

1                   **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2                                   STATE OF OKLAHOMA

3                                   1st Session of the 53rd Legislature (2011)

4 COMMITTEE SUBSTITUTE  
5 FOR  
6 HOUSE BILL NO. 1692

By: Russ of the House

and

Justice of the Senate

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10                                   COMMITTEE SUBSTITUTE

11                   An Act relating to waters and water rights; amending  
12                   82 O.S. 2001, Sections 1603, as last amended by  
13                   Section 2, Chapter 95, O.S.L. 2004, 1604, as last  
14                   amended by Section 3, Chapter 95, O.S.L. 2004, 1606,  
15                   as amended by Section 6, Chapter 46, O.S.L. 2002,  
16                   1608, as amended by Section 8, Chapter 46, O.S.L.  
17                   2002, 1609, as amended by Section 9, Chapter 46,  
18                   O.S.L. 2002, 1610, as amended by Section 10, Chapter  
19                   46, O.S.L. 2002, 1611, as amended by Section 11,  
20                   Chapter 46, O.S.L. 2002, 1612, as amended by Section  
21                   12, Chapter 46, O.S.L. 2002, 1614, as amended by  
22                   Section 14, Chapter 46, O.S.L. 2002, 1615, as amended  
23                   by Section 15, Chapter 46, O.S.L. 2002, 1616, as  
24                   amended by Section 16, Chapter 46, O.S.L. 2002, 1617,  
as amended by Section 17, Chapter 46, O.S.L. 2002 and  
Section 4, Chapter 95, O.S.L. 2004 (82 O.S. Supp.  
2010, Sections 1603, 1604, 1606, 1608, 1609, 1610,  
1611, 1612, 1614, 1615, 1616, 1617 and 1620), which  
relate to the Oklahoma Floodplain Management Act;  
stating legislative intent; modifying definitions;  
modifying regulations regarding county and municipal  
flood plain boards; directing Oklahoma Water  
Resources Board to promulgate certain rules;  
directing board to coordinate with floodplain boards  
and other agencies; modifying floodplain regulations  
and requirements; modifying cooperative agreements;

1 modifying the procedure for promulgation of  
2 floodplain rules; providing for the amending of  
3 floodplain regulations; modifying exceptions to  
4 development in a floodplain area; modifying granting  
5 of variances; providing for notice and time of  
6 hearing on variance; modifying appeals process;  
7 modifying prohibitions and violations; authorizing  
8 injunctive relief for certain violations; providing  
9 for noncodification; and declaring an emergency.

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

11 SECTION 1. NEW LAW A new section of law not to be  
12 codified in the Oklahoma Statutes reads as follows:

13 The Legislature finds that some boards of county commissioners  
14 and some municipal governing bodies have difficulty in recruiting  
15 sufficient numbers of residents within their respective areas of  
16 jurisdiction to serve as members of a separate floodplain board. In  
17 such situations, the boards of county commissioners and municipal  
18 governing bodies should be given flexibility in deciding whether to  
19 establish a separate floodplain board for the respective areas of  
20 jurisdiction or whether to exercise the authorities, powers, and  
21 duties set forth in the Oklahoma Floodplain Management Act directly.  
22 The Legislature also finds that other provisions of the Oklahoma  
23 Floodplain Management Act need to be clarified for more efficient  
24 implementation.

1 SECTION 2. AMENDATORY 82 O.S. 2001, Section 1603, as  
2 last amended by Section 2, Chapter 95, O.S.L. 2004 (82 O.S. Supp.  
3 2010, Section 1603), is amended to read as follows:

4 Section 1603. As used in the Oklahoma Floodplain Management  
5 Act:

6 1. "Area of jurisdiction" means:

7 a. all of the ~~lands~~ areas within an incorporated town or  
8 city, except locations of all property owned or  
9 operated by the state for a municipality,

10 b. all of the unincorporated areas except locations of  
11 all property owned or operated by the state of the  
12 county, for a county, or

13 c. all property owned or operated by the state, ~~for~~  
14 within the state, for the Board;

15 2. "Board" means the Oklahoma Water Resources Board;

16 3. "Dwelling unit" means a place of residence and may be a  
17 single or multiple-dwelling building;

