

STATE OF OKLAHOMA

1st Session of the 50th Legislature (2005)

HOUSE BILL 1003

By: Mass of the House

and

Lerblance of the Senate

AS INTRODUCED

An Act relating to tourism and recreation; stating legislative findings; restricting state officials from certain activities; providing for civil action or injunctive relief; providing for enforcement; establishing certain penalties; providing for noncodification; providing for codification; and providing an effective date.

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

SECTION 1. NEW LAW A new section of law not to be codified in the Oklahoma Statutes reads as follows:

The Legislature finds that tourism and recreation which include boating and fishing on Lake Eufaula located in McIntosh County, Oklahoma, is an important and integral part of the regional economy. Maintaining an adequate lake level throughout the year insures that residents around the lake and visitors to the lake can enjoy all of the amenities the lake has to offer.

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1911 of Title 74, unless there is created a duplication in numbering, reads as follows:

A. In order to provide citizens of the State of Oklahoma and visitors to the state with the maximum benefits of tourism and recreation at Lake Eufaula located in McIntosh County, Oklahoma, no official employed by an agency or other governmental entity of the state shall:

1. Issue any permit;

2. Implement any program; or
3. Create any permit or program

that will cause the Lake Eufaula elevation to fall below five hundred eighty-seven (587) feet, which is considered by the United States Army Corps of Engineers to be the Conservation Pool for the lake.

B. The Oklahoma Attorney General may bring in district court a civil action or an action for injunctive relief against the violator. A district court may grant injunctive relief to prevent a violation of, or to compel compliance with, this section.

C. Any person who violates this section shall be subject to a civil penalty of no less than Two Thousand Dollars (\$2,000.00) plus legal expenses incurred by the Oklahoma Attorney General per violation. Civil penalties collected pursuant to this section shall be paid into the Attorney General's Revolving Fund.

SECTION 3. This act shall become effective November 1, 2005.

50-1-5002 SB 12/06/04