

1 ENGROSSED HOUSE AMENDMENT
TO
2 ENGROSSED SENATE BILL NO. 248

By: Ford and Sweeden of the
Senate

3
4 and

5 Sears of the House
6
7

8 An Act relating to game and fish; amending 29 O.S.
2001, Section 7-101, which relates to dams
9 constructed by the United States; expanding
10 exceptions to certain prohibitions; deleting obsolete
language; providing an effective date; and declaring
11 an emergency.
12
13

14 AUTHOR: Add the following House Coauthor: Fields

15 AMENDMENT NO. 1. Strike the title, enacting clause and entire bill
and insert
16

17 "An Act relating to game and fish; amending 29 O.S.
2001, Section 7-101, which relates to dams
18 constructed by the United States; clarifying
language; modifying exception to certain
19 prohibitions; adding certain lakes to exception;
deleting obsolete language; providing an effective
20 date; and declaring an emergency.
21

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

23 SECTION 1. AMENDATORY 29 O.S. 2001, Section 7-101, is
24 amended to read as follows:

1 Section 7-101. A. ~~No~~ Except as otherwise provided for in
2 subsection E of this section, no person shall enter, swim, wade,
3 operate a boat or operate or float any floating device in any safety
4 zone as defined in Section 2-139 of this title. This provision
5 shall not be construed to prohibit fishing from the bank or shore
6 when otherwise lawful.

7 B. The Oklahoma Department of Wildlife Conservation shall have
8 the authority to maintain buoy lines, cable nets or any other device
9 which it may find necessary to keep persons, boats or floating
10 devices out of the safety zone and shall have authority to erect
11 signs or other warning devices to mark the existence and extent of
12 safety zones. The Department shall be exempt from any penalty
13 should it fail to comply with this provision.

14 C. In all water bounded by a turbine outlet, a continuous
15 warning signal by means of a horn shall be sounded for a period of
16 five (5) minutes prior to the opening of the ~~dam's~~ gates of the dam
17 and the releasing of water through the same, in order that the
18 public shall have notice thereof.

19 D. Subsections A and B of this section shall not be applicable
20 to the waters below any particular dam when, and to the extent that,
21 such application would be in conflict with the laws of the United
22 States or valid rules and regulations promulgated thereunder.
23 Further, the lack of any ~~such~~ line, net, device or sign, pursuant to
24

1 subsection B of this section, shall not prevent a violation of
2 subsection A from taking effect.

3 E. ~~This~~ The provisions of this section shall apply to the
4 safety zone below all federal dams ~~with the exception of.~~
5 Notwithstanding the provisions of subsection A of this section,
6 persons may enter and wade in the safety zone below the dams on the
7 Salt Plains Lake, Tenkiller Lake, Fort Supply Lake, Copan Lake,
8 Hulah Lake, and Canton Lake.

9 F. Any person convicted of violating the provisions of this
10 section shall be punished by ~~the imposition of~~ a fine of not less
11 than Ten Dollars (\$10.00) nor more than Fifty Dollars (\$50.00), or
12 by imprisonment in the county jail ~~for a period not to exceed~~ not
13 exceeding thirty (30) days, or ~~by~~ both ~~said~~ such fine and
14 imprisonment.

15 SECTION 2. This act shall become effective July 1, 2009.

16 SECTION 3. It being immediately necessary for the preservation
17 of the public peace, health and safety, an emergency is hereby
18 declared to exist, by reason whereof this act shall take effect and
19 be in full force from and after its passage and approval."
20
21
22
23
24

1 Passed the House of Representatives the 31st day of March, 2009.

2
3
4 Presiding Officer of the House of
Representatives
5

6 Passed the Senate the ____ day of _____, 2009.

7
8
9 Presiding Officer of the Senate
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24