

An Act

ENROLLED HOUSE
BILL NO. 1650

By: Vaughan of the House

and

Fry of the Senate

An Act relating to game and fish; amending 29 O.S. 2011, Section 6-204, which relates to the operating provisions for commercial turtle harvesters; clarifying statutory language; removing mesh size restrictions when harvesting aquatic turtles; and providing an effective date.

SUBJECT: Commercial turtle harvesters

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

SECTION 1. AMENDATORY 29 O.S. 2011, Section 6-204, is amended to read as follows:

Section 6-204. A. Except as otherwise provided by subsection B of this section, no person may net or trap aquatic turtles for commercial purposes or assist in such operations or buy, barter, trade or export any aquatic turtles from this state without having first obtained a valid commercial turtle harvester's license and without observing the following requirements:

1. ~~No nets and traps used in the harvest of turtles for commercial purposes may have a mesh size less than three (3) inches square. Provided that a trap or net with a mesh size of two (2) by four (4) inches shall be deemed to comply with the provisions of this paragraph if the trap or net contains at least eight escape holes of not less than four (4) by four (4) inches square located on the trap which will provide unrestricted egress for immature or small-sized turtles;~~

~~2.~~ All types of traps shall have an identification tag with the owner's name and license number attached and the name and license number of all persons authorized to operate the traps or nets;

~~3.~~ 2. Aquatic turtles may be harvested for commercial purposes only from private ponds, with permission of the pond owner and from municipal lakes, with written permission of the municipal authority;

~~4.~~ 3. Traps and nets must be cleaned and emptied at least once every forty-eight (48) hours;

~~5.~~ 4. Any game or nongame fish trapped or netted during a turtle harvesting operation shall be immediately released to the water; and

~~6.~~ 5. Legally taken nongame fish and their parts may be utilized for bait in turtle harvesting operations.

B. No person may take for commercial purposes by any means, or assist in any such operations, turtles or aquatic turtles from any scenic river area of this state as such areas are designated pursuant to Section 1452 of Title 82 of the Oklahoma Statutes or from any major river channel specifically designated by rule by the Oklahoma Wildlife Conservation Commission to be restricted from commercial turtle or aquatic turtle harvesting.

C. The Commission may promulgate other rules it deems necessary to implement the provisions of this section.

D. Any equipment used in violation of this section shall be confiscated and become the property of the Department or disposed of according to law.

E. Any person convicted of violating the provisions of this section shall be punished by a fine of not less than One Hundred Dollars (\$100.00) nor more than Five Hundred Dollars (\$500.00) or by imprisonment in the county jail for a period not to exceed thirty (30) days or by both such fine and imprisonment.

SECTION 2. This act shall become effective November 1, 2015.

Passed the House of Representatives the 25th day of February, 2015.

Presiding Officer of the House
of Representatives

Passed the Senate the 14th day of April, 2015.

Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____

Approved by the Governor of the State of Oklahoma this _____

day of _____, 20_____, at _____ o'clock _____ M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____