18 4. "Flood" or "flooding" means general and temporary conditions  
19 of partial or complete inundation of normally dry land areas from  
20 the overflow of lakes, streams, rivers or any other inland waters;

21 5. "Floodplain" means the land adjacent to a body of water  
22 which has been or may be covered by flooding, including, but not  
23 limited to, the one-hundred-year flood;

1 6. "Floodplain administrator" means a person accredited by the  
2 Board and designated by a floodplain board, to administer and  
3 implement laws and regulations relating to the management of  
4 floodplains;

5 7. "Floodplain board" means:

6 a. an administrative and planning board established by a  
7 board of county commissioners or governing body of a  
8 municipality and composed of membership as specified  
9 in Section 1605 of this title, for floodplain

10 management, of a county, or a municipality ~~or,~~

11 b. the ~~state or~~ Oklahoma Water Resources Board,

12 c. the planning commission of a municipality or a county  
13 if so designated by the governing body of the  
14 municipality or county, or

15 d. the board of county commissioners or governing body of  
16 a municipality if a separate floodplain board composed  
17 of membership as specified in Section 1605 of this  
18 title is not established or if an established  
19 floodplain board is dissolved by its respective board  
20 of county commissioners or governing body of a  
21 municipality after the effective date of this act;

22 8. "Floodplain regulations" mean the codes, ordinances and  
23 other regulations relating to the use of land and construction  
24

1 within the channel and floodplain areas including, but not limited  
2 to, zoning ordinances, platting regulations, building codes, housing  
3 codes, setback requirements and open area regulations;

4 9. "Floodway" means the channel of a stream, watercourse or  
5 body of water and those portions of floodplains which are reasonably  
6 required to carry and discharge the floodwater or floodflow of any  
7 river or stream;

8 10. "One-hundred-year flood" means a flood which has a one  
9 percent (1%) chance of occurring each year, based upon the criteria  
10 established by the Oklahoma Water Resources Board; ~~and~~

11 11. "BFE" means base flood elevation which is the elevation in  
12 feet from mean sea level at which water level during a flood has a  
13 one-percent chance of being equaled or exceeded in any given year;  
14 and

15 12. "Program" means the overall national flood insurance  
16 program authorized by the National Flood Insurance Act of 1968 (42  
17 U.S.C. 4001-4128) as amended.

18 SECTION 3. AMENDATORY 82 O.S. 2001, Section 1604, as  
19 last amended by Section 3, Chapter 95, O.S.L. 2004 (82 O.S. Supp.  
20 2010, Section 1604), is amended to read as follows:

21 Section 1604. A. ~~To allow participation in the program, the~~  
22 ~~Oklahoma Water Resources Board,~~ 1. The boards of county  
23 commissioners and municipal governing bodies are authorized to

1 establish floodplain boards, composed of membership as specified in  
2 Section 1605 of this title, for their respective area of  
3 jurisdiction ~~which may.~~

4 2. If a board of county commissioners or municipal governing  
5 body dissolves its respective floodplain board that had been  
6 established prior to the effective date of this act, the floodplain  
7 management regulations adopted by such floodplain board shall  
8 continue in effect to be administered by the board of county  
9 commissioners or municipal governing body that assumes the role of  
10 the local floodplain board.

11 3. To participate in the program, floodplain boards shall  
12 adopt, administer and enforce floodplain management rules and  
13 regulations, for the purpose of:

14 ~~1. The~~

15 a. delineation of floodplains and floodways~~†, †~~

16 ~~2. The~~

17 b. preservation of the capacity of the floodplain to  
18 carry and discharge regional floods~~†, †~~

19 ~~3. The~~

20 c. minimization of flood hazards~~†, †~~

21 ~~4. The~~

22 d. establishment and charging of reasonable fees, not to  
23 exceed Five Hundred Dollars (\$500.00), for services

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1 provided by the Board, county commissioners and  
2 municipalities in the administration of their  
3 responsibilities pursuant to the Oklahoma Floodplain  
4 Management Act~~7,1~~

5 ~~5. The~~

6 e. regulation of the use of land in the floodplain~~7,1~~

7 ~~6. The~~

8 f. protection of the natural and beneficial functions of  
9 the floodplain, reducing damage to property from  
10 floods, reducing injury and loss of life from floods,  
11 and allowing communities to be eligible for flood  
12 insurance~~7,1~~ and

13 ~~7. The~~

14 g. hiring and employment of an accredited floodplain  
15 administrator.

