

ENROLLED SENATE
BILL NO. 1519

By: Johnson (Mike) and Myers of
the Senate

and

Miller and Martin (Scott)
of the House

An Act relating to the Scenic Rivers Commission;
amending 82 O.S. 2001, Section 1470, as last amended
by Section 2, Chapter 301, O.S.L. 2008 (82 O.S. Supp.
2009, Section 1470), which relates to use fees;
authorizing Scenic Rivers Commission to implement
certain fees for private flotation devices floating
in certain areas; and excepting certain persons from
payment of certain fees.

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

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

Section 1470. A. 1. The Scenic Rivers Commission for the
Flint Creek and Illinois River within Adair, Cherokee and Delaware
Counties and those portions of Barren Fork Creek within Cherokee
County is authorized and directed to charge an annual use fee of
Thirty-five Dollars (\$35.00) per commercially owned and operated
flotation device.

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

commercial flotation device business and not upon the individual renting the commercial flotation device.

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

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

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

C. The Scenic Rivers Commission for the Flint Creek and Illinois River within Adair, Cherokee and Delaware Counties and those portions of Barren Fork Creek within Cherokee County Scenic River Areas shall promulgate rules and regulations for the collection and administration of the fees imposed pursuant to the provisions of this section in accordance with the Administrative Procedures Act.

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

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

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

Passed the Senate the 25th day of May, 2010.

Presiding Officer of the Senate

Passed the House of Representatives the 26th day of May, 2010.

Presiding Officer of the House
of Representatives