

1 STATE OF OKLAHOMA

2 2nd Session of the 52nd Legislature (2010)

3 CONFERENCE COMMITTEE SUBSTITUTE
4 FOR ENGROSSED

5 SENATE BILL 1519

By: Johnson (Mike) and Myers of
the Senate

6 and

7 Miller and Martin (Scott)
8 of the House

9
10 CONFERENCE COMMITTEE SUBSTITUTE

11 An Act relating to the Scenic Rivers Commission;
12 amending 82 O.S. 2001, Section 1470, as last amended
13 by Section 2, Chapter 301, O.S.L. 2008 (82 O.S. Supp.
14 2009, Section 1470), which relates to user fees;
15 authorizing Scenic Rivers Commission to implement
16 certain annual fee for private flotation devices
17 floating in certain areas; and declaring an
18 emergency.

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

20 SECTION 1. AMENDATORY 82 O.S. 2001, Section 1470, as
21 last amended by Section 2, Chapter 301, O.S.L. 2008 (82 O.S. Supp.
22 2009, Section 1470), is amended to read as follows:

23 Section 1470. A. 1. The Scenic Rivers Commission for the
24 Flint Creek and Illinois River within Adair, Cherokee and Delaware
Counties and those portions of Barren Fork Creek within Cherokee

1 County is authorized and directed to charge an annual use fee of
2 Thirty-five Dollars (\$35.00) per commercially owned and operated
3 flotation device.

4 2. The operation of a commercial flotation device without
5 displaying a proper Oklahoma Scenic Rivers Commission license is
6 subject to a fine not to exceed One Hundred Dollars (\$100.00). The
7 penalty will be assessed upon the owner or operator of the
8 commercial flotation device business and not upon the individual
9 renting the commercial flotation device.

10 B. The Scenic Rivers Commission for the Flint Creek and
11 Illinois River within Adair, Cherokee and Delaware Counties and
12 those portions of Barren Fork Creek within Cherokee County is
13 authorized and directed to charge:

14 1. An annual use fee of Ten Dollars (\$10.00) per noncommercial,
15 privately owned device; or

16 2. A use fee of One Dollar (\$1.00) per day for all
17 noncommercial, privately owned flotation devices floating upon
18 state-designated scenic rivers areas located within the operating
19 area of jurisdiction of the Commission; provided, however,
20 landowners located immediately adjacent to state-designated scenic
21 rivers areas shall not be required to pay either fee authorized by
22 this subsection.

23 C. The Scenic Rivers Commission for the Flint Creek and
24 Illinois River within Adair, Cherokee and Delaware Counties and

1 those portions of Barren Fork Creek within Cherokee County Scenic
2 River Areas shall promulgate rules and regulations for the
3 collection and administration of the fees imposed pursuant to the
4 provisions of this section in accordance with the Administrative
5 Procedures Act.

6 ~~C.~~ D. The Commission may establish a fee for use of camping
7 sites located in public use and access areas controlled by the
8 Commission. The fee charged by the Commission shall not exceed the
9 rate charged by the Oklahoma Tourism and Recreation Department for
10 camping sites. The Commission is authorized to promulgate rules to
11 implement such fee pursuant to Article I of the Administrative
12 Procedures Act.

13 ~~D.~~ E. The administrator of the Scenic Rivers Commission is
14 authorized to be commissioned as a peace officer after completion of
15 all required training for the purpose of supervision of peace
16 officers employed by the Commission and such administrator may be
17 utilized for any law enforcement purpose as may be necessary.

18 ~~E.~~ F. For the purposes of this section, "commercial flotation
19 device" means a canoe, boat, kayak, inner tube, raft or other
20 similar device suitable for the transportation of a person or
21 persons on waterways which is available for hire by the public for
22 use on waterways within the operating area of the Oklahoma Scenic
23 Rivers Commission.

24

1 SECTION 2. It being immediately necessary for the preservation
2 of the public peace, health and safety, an emergency is hereby
3 declared to exist, by reason whereof this act shall take effect and
4 be in full force from and after its passage and approval.

5

6 52-2-4075 MJM 5/25/2010 10:45:00 AM

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24