16 B. The ~~rules and~~ floodplain management regulations shall be  
17 based on adequate technical data and competent engineering advice  
18 and shall be consistent with local and regional comprehensive  
19 planning.

20 C. The ~~rules and~~ floodplain management regulations adopted by  
21 each floodplain board shall be approved by the ~~Oklahoma Water~~  
22 ~~Resources Board, the county or the municipality, as the case may be,~~  
23 by appropriate ~~order,~~ resolution or ordinance.

1 D. The Oklahoma Water Resources Board shall promulgate rules  
2 for the purposes specified in paragraph 3 of subsection A of this  
3 section.

4 SECTION 4. AMENDATORY 82 O.S. 2001, Section 1606, as  
5 amended by Section 6, Chapter 46, O.S.L. 2002 (82 O.S. Supp. 2010,  
6 Section 1606), is amended to read as follows:

7 Section 1606. The Oklahoma Water Resources Board shall ~~develop,~~  
8 ~~adopt and promulgate criteria and rules for aiding the~~ coordinate  
9 with floodplain boards in the use of flood insurance rate maps and  
10 flood hazard boundary maps for the establishment and delineation of  
11 the floodplains and the one-hundred-year flood elevations for  
12 Oklahoma. The Board may also continue to assign a staff member to  
13 be the State Floodplain Coordinator that assists other state  
14 agencies, boards of county commissioners, governing bodies of  
15 municipalities, floodplain boards and floodplain administrators in  
16 coordinating with the Federal Emergency Management Agency in matters  
17 relating to the program.

18 SECTION 5. AMENDATORY 82 O.S. 2001, Section 1608, as  
19 amended by Section 8, Chapter 46, O.S.L. 2002 (82 O.S. Supp. 2010,  
20 Section 1608), is amended to read as follows:

21 Section 1608. A. All floodplain boards that ~~choose to~~  
22 participate in the program shall adopt floodplain management  
23 regulations, which shall conform with the requirements necessary to

1 establish eligibility and to maintain participation in the program  
2 and. The regulations shall include, but not be limited to, the  
3 following:

4 1. Regulations Incorporation by reference, specifying the date  
5 and panel number or numbers if appropriate, to the most recent flood  
6 insurance rate maps or flood hazard boundary maps prepared by the  
7 Federal Emergency Management Agency or more specific information to  
8 delineate floodplains within the respective areas of jurisdiction;

9 2. Requirements for the issuance of development permits for any  
10 platting of land in floodplains, construction of dwelling units and  
11 commercial or industrial structures in floodplains, and all other  
12 construction and development in the floodplains, which may divert,  
13 retard or obstruct floodwater and threaten public health, safety or  
14 welfare; provided, that the regulations shall also include a  
15 description of the process to apply for and obtain a development  
16 permit to be issued by the floodplain board or accredited floodplain  
17 administrator;

18 ~~2. Regulations which establish minimum~~ 3. Minimum flood  
19 protection elevations and flood damage prevention requirements for  
20 the issuance of developmental permits and use of structures and  
21 facilities which are located in a floodplain or are vulnerable to  
22 flood damage. Regulations adopted under this section are to be in  
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24

1 accordance with any applicable state and local laws, regulations and  
2 ordinances;

3 ~~3. Regulations which provide for coordination by the floodplain  
4 board with all other interested and affected political subdivisions  
5 and state agencies. The~~

6 4. Requirements to coordinate floodplain management regulations  
7 and to require advance notice to adjoining counties, municipalities  
8 or their respective floodplain boards before considering issuance of  
9 development permits; and

10 5. A provision that the floodplain management regulations of a  
11 ~~floodplain board~~ shall not apply to the use of the usual farm  
12 buildings for agricultural purposes, the planting of agricultural  
13 crops or the construction of farm ponds, ~~and.~~

14 ~~4. B.~~ Counties and municipalities that choose to participate in  
15 the program and shall utilize a floodplain manager ~~are encouraged to~~  
16 ~~attend the floodplain development management classes offered by the~~  
17 ~~National Flood Insurance Program and any additional annual~~  
18 ~~continuing education classes offered~~ administrator that is  
19 accredited by the Oklahoma Water Resources Board as required  
20 pursuant to Section 1620 of this title.

