

1 SB163
2 145957-1
3 By Senators Holtzclaw, Taylor, Williams and Whatley
4 RFD: Veterans and Military Affairs
5 First Read: 07-FEB-13

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8 SYNOPSIS: This bill relates to certain hunting
9 licenses issued by the Department of Conservation
10 and Natural Resources. The bill would provide for a
11 resident physically disabled military veteran's
12 appreciation hunting license; and would provide for
13 a special physically disabled military veteran's
14 appreciation three-day trip event hunting license.

15
16 A BILL
17 TO BE ENTITLED
18 AN ACT

19
20 Relating to game and fish; to amend Section 9-11-44,
21 Code of Alabama 1975, to provide for a resident physically
22 disabled military veteran's appreciation hunting license; and
23 to amend Section 9-11-49, Code of Alabama 1975, to provide for
24 a special physically disabled military veteran's appreciation
25 three-day trip event hunting license.

26 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

1 Section 1. Sections 9-11-44 and 9-11-49, Code of
2 Alabama 1975, are amended to read as follows:

3 "§9-11-44.

4 (a) Any person who is age 16 years or older, but who
5 has not reached 65 years of age, who has resided in Alabama
6 continuously for a period of not less than 90 days next
7 preceding, and who is not serving as a member of the Armed
8 Forces of the United States of America during any period of
9 time in which the United States of America is in a state of
10 war, as declared by an act of Congress, shall procure an
11 annual resident all-game hunting license before the person is
12 entitled to hunt in this state by filing an application with
13 the person in any county of the state duly authorized to issue
14 the license, stating his or her name, age, place of residence,
15 post office address, and after paying to the person issuing
16 the license a license fee of twenty-three dollars (\$23), plus
17 an issuance fee of one dollar (\$1), which fees shall be
18 subject to adjustment as provided for in Section 9-11-68. Any
19 Alabama resident age 16 through 64 years, in lieu of
20 purchasing the resident all-game hunting license may procure
21 an annual resident small game hunting license to hunt all
22 legal game in this state except deer and turkey. The license
23 fee shall be fifteen dollars (\$15), plus an issuance fee of
24 one dollar (\$1), which fees shall be subject to adjustment as
25 provided for in Section 9-11-68. Notwithstanding the
26 foregoing, a member of the United States military stationed in
27 Alabama on active duty, and his or her spouse and their

1 dependents who reside with them, shall be deemed to be Alabama
2 residents for the purposes of procuring these licenses.

3 Notwithstanding the foregoing, effective with the license year
4 beginning September 1, 2013, U.S. military veterans otherwise
5 meeting the requirements of this section who are certified by
6 the U.S. Veterans' Administration as 50 percent or more
7 physically disabled shall be entitled to purchase an
8 alternative resident hunting license to be known as the
9 Physically Disabled Military Veteran's Appreciation Hunting
10 License for one-half of the cost of the annual resident
11 all-game hunting license plus the applicable issuance fee.

12 Persons obtaining the resident all-game hunting license or the
13 resident small game hunting license shall also be entitled to
14 all of the privileges of the wildlife heritage license.

15 (b) Notwithstanding any other provision of law, any
16 resident 64 years of age procuring a state resident hunting
17 license pursuant to this section shall be issued the license
18 on a lifetime basis. License fees from the sale of a lifetime
19 license pursuant to this subsection to a resident age 64 years
20 shall be deposited to the credit of the Alabama Game and Fish
21 Endowment Fund within the Game and Fish Fund.

22 (c) All persons making application for an annual
23 state hunting license as provided in this section shall
24 present a valid Alabama driver license or, in the case of
25 nondrivers, proof of permanent residence. All licenses
26 required by this section shall bear the Alabama driver license
27 number of the licensee, except in the case of nondrivers and

1 active duty military personnel stationed in Alabama and their
2 spouses and dependents who reside with them, and all licenses
3 shall bear proof of residence as required by the Commissioner
4 of Conservation and Natural Resources. Active duty military
5 personnel stationed in Alabama and their spouses and
6 dependents who reside with them shall provide military orders
7 that assign them to Alabama. Every person who obtains an
8 annual hunting license without presenting a valid Alabama
9 driver license or, in the case of nondrivers, proof of
10 permanent residence, or who provides any false information in
11 the process of procuring the license, shall be guilty of a
12 Class B misdemeanor punishable as provided by law.

