

THE HOUSE OF REPRESENTATIVES
Monday, March 30, 2009

Committee Substitute for
ENGROSSED
Senate Bill No. 248

COMMITTEE SUBSTITUTE FOR ENGROSSED SENATE BILL NO. 248 - By: FORD AND SWEEDEN of the Senate and SEARS of the House.

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

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

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

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

7 B. The Oklahoma Department of Wildlife Conservation shall have the authority to
8 maintain buoy lines, cable nets or any other device which it may find necessary to keep
9 persons, boats or floating devices out of the safety zone and shall have authority to erect
10 signs or other warning devices to mark the existence and extent of safety zones. The

1 Department shall be exempt from any penalty should it fail to comply with this
2 provision.

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

7 D. Subsections A and B of this section shall not be applicable to the waters below
8 any particular dam when, and to the extent that, such application would be in conflict
9 with the laws of the United States or valid rules and regulations promulgated
10 thereunder. Further, the lack of any ~~such~~ line, net, device or sign, pursuant to
11 subsection B of this section, shall not prevent a violation of subsection A from taking
12 effect.

13 E. ~~This~~ The provisions of this section shall apply to the safety zone below all federal
14 dams ~~with the exception of~~. Notwithstanding the provisions of subsection A of this
15 section, persons may enter and wade in the safety zone below the dams on the Salt
16 Plains Lake, Tenkiller Lake, Fort Supply Lake, Copan Lake, Hulah Lake, and Canton
17 Lake.

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

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

UNDERLINED language denotes Amendments to present Statutes.
BOLD FACE CAPITALIZED language denotes Committee Amendments.
~~Strike thru~~ language denotes deletion from present Statutes.

1 SECTION 3. It being immediately necessary for the preservation of the public
2 peace, health and safety, an emergency is hereby declared to exist, by reason whereof
3 this act shall take effect and be in full force from and after its passage and approval.
4 COMMITTEE REPORT BY: COMMITTEE ON WILDLIFE, dated 03-26-09 - DO PASS,
5 As Amended.