

1                   **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2                               STATE OF OKLAHOMA

3                               1st Session of the 56th Legislature (2017)

4   ENGROSSED SENATE  
5   BILL NO. 668

                              By: Shaw and Pemberton of the  
                              Senate

6   and

7   West (Josh) of the House

8  
9  
10           An Act relating to scenic rivers; amending 82 O.S.  
11           2011, Section 1453, as amended by Section 9, Chapter  
12           297, O.S.L. 2016, and as renumbered by Section 26,  
13           Chapter 297, O.S.L. 2016 (82 O.S. Supp. 2016, Section  
14           896.6), which relates to legislative intent; updating  
15           statutory reference; stating certain recognition by  
16           the Legislature related to scenic rivers; stating  
17           purpose of Scenic Rivers Act; amending Section 5,  
18           Chapter 297, O.S.L. 2016 (82 O.S. Supp. 2016, Section  
19           896.2), which relates to fees for use of flotation  
20           devices upon scenic rivers; modifying certain rules  
21           transferred to Grand River Dam Authority; eliminating  
22           termination of certain rules by certain date;  
23           providing an effective date; and declaring an  
24           emergency.

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

SECTION 1.           AMENDATORY           82 O.S. 2011, Section 1453, as  
amended by Section 9, Chapter 297, O.S.L. 2016, and as renumbered by  
Section 26, Chapter 297, O.S.L. 2016 (82 O.S. Supp. 2016, Section  
896.6), is amended to read as follows:

1       Section 896.6. A. The term "scenic river" as used in the  
2 Scenic Rivers Act is defined as a stream or river designated  
3 pursuant to ~~Section 8 of this act~~ Section 896.5 of this title and  
4 the public use and access areas located within or adjacent to the  
5 stream or river.

6       B. It is the intent of the Legislature that a stream or river  
7 designated as a scenic river shall be preserved in its free-flowing  
8 condition and shall not be impounded by any large dam or structure  
9 except as specifically authorized by the Legislature.

10       C. No agency or official of state government shall authorize or  
11 concur in plans of local, state or federal agencies for the  
12 construction, operation, or maintenance of any dam or related  
13 project in or adjacent to any scenic river without legislative  
14 consent, except as needed by the municipalities located in the  
15 counties or the immediate vicinity of the scenic river for their own  
16 municipal or domestic water supply if such uses and structures will  
17 not significantly interfere with the preservation of the stream as a  
18 scenic free-flowing stream.

19       D. It is recognized by the Legislature that an effective  
20 program for preserving the scenic beauty of the free-flowing streams  
21 and rivers designated as a scenic river area necessarily involves  
22 the cooperation and support of the people in the operating areas of  
23 a designated scenic river, as well as the people using the scenic  
24

1 river, and the agencies of state government administering these  
2 areas.

3 E. The primary purpose of the Scenic Rivers Act is to encourage  
4 the preservation of the areas designated as a scenic river area in  
5 their natural scenic state.

6 SECTION 2. AMENDATORY Section 5, Chapter 297, O.S.L.  
7 2016 (82 O.S. Supp. 2016, Section 896.2), is amended to read as  
8 follows:

9 Section 896.2. A. Effective January 1, 2017, the Grand River  
10 Dam Authority is authorized to set a daily, multiday or annual fee  
11 for the use of a commercially or privately owned flotation device to  
12 float upon designated scenic rivers. Landowners located immediately  
13 adjacent to the designated scenic river shall not be required to pay  
14 any fee for private use as authorized by this section or otherwise  
15 by law.

16 B. The Grand River Dam Authority is authorized to promulgate  
17 rules establishing an online payment system or any other means by  
18 which the public may conveniently purchase permits for the operation  
19 of a flotation device upon designated scenic river areas as  
20 authorized by this section.

21 C. In the interest of public safety, the Grand River Dam  
22 Authority is authorized to promulgate rules protecting the natural  
23 resources of the scenic rivers, regulating public use areas,  
24 establishing use permits for scenic rivers, establishing licensing

1 requirements for commercial float operators and setting fees for the  
2 issuance of the licenses. The Authority shall be the sole grantor  
3 of licenses issued pursuant to the rules.

4 D. With ~~regards~~ regard to all rights and authorities  
5 transferred to the Grand River Dam Authority pursuant to this  
6 section ~~and, Section 4 of this act, all rules of the Scenic Rivers~~  
7 ~~Commission 896.1 of this title and Chapter 10- and 15- rules of the~~  
8 Oklahoma Administrative Code 630: Scenic Rivers Commission relating  
9 to licensing, use permits and protection of natural resources, are  
10 hereby transferred to the Grand River Dam Authority to the extent  
11 the rules are consistent with state law and rules of the Authority  
12 for the purpose of implementing and enforcing the provisions of the  
13 Scenic Rivers Act. ~~The rules shall remain in effect only until July~~  
14 ~~1, 2017, at which time the transferred rules will terminate unless~~  
15 ~~earlier superseded by rules promulgated by the Authority.~~

16 SECTION 3. This act shall become effective July 1, 2017.

17 SECTION 4. It being immediately necessary for the preservation  
18 of the public peace, health or safety, an emergency is hereby  
19 declared to exist, by reason whereof this act shall take effect and  
20 be in full force from and after its passage and approval.

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22 COMMITTEE REPORT BY: COMMITTEE ON BUSINESS, COMMERCE AND TOURISM,  
23 dated 04/05/2017 - DO PASS.  
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