

THE HOUSE OF REPRESENTATIVES
Thursday, February 19, 2009

Committee Substitute for
House Bill No. 1730

COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 1730 - By: COX of the House.

An Act relating to waters and water rights; amending Section 6, Chapter 234, O.S.L. 2005 (82 O.S. Supp. 2008, Section 874.2), which relates to licenses to encroach on Grand River Dam Authority property; clarifying language; limiting certain license; directing the Grand River Dam Authority to issue licenses to certain property owners for certain land; providing for consideration for the license; making the license subject to any federal flood control easements or covenants; and declaring an emergency.

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

1 SECTION 1. AMENDATORY Section 6, Chapter 234, O.S.L. 2005 (82 O.S.
2 Supp. 2008, Section 874.2), is amended to read as follows:

3 Section 874.2 A. The Grand River Dam Authority is hereby authorized in its
4 discretion to issue licenses to encroach upon real property owned by the Authority to
5 adjacent property owners for structures built upon the real property prior to June 1,
6 2005, and for which a license has not been issued pursuant to subsection B of this
7 section. The Authority shall receive from the licensee for any license issued pursuant to
8 this ~~section~~ subsection the fair market value of the unimproved land and any
9 administrative costs, including appraisals or surveys, required by the Authority.

1 B. The Grand River Dam Authority is hereby directed to issue by December 1,
2 2010, a permanent perpetual license to all owners of any lands or structures on lands
3 located south of the confluence of the Elk River and the Neosho River which land is
4 adjacent to the shore land or lake front of Grand Lake O' The Cherokees, or abutting
5 thereon any property on and along the shoreline of Grand Lake O' The Cherokees owned
6 by the Authority, and which lies above seven hundred fifty (750) feet Sea Level Datum
7 Elevation. The only consideration the Authority shall receive from the licensee for any
8 license issued pursuant to this subsection is the value the licensee provides for the
9 upkeep and maintenance of the property. The license issued pursuant to this subsection
10 shall be subject to the flowage easements and covenants therein held by the United
11 States for flood purposes.

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

15 COMMITTEE REPORT BY: COMMITTEE ON ENERGY AND UTILITY
16 REGULATION, dated 02-18-09 - DO PASS, As Amended.