

SB 248

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THE STATE SENATE  
Monday, February 9, 2009

Senate Bill No. 248  
As Amended

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; expanding exceptions to certain prohibitions; deleting obsolete language; and **declaring an emergency**.

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

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

Section 7-101. A. No person shall enter, swim, wade, operate a boat or operate or float any floating device in any safety zone.

This provision shall not be construed to prohibit fishing from the bank or shore when otherwise lawful.

B. The Oklahoma Department of Wildlife Conservation shall have the authority to maintain buoy lines, cable nets or any other device which it may find necessary to keep persons, boats or floating devices out of the safety zone and shall have authority to erect signs or other warning devices to mark the existence and extent of safety zones. The Department shall be exempt from any penalty should it fail to comply with this provision.

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

6 D. Subsections A and B of this section shall not be applicable  
7 to the waters below any particular dam when, and to the extent that,  
8 such application would be in conflict with the laws of the United  
9 States or valid rules and regulations promulgated thereunder.  
10 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  
12 subsection A from taking effect.

13 E. This section shall apply to all federal dams with the  
14 exception of Salt Plains Lake, Tenkiller Lake, Fort Supply Lake,  
15 Copan Lake, Hulah Lake, and Canton Lake.

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

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

1           SECTION 3. 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 COMMITTEE REPORT BY: COMMITTEE ON TOURISM & WILDLIFE, dated 2-5-09 -  
6 DO PASS, As Amended and Coauthored.