

1 STATE OF OKLAHOMA

2 2nd Session of the 53rd Legislature (2012)

3 HOUSE BILL 2651

By: Brumbaugh

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6 AS INTRODUCED

7 An Act relating to waters and water rights; amending
8 82 O.S. 2011, Section 1470, which relates to certain
9 powers of the Scenic Rivers Commission; modifying
10 provisions authorizing certain fees; providing an
11 effective date; and declaring an emergency.

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

14 SECTION 1. AMENDATORY 82 O.S. 2011, Section 1470, is
15 amended to read as follows:

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

22 2. The operation of a commercial flotation device without
23 displaying a proper Oklahoma Scenic Rivers Commission license is
24 subject to a fine not to exceed One Hundred Dollars (\$100.00). The

1 penalty will be assessed upon the owner or operator of the
2 commercial flotation device business and not upon the individual
3 renting the commercial flotation device.

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

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

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

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

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

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

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

19 SECTION 2. This act shall become effective July 1, 2012.

20 SECTION 3. It being immediately necessary for the preservation
21 of the public peace, health and safety, an emergency is hereby
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1 declared to exist, by reason whereof this act shall take effect and
2 be in full force from and after its passage and approval.

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