13 (d) The licenses required by this section shall not
14 apply to any resident or resident member of his or her
15 immediate family who hunts on lands owned by him or her, nor
16 shall it include any tenant or member of his or her immediate
17 family who hunts on lands leased or rented by the tenant and
18 who resides on the lands, nor any resident of this state on
19 active military duty who is in this state on leave and who has
20 proof of that status in his or her possession.

21 (e) All persons under the age of 16 years shall be
22 exempted from the requirement of procuring the licenses. Any
23 resident of this state 65 years of age and older shall be
24 exempted from the requirement of procuring a hunting license
25 as provided for in this section, provided that the resident
26 has on his or her person while hunting, proof of age, or, in

1 the case of nondrivers, proof of permanent Alabama residence
2 and age.

3 (f) The licenses shall not be transferable, and it
4 shall be unlawful to borrow, lend, or alter any license, or
5 for any license-issuing officer to falsify any license at the
6 time of issuing the license. A violation of this subsection
7 shall constitute a Class B misdemeanor punishable as provided
8 by law.

9 (g) There shall be provided on the license form for
10 the licenses provided for in this section a check-off option
11 whereby the licensee may voluntarily choose to donate an
12 additional one dollar (\$1) to the Division of Wildlife and
13 Freshwater Fisheries for the purpose of research on wildlife
14 and wildlife habitat as approved by the Advisory Board of
15 Conservation and Natural Resources.

16 "§9-11-49.

17 Any nonresident of this state who is 16 years or
18 older shall, in lieu of the all game license provided for in
19 Section 9-11-47, procure one of the following "trip all game"
20 hunting licenses to hunt all legal game in this state, the
21 procurement of which shall be in the same manner as provided
22 for procuring the nonresident annual hunting licenses provided
23 for in Sections 9-11-46 and 9-11-47, by paying the license
24 fees herein specified, which licenses will authorize the
25 holder of the license to hunt in this state for a period of
26 days specified on the license from the day the license was
27 issued:

1 (1) A "nonresident all game 10-day trip hunting
2 license," the cost of which shall be one hundred sixty-eight
3 dollars (\$168), plus a two dollar (\$2) issuance fee, which
4 fees shall be subject to adjustment as provided for in Section
5 9-11-68. This license shall be valid for those legal hunting
6 hours occurring during the then current license year for a
7 period not to exceed 240 consecutive hours from the beginning
8 date and time, as selected and designated by the licensee to
9 the issuing agent at the time of issuance.

10 (2) A "nonresident all game 3-day trip hunting
11 license," the cost of which shall be one hundred eighteen
12 dollars (\$118), plus a two dollar (\$2) issuance fee, which
13 fees shall be subject to adjustment as provided for in Section
14 9-11-68. This license shall be valid for those legal hunting
15 hours occurring during the then current license year for a
16 period not to exceed 72 consecutive hours from the beginning
17 date and time, as selected and designated by the licensee to
18 the issuing agent at the time of issuance. In addition,
19 effective with the license year beginning September 1, 2013,
20 there shall be a Physically Disabled Military Veteran's
21 Appreciation three-day trip event license, for events
22 sanctioned by the Commissioner of Conservation and Natural
23 Resources, that shall permit up to 10 U.S. military veterans,
24 resident or non-resident, which names shall be designated on
25 the license, otherwise meeting the requirements of this
26 section who are certified by the U.S. Veterans' Administration
27 as 50 percent or more physically disabled, to purchase the

1 license as an alternative to the trip hunting license for a
2 fee equal to the nonresident all game three-day hunting
3 license, plus the applicable issuance fee. The duration of
4 this license shall be the same as that of the nonresident all
5 game three-day hunting license.

6 (3) There shall be provided on the license form for
7 the licenses provided for in this section a check-off option
8 whereby the licensee may voluntarily choose to donate an
9 additional one dollar (\$1) to the Division of Wildlife and
10 Freshwater Fisheries for the purpose of research on wildlife
11 and wildlife habitat as approved by the Advisory Board of
12 Conservation and Natural Resources.

13 Section 2. This act shall become effective on the
14 first day of the third month following its passage and
15 approval by the Governor, or its otherwise becoming law.