

An Act

ENROLLED SENATE
BILL NO. 668

By: Shaw and Pemberton of the
Senate

and

West (Josh) of the House

An Act relating to scenic rivers; amending 82 O.S. 2011, Section 1453, as amended by Section 9, Chapter 297, O.S.L. 2016, and as renumbered by Section 26, Chapter 297, O.S.L. 2016 (82 O.S. Supp. 2016, Section 896.6), which relates to legislative intent; updating statutory reference; stating certain recognition by the Legislature related to scenic rivers; stating purpose of Scenic Rivers Act; amending Section 5, Chapter 297, O.S.L. 2016 (82 O.S. Supp. 2016, Section 896.2), which relates to fees for use of flotation devices upon scenic rivers; modifying certain rules transferred to Grand River Dam Authority; eliminating termination of certain rules by certain date; providing an effective date; and declaring an emergency.

SUBJECT: Scenic Rivers Act

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

SECTION 1. AMENDATORY 82 O.S. 2011, Section 1453, as amended by Section 9, Chapter 297, O.S.L. 2016, and as renumbered by Section 26, Chapter 297, O.S.L. 2016 (82 O.S. Supp. 2016, Section 896.6), is amended to read as follows:

Section 896.6. A. The term "scenic river" as used in the Scenic Rivers Act is defined as a stream or river designated pursuant to ~~Section 8 of this act~~ Section 896.5 of this title and the public use and access areas located within or adjacent to the stream or river.

B. It is the intent of the Legislature that a stream or river designated as a scenic river shall be preserved in its free-flowing condition and shall not be impounded by any large dam or structure except as specifically authorized by the Legislature.

C. No agency or official of state government shall authorize or concur in plans of local, state or federal agencies for the construction, operation, or maintenance of any dam or related project in or adjacent to any scenic river without legislative consent, except as needed by the municipalities located in the counties or the immediate vicinity of the scenic river for their own municipal or domestic water supply if such uses and structures will not significantly interfere with the preservation of the stream as a scenic free-flowing stream.

D. It is recognized by the Legislature that an effective program for preserving the scenic beauty of the free-flowing streams and rivers designated as a scenic river area necessarily involves the cooperation and support of the people in the operating areas of a designated scenic river, as well as the people using the scenic river, and the agencies of state government administering these areas.

E. The primary purpose of the Scenic Rivers Act is to encourage the preservation of the areas designated as a scenic river area in their natural scenic state.

SECTION 2. AMENDATORY Section 5, Chapter 297, O.S.L. 2016 (82 O.S. Supp. 2016, Section 896.2), is amended to read as follows:

Section 896.2. A. Effective January 1, 2017, the Grand River Dam Authority is authorized to set a daily, multiday or annual fee for the use of a commercially or privately owned flotation device to float upon designated scenic rivers. Landowners located immediately adjacent to the designated scenic river shall not be required to pay

any fee for private use as authorized by this section or otherwise by law.

B. The Grand River Dam Authority is authorized to promulgate rules establishing an online payment system or any other means by which the public may conveniently purchase permits for the operation of a flotation device upon designated scenic river areas as authorized by this section.

C. In the interest of public safety, the Grand River Dam Authority is authorized to promulgate rules protecting the natural resources of the scenic rivers, regulating public use areas, establishing use permits for scenic rivers, establishing licensing requirements for commercial float operators and setting fees for the issuance of the licenses. The Authority shall be the sole grantor of licenses issued pursuant to the rules.

D. With ~~regards~~ regard to all rights and authorities transferred to the Grand River Dam Authority pursuant to this section ~~and, Section 4 of this act, all rules of the Scenic Rivers Commission 896.1 of this title and Chapter 10- and 15- rules of the Oklahoma Administrative Code 630: Scenic Rivers Commission~~ relating to licensing, use permits and protection of natural resources, are hereby transferred to the Grand River Dam Authority to the extent the rules are consistent with state law and rules of the Authority for the purpose of implementing and enforcing the provisions of the Scenic Rivers Act. ~~The rules shall remain in effect only until July 1, 2017, at which time the transferred rules will terminate unless earlier superseded by rules promulgated by the Authority.~~

SECTION 3. This act shall become effective July 1, 2017.

SECTION 4. It being immediately necessary for the preservation of the public peace, health or safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

Passed the Senate the 6th day of March, 2017.

Presiding Officer of the Senate

Passed the House of Representatives the 10th day of April, 2017.

Presiding Officer of the House
of Representatives

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: _____