

STATE OF OKLAHOMA

1st Session of the 50th Legislature (2005)

SENATE BILL 620

By: Wyrick

AS INTRODUCED

An Act relating to the Grand River Dam Authority; amending 82 O.S. 2001, Section 889, which relates to certain permits; removing requirement for attachment of cables and stiff arms at certain points on certain lakes; amending 82 O.S. 2001, Section 874, which relates to mortgaging or disposing of certain property; modifying amount of certain sales per year; authorizing the Authority to sell certain surplus property upon approval by the Board; and declaring an emergency.

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

SECTION 1. AMENDATORY 82 O.S. 2001, Section 889, is amended to read as follows:

Section 889. The Grand River Dam Authority shall issue no permit for any dock, wharf, landing, boathouse or for any houseboat, vessel or other floating structure of a stationary or semistationary nature and no permit heretofore issued shall be valid unless said dock, wharf, landing, boathouse or such stationary or semistationary houseboat, vessel or other floating structure of any nature shall be securely attached to the shorelands adjacent to the water's edge by means of suitable cables or metal stiff-arms as approved by the Authority. ~~Said cables and/or stiff-arms shall be securely attached to the adjacent shorelands at a point above seven hundred fifty (750) feet mean sea level on Grand Lake and six hundred twenty-two (622) feet mean sea level on Lake Hudson.~~ Said cables and/or stiff-arms and any walkway extending to the shorelands shall conform to the rules promulgated by the Authority.

SECTION 2. AMENDATORY 82 O.S. 2001, Section 874, is amended to read as follows:

Section 874. Nothing in Sections 861 through 890 of this title shall be construed as authorizing the district and it shall not be authorized to mortgage or otherwise encumber any of its property of any kind, real, personal or mixed, or any interest therein, or to acquire any such property or interest subject to a mortgage or conditional sale, provided that this section shall not be construed as preventing the pledging of the revenues of the district as herein authorized. Nothing in Sections 861 through 890 of this title shall be construed as authorizing the sale, lease or other disposition of any such property or interest of the district by the district or any receiver of any of its properties or through any court proceeding or otherwise, provided, however, that the district may sell for cash, and subject to competitive bidding ~~as provided,~~ if required by the Board, any such property or interest in an aggregate value not exceeding the sum of ~~Five Hundred Thousand Dollars (\$500,000.00)~~ Five Million Dollars (\$5,000,000.00) in any one calendar (1) year, except that the district may sell any or all surplus property ~~that the district may have acquired from the War Assets Administration or other government agencies selling war surplus property~~ without regard to the limitations herein, if the Board, by the affirmative vote of five of the members thereof, shall have determined that the same is not necessary to the business of the district and shall have approved the terms of any such sale. Provided, further, that the district may lease any of its lands if the Board, by the affirmative vote of five of the members thereof, shall have determined that the same can be leased without injury to or without interference with the operations of the project, and shall have approved the terms of any such lease; but no shorelands (lands lying between the low and high water marks) shall be leased for a term longer than two (2) years and not more than one-fourth (1/4) mile of the lake front

shall be leased to any one person, firm or corporation. Provided however, the district may lease shorelands to political subdivisions, agencies of the State of Oklahoma, or tax-exempt public trusts, for any public purpose, on such terms as are mutually satisfactory to the parties, notwithstanding the limitations expressed above. No lease shall deprive the owner of any land adjacent to the shorelands or lake front, or abutting thereon, of ingress or egress to and from the water of the lakes and shall not deprive said owner of any wharf, dock or boat anchorage privileges that would belong to said owner if said shorelands or lake front were not leased, it being the intention of Sections 861 through 890 of this title that, except by sale, lease or agreement as in Sections 861 through 890 of this title expressly authorized, no such property or interest shall ever come into the ownership or control, directly or indirectly, of any person, firm or corporation other than a public authority created under the laws of the State of Oklahoma, provided nothing herein contained shall be construed as preventing the district from contracting with the United States or any agency thereof for the temporary possession, control and use of such properties by the United States or any agency thereof for the safety and defense of the United States in time of a national emergency or in anticipation thereof. All property of the district shall be at all times exempted from forced sale, and nothing in Sections 861 through 890 of this title contained shall authorize the sale of any of the property of the district under any judgment rendered in any suit, and such sales are hereby prohibited and forbidden. The provisions of this section shall not apply to any sale agreement, lease agreement or other agreement entered into by the district pursuant to paragraphs (f) or (g) of Section 862 of this title, provided that such agreement is in compliance with any applicable provision restricting the sale or leasing of property by

the district contained in any resolution of the district providing for the issuance of revenue bonds.

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 resolution shall take effect and be in full force from and after its passage and approval.

50-1-1025

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