21 SECTION 6. AMENDATORY 82 O.S. 2001, Section 1609, as  
22 amended by Section 9, Chapter 46, O.S.L. 2002 (82 O.S. Supp. 2010,  
23 Section 1609), is amended to read as follows:

1 Section 1609. ~~Floodplain~~ The floodplain boards may enter into  
2 cooperative agreements pursuant to the "Interlocal Cooperation Act"  
3 for the delineation of floodplains and adoption of regulations to  
4 manage development within the floodplains.

5 SECTION 7. AMENDATORY 82 O.S. 2001, Section 1610, as  
6 amended by Section 10, Chapter 46, O.S.L. 2002 (82 O.S. Supp. 2010,  
7 Section 1610), is amended to read as follows:

8 Section 1610. A. Floodplain management rules enacted pursuant  
9 to the Oklahoma Floodplain Management Act shall only be promulgated  
10 by the Oklahoma Water Resources Board in accordance with the  
11 Administrative Procedures Act.

12 B. Floodplain management regulations ~~enacted~~ adopted pursuant  
13 to the Oklahoma Floodplain Management Act and any amendments to the  
14 regulations shall ~~only be adopted by the county or municipal~~  
15 ~~floodplain boards after a public hearing at which parties in~~  
16 ~~interest and other citizens have an opportunity to be heard. At~~  
17 ~~least thirty (30) days prior to the hearing, a notice of the time~~  
18 ~~and place of hearing~~ go into effect thirty (30) days after adoption  
19 unless the regulation or amendment specifies a later date; provided,  
20 that no floodplain management regulation or amendment thereto shall  
21 be in force unless published in a newspaper of general circulation  
22 regularly published nearest the area of jurisdiction within fifteen  
23 (15) days after adoption.

1 C. At least thirty (30) days prior to the date of ~~any hearing~~  
2 ~~required by subsection B of this section~~ adoption of a regulation or  
3 amendment thereto, written notice shall be furnished to the Oklahoma  
4 Water Resources Board, accompanied by a copy of each proposed ~~rule~~  
5 ~~to be acted upon~~ regulation or amendment.

6 D. A certified copy of any regulation or amendment thereto  
7 adopted by a floodplain board pursuant to the Oklahoma Floodplain  
8 Management Act shall be filed with the Oklahoma Water Resources  
9 Board within fifteen (15) days ~~of its~~ after adoption.

10 SECTION 8. AMENDATORY 82 O.S. 2001, Section 1611, as  
11 amended by Section 11, Chapter 46, O.S.L. 2002 (82 O.S. Supp. 2010,  
12 Section 1611), is amended to read as follows:

13 Section 1611. Within one hundred eighty (180) days after the  
14 completion of construction of any flood control protective works,  
15 the floodplain board in ~~it's~~ the respective area of jurisdiction  
16 shall redefine the floodplain as altered by the works by amending  
17 the floodplain regulations pursuant to the procedures set forth in  
18 Section 1610 of this title. ~~The new floodplain definition and~~  
19 ~~one hundred year flood elevations shall then be submitted to the~~  
20 ~~Oklahoma Water Resources Board.~~

21 SECTION 9. AMENDATORY 82 O.S. 2001, Section 1612, as  
22 amended by Section 12, Chapter 46, O.S.L. 2002 (82 O.S. Supp. 2010,  
23 Section 1612), is amended to read as follows:

1 Section 1612. A. After a floodplain board has adopted and  
2 submitted floodplain management regulations incorporating the most  
3 recent flood insurance rate maps or flood hazard boundary maps  
4 prepared by the Federal Emergency Management Agency or containing  
5 more specific information to delineate floodplains within the  
6 respective areas of jurisdiction to the Oklahoma Water Resources  
7 Board ~~definitions of all floodplains and one hundred year flood~~  
8 ~~elevations within its area of jurisdiction,~~ all platting of land,  
9 all construction of dwelling units or commercial or industrial  
10 structures, and all future development within the delineated  
11 floodplain area is prohibited unless:

12 1. Floodplain regulations have been adopted pursuant to the  
13 Oklahoma Floodplain Management Act for ~~such~~ the delineated  
14 floodplain areas and are in full force and effect;

