

STATE OF OKLAHOMA

2nd Session of the 50th Legislature (2006)

COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 2804

By: Reynolds

COMMITTEE SUBSTITUTE

An Act relating to waters and water rights; authorizing the creation of Citizens Lake Committee; providing for formation of a Committee; providing for appointment of members and submission of recommendations for members; specifying qualifications of members; requiring appointments to be made within certain time frame; stating function and duties of the Committees; requiring Committees to establish procedures; providing for an annual meeting of all Committees; providing for travel reimbursement; creating the Task Force on Oklahoma Hydropower; stating purpose of the Task Force; listing duties; providing for membership; providing for meetings and officers; providing for staff and technical assistance from certain state agencies requiring a written report by a certain date; providing for travel reimbursement; providing for codification; and declaring an emergency.

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

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 900.1 of Title 82, unless there is created a duplication in numbering, reads as follows:

A. For each lake or reservoir in this state that was constructed by the United States Army Corps of Engineers there is hereby authorized the creation of a Citizens Lake Committee. A Committee shall be formed upon the request of the lake association that is recognized by the Oklahoma Tourism and Recreation Department as the official lake association for the respective lake or reservoir. The lake association shall submit a request to the Governor who shall notify the Speaker of the House of Representatives and the President Pro Tempore of the Senate of the request and the need to appoint members. The Governor, the Speaker

of the House of Representatives, and the President Pro Tempore shall each appoint three members for a total of nine (9) members on a Committee. The lake association may submit recommendations for members of the Committee to the Governor, Speaker of the House of Representatives, and the President Pro Tempore of the Senate. Members shall reside within the watershed area of the lake or reservoir and shall represent recreation, tourism, rural and municipal water supplies, agriculture, fish, wildlife, hydroelectric power generation, marinas, and other crucial local water-related economic interests. Appointments shall be made within thirty (30) days of the Governor receiving the request.

B. Each Citizens Lake Committee shall be an active oversight committee for monitoring acceptable lake levels, roads, and other conditions affecting the lake or reservoir. Each Committee shall be authorized to make recommendations to the appropriate local, state, and federal officials and agency representatives on issues of importance regarding the management of the lake or reservoir and issues relating to tourism, recreation, agriculture, water supply, wildlife, and other aspects of the local economies associated with the lake or reservoir.

C. Each Citizen Lake Committee shall establish procedures for electing officers, determining meeting times, and providing notice of meetings.

D. Annually, the Governor shall call a meeting of all Citizen Lake Committees in the state and the appropriate local, state, and federal entities.

E. Members appointed to a Citizens Lake Committee shall serve without compensation but shall be eligible for actual and necessary travel reimbursement as provided by the State Travel Reimbursement Act. The Governor shall be responsible for any administrative costs or travel reimbursement pursuant to this act.

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 900.2 of Title 82, unless there is created a duplication in numbering, reads as follows:

A. There is hereby created until December 31, 2008, the Task Force on Oklahoma Hydropower. The purpose of the Task Force shall be to study the economic and environmental impact hydropower has in the state and to analyze the comparative value of the beneficial use of water for generation of electricity versus other beneficial uses. Specifically, the Task Force shall study, hold public hearings, and make recommendations on:

1. The overall impact the use of water for generation of electricity has on the economy of the state and the local economy of areas surrounding the lakes or reservoirs where hydropower facilities are located, including but not limited to the impact on tourism, recreation, and agriculture;

2. The overall impact the use of water for generation of electricity has on the environment of the areas surrounding the lakes or reservoirs where hydropower facilities are located, including the impact on wildlife resources;

3. The type of hydrological and geohydrological studies that need to be conducted for lakes and reservoirs on which hydropower facilities are located; and

4. The assessment of a fee for the use of water for the generation of electricity.

B. The Task Force shall be composed of thirteen (13) members as follows:

1. One member of the House of Representatives to be appointed by the Speaker of the House of Representatives;

2. One member of the State Senate to be appointed by the President Pro Tempore of the Senate;

3. One member representing the Corporation Commission selected by the Corporation Commission;

4. The Director of the Oklahoma Water Resources Board or a designee;

5. The Executive Director of the Oklahoma Tourism and Recreation Department or a designee;

6. The General Manager of the Grand River Dam Authority or a designee;

7. Two members appointed by the Governor, as follows:

a. one representative of the Oklahoma Municipal League, and

b. one representative of a rural electric cooperative which purchases electricity generated by a hydropower facility in the state;

8. Two members appointed by the Speaker of the House of Representatives, as follows:

a. one from a lake association that is recognized by the Oklahoma Tourism and Recreation Department as the official lake association of a lake or reservoir on which there are hydropower facilities, and

b. one representative of a permitted users of water from a lake or reservoir on which a hydropower facility is located;

9. Two members appointed by the President Pro Tempore of the Senate, as follows:

a. one from a lake association that is recognized by the Oklahoma Tourism and Recreation Department as the official lake association of a lake or reservoir on which there are hydropower facilities; and

b. one representative of a permitted users of water from a lake or reservoir on which a hydropower facility is located; and

10. One member representing the Oklahoma Water Resources Research Institute located at Oklahoma State University.

C. The first meeting of the Task Force shall be convened by the Director of the Oklahoma Water Resources Board. At the first meeting members of the Task Force shall select cochairs of the Task Force. The Task Force shall meet at the call of either cochairs.

D. Staffing assistance for the Task Force shall be provided by the staff of the Oklahoma Water Resources Board. Technical assistance for the Task Force shall be provided by the Oklahoma Water Resources Board, the Oklahoma Geological Survey, and the Corporation Commission.

E. The Task Force shall present a written report of findings and recommendations to the Legislature and the Governor by December 31, 2008.

F. Members of the Task Force shall receive no compensation for serving on the Task Force but may receive travel reimbursement as follows:

1. Legislative members of the Task Force may be reimbursed for necessary travel expenses incurred in the performance of duties, in accordance with Section 456 of Title 74 of the Oklahoma Statutes, from the legislative body in which they serve; and

2. Other members of the Task Force may be reimbursed for necessary travel expenses incurred in the performance of duties by the respective agency or appointing authorities in accordance with the State Travel Reimbursement Act.

SECTION 3. It being immediately necessary for the preservation of the public peace, health and 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.