all regular or special
22 licenses;

23 14. Publicize and encourage the conservation and appreciation
24 of wildlife and all other natural resources;

1 15. Regulate the seasons and harvest of wildlife; provided that
2 the dates for deer gun hunting season shall be established pursuant
3 to Section 2 of this act;

4 16. Promulgate rules to sell fishing and hunting licenses via
5 the Internet;

6 17. Annually report to the Governor and the Legislature on the
7 complete operation, activities, and plans of the Department,
8 together with such recommendations for future activities as the
9 Commission may deem to be in the best interest of the state; and

10 18. Provide the Governor and the Legislature with an annual
11 inventory of all property and equipment.

12 SECTION 2. NEW LAW A new section of law to be codified
13 in the Oklahoma Statutes as Section 5-603 of Title 29, unless there
14 is created a duplication in numbering, reads as follows:

15 The dates for the deer gun season shall be the Saturday prior to
16 the fourth Thursday in November and run for twenty-three (23)
17 consecutive days only on private land.

18 SECTION 3. This act shall become effective November 1, 2019."
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1 Passed the Senate the 16th day of April, 2019.

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3 _____
4 Presiding Officer of the Senate

5 Passed the House of Representatives the ____ day of _____,
6 2019.

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8 _____
9 Presiding Officer of the House
10 of Representatives

1 ENGROSSED HOUSE
2 BILL NO. 2029

By: Cornwell of the House

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4 Murdock of the Senate

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7 An Act relating to game and fish; amending 29 O.S.
8 2011, Section 4-136, as amended by Section 1, Chapter
9 134, O.S.L. 2016 (29 O.S. Supp. 2018, Section 4-136),
10 which relates to special use permits; creating
11 certain special use permits on private land for
12 nonprofit events; exempting certain permit holders
13 from certain hunting and fishing licenses;
14 establishing fee; defining term; directing the
15 Department of Wildlife Conservation to promulgate
16 certain rules; and providing an effective date.

17 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

18 SECTION 4. AMENDATORY 29 O.S. 2011, Section 4-136, as
19 amended by Section 1, Chapter 134, O.S.L. 2016 (29 O.S. Supp. 2018,
20 Section 4-136), is amended to read as follows:

21 Section 4-136. A. The Wildlife Conservation Commission may
22 establish an annual special use permit which would be required of
23 all persons who hunt or fish or otherwise use private lands leased
24 and administered by the Department of Wildlife Conservation. The
Department shall not require a special use permit for persons
traveling through such private land in a motor vehicle, unless the

1 person is also involved in hunting or fishing or other use of the
2 private land for which a special permit is required.

3 B. The Commission may establish a three-day special use permit
4 which would allow residents to use the private land administered by
5 the Department of Wildlife Conservation for nonhunting- or
6 nonfishing-related activities for up to three (3) consecutive days.

7 ~~B. C.~~ The Commission may establish and assess a fee for ~~an~~
8 ~~annual resident and nonresident special use permit or a three-day~~
9 ~~resident special use permit to use the private land leased and~~
10 ~~administered by the Department. The fees from permits purchased~~
11 ~~pursuant to the provisions~~ subsections A and B of this section which
12 shall be expended by the Department exclusively for lease payments
13 and for developing, managing, preserving, and protecting wildlife
14 and wildlife habitat on the private land leased and administered by
15 the Department.

16 D. The Commission shall establish a three-day special use
17 permit to be purchased by a landowner with tracts of land of three
18 hundred (300) acres or more for the purpose of hosting or
19 accommodating a nonprofit event. The special use permit would allow
20 residents and nonresidents to hunt and fish on a specific piece of
21 private land with three hundred (300) acres or more with permission
22 of the landowner for up to three (3) consecutive days. The permit
23 shall exempt individuals from any other hunting or fishing license
24 or permit requirements only for the three (3) days and on the land

1 for which the permit was issued. The Commission may establish and
2 assess a fee for permits purchased pursuant to this subsection that
3 shall not exceed One Thousand Dollars (\$1,000.00). As used in this
4 subsection, "nonprofit event" shall mean an event or special
5 occurrence held, organized or coordinated by a private, nonprofit
6 entity, organization or association that occurs only within the
7 three (3) days and on the land for which the permit was issued. The
8 Commission shall promulgate any rules necessary to implement the
9 provisions of this subsection.

10 ~~C.~~ E. Legal residents of Oklahoma who are under eighteen (18)
11 years of age on the first day of the current calendar year or are
12 sixty-four (64) years of age or older shall be exempt from the
13 permit requirements of this section.

14 SECTION 5. This act shall become effective November 1, 2019.

15 Passed the House of Representatives the 25th day of February,
16 2019.

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18 _____
19 Presiding Officer of the House
of Representatives

20 Passed the Senate the ____ day of _____, 2019.

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22 _____
23 Presiding Officer of the Senate

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