

**SUBCOMMITTEE AMENDMENT**  
HOUSE OF REPRESENTATIVES  
State of Oklahoma

SPEAKER:

CHAIR:

I move to amend SB508  
Page \_\_\_\_\_ Section \_\_\_\_\_ Lines \_\_\_\_\_  
Of the printed Bill  
Of the Engrossed Bill

By striking the Title, the Enacting Clause, the entire bill, and by inserting in lieu thereof the following language:

**AMEND TITLE TO CONFORM TO AMENDMENTS**

Adopted: \_\_\_\_\_

Amendment submitted by: Dale DeWitt  
\_\_\_\_\_

\_\_\_\_\_  
Reading Clerk

1 STATE OF OKLAHOMA

2 1st Session of the 52nd Legislature (2009)

3 PROPOSED SUBCOMMITTEE  
4 SUBSTITUTE  
5 FOR ENGROSSED  
6 SENATE BILL NO. 508

By: Wilson of the Senate

and

DeWitt and Auffet of the  
House

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9  
10 PROPOSED SUBCOMMITTEE SUBSTITUTE

11 An Act relating to scenic rivers; amending 82 O.S.  
12 2001, Sections 1452, as amended by Section 2, Chapter  
13 305, O.S.L. 2003 and 1462A, as amended by Section 2,  
14 Chapter 192, O.S.L. 2003 (82 O.S. Supp. 2008,  
15 Sections 1452 and 1462A), which relate to the Scenic  
16 Rivers Act; designating a certain area of the  
17 Illinois River as a scenic river area; authorizing  
18 certain expenditures within certain areas; and  
19 declaring an emergency.

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

21 SECTION 1. AMENDATORY 82 O.S. 2001, Section 1452, as  
22 amended by Section 2, Chapter 305, O.S.L. 2003 (82 O.S. Supp. 2008,  
23 Section 1452), is amended to read as follows:

24 Section 1452. A. The Oklahoma Legislature finds that some of  
the free-flowing streams and rivers of Oklahoma possess such unique  
natural scenic beauty, water conservation, fish, wildlife and

1 outdoor recreational values of present and future benefit to the  
2 people of the state that it is the policy of the Legislature to  
3 preserve these areas for the benefit of the people of Oklahoma. For  
4 this purpose there are hereby designated certain "scenic river  
5 areas" to be preserved as a part of Oklahoma's diminishing resource  
6 of free-flowing rivers and streams.

7 B. The areas of the state designated as "scenic river areas"  
8 shall include:

9 1. The Flint Creek ~~and the Illinois River above the confluence~~  
10 ~~of the Barren Fork Creek~~ located in Cherokee, Adair and Delaware  
11 ~~Counties~~ County;

12 2. The Illinois River upstream of the west boundary of Section  
13 31, Township 16 North, Range 23 East, at approximately the 632-foot  
14 Mean Sea Level elevation of Tenkiller Lake, located in Adair,  
15 Cherokee, and Delaware Counties;

16 3. The Barren Fork Creek ~~in Adair and Cherokee Counties from~~  
17 upstream of the conference with the Illinois River to the present  
18 alignment of Highway 59 West to the Illinois River located in Adair  
19 and Cherokee Counties;

20 ~~3.~~ 4. The Upper Mountain Fork River ~~above~~ upstream of the  
21 600-foot Mean Sea Level elevation ~~level~~ of Broken Bow Reservoir Lake  
22 located in McCurtain and ~~LeFlore~~ Counties County;

23 ~~4.~~ 5. Big Lee's Creek, ~~sometimes referred to as Lee Creek,~~  
24 ~~located in Sequoyah County,~~ above upstream of the 420-foot MSL Mean

1 Sea Level elevation, ~~excluding that portion necessary for a dam to~~  
2 ~~be built in the State of Arkansas with a crest elevation of no more~~  
3 ~~than the 420-foot MSL elevation of Lee Creek Reservoir located in~~  
4 Sequoyah County. The Oklahoma Water Resources Board shall make such  
5 classifications, designations or adjustments to Oklahoma's water  
6 quality standards as required to allow the impoundment of water by  
7 said dam; and

8 ~~5. 6. Little Lee's Creek, sometimes referred to as Little Lee~~  
9 ~~Creek, located in Adair and Sequoyah Counties, beginning~~  
10 ~~approximately four (4) miles east southeast of Stilwell, Oklahoma,~~  
11 ~~and ending at its conjunction with Big Lee's Creek approximately two~~  
12 ~~(2) miles southwest of Short, Oklahoma.~~

13 C. The term "scenic river area" as used in the Scenic Rivers  
14 Act is defined as the stream or river and the public use and access  
15 areas located within the area designated.

16 SECTION 2. AMENDATORY 82 O.S. 2001, Section 1462A, as  
17 amended by Section 2, Chapter 192, O.S.L. 2003 (82 O.S. Supp. 2008,  
18 Section 1462A), is amended to read as follows:

19 Section 1462A. A. The Director of State Finance is hereby  
20 authorized to establish a special fund in the State Treasury for  
21 each Scenic Rivers Commission.

22 B. Said fund shall consist of all monies received by the  
23 Commission under statutory authority or appropriated for its use.

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1 The fund shall be a continuing fund not subject to fiscal year  
2 limitations.

3 C. Monies accruing to the credit of the fund shall be expended  
4 pursuant to laws of the state in carrying out the duties and  
5 responsibilities of the Commission, and without legislative  
6 appropriation.

7 D. Warrants for expenditure from the fund shall be made  
8 pursuant to claims prepared by the Administrator of the Scenic  
9 Rivers Commission and approved by the Director of State Finance for  
10 payment.

11 E. Expenditures made pursuant to the provisions of the Scenic  
12 Rivers Act may be spent for water quality monitoring, streambank  
13 stabilization projects, and riparian area protection agreements  
14 located within the drainage basin of a scenic river that will stop  
15 degradation or improve the water quality of a scenic river.

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.

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21 52-1-7467 KB 03/26/09

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