

1 ENGROSSED SENATE
2 BILL NO. 1388

By: David of the Senate

3 and

4 Cox of the House

5
6 [Grand River Dam Authority - public lands -
7 ~~emergency~~]
8

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

10 SECTION 1. AMENDATORY 82 O.S. 2011, Section 875, is
11 amended to read as follows:

12 Section 875. A. ~~The~~ Except as may be provided in this
13 subsection, the district shall not prevent free public use of its
14 lands and lakes for recreation purposes and for hunting and fishing,
15 except at such points where, in the opinion of the board of
16 directors, such use would be dangerous or would interfere with the
17 proper conduct of its business, ~~but.~~ The district may, in the
18 interest of public health and safety, make reasonable regulations
19 governing such use, and in the interest of defraying costs
20 associated with the maintenance and policing of public lands
21 administered by the district, prescribe reasonable fees for camping
22 and the use of district facilities, and for the use of off-road and
23 all-terrain vehicles on district lands. Fees collected pursuant to
24 this subsection, shall be deposited in a dedicated account and used

1 solely for the purposes of maintaining, policing, improving or
2 expanding existing parks or public use areas, or acquiring new lands
3 for public recreational use.

4 B. All existing public rights-of-way to the areas to be flooded
5 by the impounded waters shall remain open as a way of free public
6 passage to and from the lakes created, and no charge shall ever be
7 made to the public for right to engage in hunting, fishing, boating
8 or swimming in ~~said~~ the lakes, and no charges shall ever be made for
9 a permit to operate or use or for the inspection of boats and
10 equipment, except that the Authority may prescribe an annual fee for
11 the issuance or renewal of a permit for a private anchorage, wharf,
12 dock or boathouse. Such fee shall be used to defray the expenses of
13 operating and equipping the Authority's Lake Patrol. The public
14 shall have free use of and access to the waters of the lakes for
15 private use, and shall have the right to anchorage, wharf, dock,
16 ~~boatdock~~ boat dock, houseboat and landing privileges free of charge
17 when used for private boating, but such anchorage, wharf, dock,
18 ~~boatdock~~ boat dock, houseboat and landing privileges shall only be
19 allowed after a permit therefor has been issued. Provided that no
20 permit for any anchorage, wharf, dock, ~~boatdock~~ boat dock, houseboat
21 and landing privileges shall be issued which would deprive the owner
22 of land adjacent to the shoreland or lake front or abutting thereon
23 of any anchorage, wharf, dock, ~~boatdock~~ boat dock, houseboat and
24 landing privileges. The district may designate areas closed to such

1 use, where in its opinion such use would interfere with the health
2 or safety of the public, or with the proper conduct of the business
3 of the district. The district shall prescribe suitable rules for
4 the use of firearms on its lands and lakes and suitable rules and
5 regulations and rules of travel, in the interest of public safety,
6 for the use of the waters of the lakes. The rules and regulations
7 and the rules of travel of boats used on or plying the waters of the
8 lakes shall be in keeping with the rules and regulations of the
9 United States Bureau of Navigation for inland waters.

10 C. The district shall prescribe, in the interest of public
11 safety, suitable rules and regulations governing the keeping for
12 hire or operations of a boat or boats, surfboards, aquaplanes, sea-
13 skis or similar devices for pecuniary profit or gain on the waters
14 of the lakes. The keeping for hire or operation of a boat or boats,
15 surfboards, aquaplanes, sea-skis or similar devices, for pecuniary
16 profit or gain, on the waters of the lake, shall only be allowed
17 after a permit therefor has been issued by the district.
18 Applications for such permits are to be in writing, upon a form
19 prescribed and furnished by the district, and containing such
20 information as is required by the district. For the issuance of
21 such a permit the district shall charge a fee in an amount as
22 specified by the district, and shall have the power to prescribe the
23 size and type of boat or boats allowed to operate under such permit
24 and the equipment necessary to such operation. A permit shall be

1 procured for the construction of wharves, docks, landings and
2 anchorages when constructed for commercial or rental purposes. For
3 the issuance of such a permit the district shall charge a fee in an
4 amount as specified by the district. The district shall prescribe
5 the type, style and location and equipment of wharves, docks,
6 anchorages and landings from which such boats operate and their
7 rules of travel. Issuance of permits is to be deferred and withheld
8 unless and until the applicant therefor has paid the permit fee and
9 procured and deposited with the district a good and sufficient bond,
10 either in cash, or by a surety company licensed to do business in
11 this state, or public liability and property damage insurance,
12 written by a company licensed to do business in Oklahoma, in an
13 amount and in such form as the district shall specify, so as to
14 assure compensation for injuries to or death of persons, and loss or
15 damage to property for which the holder of such permit may be
16 legally liable. Upon it being called to the attention of the
17 Attorney General of Oklahoma by any citizen of Oklahoma that this
18 section has not been complied with, it shall be the duty of the
19 Attorney General of Oklahoma to institute the proper legal
20 proceedings to require ~~said~~ the district, or its successor, to
21 comply with the provisions of this section.

22 D. The district may acquire, by purchase, condemnation, or
23 otherwise, lands suitable for park purposes or roadways along the
24 shores of ~~said~~ the lakes. After acquiring such lands the Grand

1 River Dam Authority may, but shall not be required to, assign or
2 lease the same to the State of Oklahoma for park or road purposes
3 and if such assignment is made the same shall be under the
4 supervision and control of the Oklahoma Tourism and Recreation
5 Commission or the Oklahoma Wildlife Commission, which shall keep
6 ~~said~~ the lands so assigned open to the public without charge so that
7 the public in general may have access to the lakes.

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

12 Passed the Senate the 8th day of March, 2016.

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Presiding Officer of the Senate

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16 Passed the House of Representatives the ____ day of _____,
17 2016.

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Presiding Officer of the House
of Representatives

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