15 2. Prior to ~~regulations having been adopted~~ the platting,  
16 construction, and other development, a ~~special~~ development permit is  
17 granted by the floodplain board or accredited floodplain  
18 administrator if a floodplain administrator is authorized to issue  
19 development permits by the floodplain management regulations; or

20 3. A ~~special~~ development permit is granted by the ~~state~~  
21 ~~floodplain board~~ Board, if development or construction is ~~to be~~  
22 proposed on lands owned, ~~or~~ held in trust or operated by the state.  
23 ~~Provided, that notice~~ Notice of ~~such~~ the proposed construction or

1 development must be ~~afforded~~ provided by the permit applicant to all  
2 ~~concerned governmental entities within~~ the respective floodplain  
3 board of the county or municipality in which the development or  
4 construction is proposed thirty (30) days ~~of~~ before the decision of  
5 the Board to ~~undertake such~~ approve a development permit for the  
6 construction or development.

7 B. ~~Special~~ Development permits authorized by subsection A of  
8 this section may be issued when the applicable floodplain board, or  
9 accredited floodplain administrator or Board, as the case may be,  
10 determines that construction or development in the floodplain in  
11 question complies with the applicable floodplain regulations or  
12 rules and is not a danger to persons or property. ~~In making its~~  
13 ~~determination, the floodplain board shall comply with Section 1610~~  
14 ~~of this title.~~

15 SECTION 10. AMENDATORY 82 O.S. 2001, Section 1614, as  
16 amended by Section 14, Chapter 46, O.S.L. 2002 (82 O.S. Supp. 2010,  
17 Section 1614), is amended to read as follows:

18 Section 1614. The Oklahoma Water Resources Board in  
19 promulgating rules pursuant to ~~Section 1606 of this title~~ the  
20 Oklahoma Floodplain Management Act and floodplain boards in  
21 preparing floodplain management regulations shall give due  
22 consideration to the needs of an industry, including agriculture,  
23 whose business requires that it be located within a floodplain.

1 SECTION 11. AMENDATORY 82 O.S. 2001, Section 1615, as  
2 amended by Section 15, Chapter 46, O.S.L. 2002 (82 O.S. Supp. 2010,  
3 Section 1615), is amended to read as follows:

4 Section 1615. A. ~~The~~ A floodplain board may grant variances  
5 ~~for uses which do not satisfy the~~ from requirements of floodplain  
6 management regulations that are more stringent than the minimum  
7 requirements of the Oklahoma Floodplain Management Act upon  
8 presentation of adequate proof that compliance with the local  
9 floodplain management regulations adopted pursuant to the Oklahoma  
10 Floodplain Management Act will result in an arbitrary and  
11 unreasonable taking of property without sufficient benefit or  
12 advantage to the people. However, no variance shall be granted  
13 where the effect of the variance will be to permit the continuance  
14 of a condition which unreasonably creates flooding hazards. Any  
15 variance so granted shall not be construed as to relieve any person  
16 who receives it from any liability imposed by the Oklahoma  
17 Floodplain Management Act or by other laws of the state.

18 B. Any person seeking a variance shall file a petition with the  
19 floodplain board, accompanied by a filing fee of Twenty-five Dollars  
20 (\$25.00).

21 C. ~~The~~ A floodplain board shall exercise wide discretion in  
22 weighing the equities involved and the advantages and disadvantages  
23 to the applicant and to the public at large when determining whether  
24

1 the variance shall be granted. The floodplain board shall conduct a  
2 hearing ~~which complies with all requirements of the Oklahoma~~  
3 ~~Floodplain Management Act for public notice~~ for each requested  
4 variance. At least thirty (30) days prior to the hearing, a notice  
5 of the time and place of the hearing shall be published at the  
6 petitioner's expense in a newspaper of general circulation regularly  
7 published nearest the area of jurisdiction. In no case shall  
8 variances be effective for a period longer than twenty (20) years.  
9 A copy of any variance issued shall be sent to the Oklahoma Water  
10 Resources Board within fifteen (15) days ~~of~~ after issuance.

11 SECTION 12. AMENDATORY 82 O.S. 2001, Section 1616, as  
12 amended by Section 16, Chapter 46, O.S.L. 2002 (82 O.S. Supp. 2010,  
13 Section 1616), is amended to read as follows:

14 Section 1616. A. Appeals of any final decision of the Oklahoma  
15 Water Resources Board relating to a development permit shall be in  
16 accordance with the Administrative Procedures Act.

