

1 **SENATE FLOOR VERSION**

2 February 23, 2017

3 SENATE BILL NO. 668

By: Shaw of the Senate

4 and

5 West (Josh) of the House

6
7
8 An Act relating to scenic rivers; amending 82 O.S.
9 2011, Section 1453, as amended by Section 9, Chapter
10 297, O.S.L. 2016, and as renumbered by Section 26,
11 Chapter 297, O.S.L. 2016 (82 O.S. Supp. 2016, Section
12 896.6), which relates to legislative intent; updating
13 statutory reference; stating certain recognition by
14 the Legislature related to scenic rivers; stating
15 purpose of Scenic Rivers Act; amending Section 5,
16 Chapter 297, O.S.L. 2016 (82 O.S. Supp. 2016, Section
17 896.2), which relates to fees for use of flotation
18 devices upon scenic rivers; modifying certain rules
19 transferred to Grand River Dam Authority; eliminating
20 termination of certain rules by certain date;
21 providing an effective date; and declaring an
22 emergency.

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

24 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:

Section 896.6. A. The term "scenic river" as used in the
Scenic Rivers Act is defined as a stream or river designated

1 pursuant to ~~Section 8 of this act~~ Section 896.5 of this title and
2 the public use and access areas located within or adjacent to the
3 stream or river.

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

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

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

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

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

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

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

19 C. In the interest of public safety, the Grand River Dam
20 Authority is authorized to promulgate rules protecting the natural
21 resources of the scenic rivers, regulating public use areas,
22 establishing use permits for scenic rivers, establishing licensing
23 requirements for commercial float operators and setting fees for the
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1 issuance of the licenses. The Authority shall be the sole grantor
2 of licenses issued pursuant to the rules.

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

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

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

20 COMMITTEE REPORT BY: COMMITTEE ON ENERGY
21 February 23, 2017 - DO PASS
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