17 B. Appeals of the decision of a county or municipal floodplain  
18 board, or floodplain administrator, shall be taken to the board of  
19 adjustment for the area of jurisdiction involved in the appeal or to  
20 the governing body of the county or municipality where no board of  
21 adjustment exists.

22 C. Appeals may be taken by any person aggrieved or by a public  
23 officer, department, board or bureau affected by any decision of the

1 floodplain board, or a floodplain administrator, in administering  
2 the floodplain ~~board's~~ management regulations.

3 D. The appeal shall be taken within a period of not more than  
4 ten (10) days, by filing written notice with the appellant body and  
5 the floodplain board, stating the grounds thereof.

6 E. An appeal shall stay all proceedings in furtherance of the  
7 action appealed from unless the floodplain board, or the floodplain  
8 administrator, from which the appeal is taken shall certify to the  
9 appellant ~~of~~ body that by reason of facts stated in the certificate  
10 a stay would, in its opinion, cause imminent peril to life or  
11 property.

12 F. The appellant body shall have the following powers and  
13 duties:

14 1. To hear and decide appeals where it is alleged that there is  
15 error of law in any order, requirement, decision or determination  
16 made ~~by the floodplain board~~ in the enforcement of the floodplain  
17 ~~board's~~ management regulations; and

18 2. ~~In exercising its powers, the appellant body may reverse~~  
19 Reverse or affirm wholly or partly, or may modify the order,  
20 requirement, decision or determination as ought to be made, and to  
21 that end shall have all the powers of the floodplain board or  
22 administrator from which the appeal is taken.

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

1        ~~3-~~ G. In acting upon any appeal, the appellant body shall apply  
2 the principles, standards and objectives set forth and contained in  
3 all applicable regulations and plans adopted.

4        SECTION 13.        AMENDATORY        82 O.S. 2001, Section 1617, as  
5 amended by Section 17, Chapter 46, O.S.L. 2002 (82 O.S. Supp. 2010,  
6 Section 1617), is amended to read as follows:

7        Section 1617. A. No new development or substantial improvement  
8 to a structure, or new fill, excavation or other floodplain use that  
9 ~~is unreasonably hazardous to the public or that unduly restricts the~~  
10 ~~capacity of the floodway to carry and discharge the regional flood~~  
11 shall be ~~permitted~~ allowed without securing ~~written authorization a~~  
12 development permit from the floodplain board in which the ~~floodplain~~  
13 ~~is located~~ area of jurisdiction includes the proposed development,  
14 substantial improvement, fill, excavation or other floodplain use.

15        B. The boards of county commissioners, the governing bodies of  
16 municipalities and the Oklahoma Water Resources Board are authorized  
17 to seek injunctive relief to prohibit activities that are not in  
18 compliance with the respective floodplain management regulations or  
19 rules applicable to their respective areas of jurisdiction and to  
20 compel compliance with the respective floodplain management  
21 regulations or rules applicable to their respective areas of  
22 jurisdiction.

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

1        C. Any person convicted of violating the ~~provisions of this~~  
2 ~~section~~ applicable floodplain management regulations or rules shall  
3 be guilty of a misdemeanor.

4        SECTION 14.        AMENDATORY        Section 4, Chapter 95, O.S.L.  
5 2004 (82 O.S. Supp. 2010, Section 1620), is amended to read as  
6 follows:

7        Section 1620. A. Each floodplain board shall designate a  
8 person to serve as the floodplain administrator to administer and  
9 implement floodplain regulations.

10        B. ~~Beginning November 1, 2004, each~~ Each floodplain  
11 administrator shall be accredited by the Oklahoma Water Resources  
12 Board.

13        SECTION 15. It being immediately necessary for the preservation  
14 of the public peace, health and safety, an emergency is hereby  
15 declared to exist, by reason whereof this act shall take effect and  
16 be in full force from and after its passage and approval.

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18 COMMITTEE REPORT BY: COMMITTEE ON GENERAL GOVERNMENT, dated 03-03-  
19 2011 - DO PASS, As Amended and Coauthored, PLACED ON CONSENT  
20 CALENDAR.

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