

STATE OF OKLAHOMA

1st Session of the 56th Legislature (2017)

SENATE BILL 668

By: Shaw

AS INTRODUCED

An Act relating to scenic rivers; amending 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), which relates to legislative intent; updating statutory reference; stating certain recognition by the Legislature related to scenic rivers; stating purpose of Scenic Rivers Act; amending Section 5, Chapter 297, O.S.L. 2016 (82 O.S. Supp. 2016, Section 896.2), which relates to fees for use of flotation devices upon scenic rivers; modifying certain rules transferred to Grand River Dam Authority; eliminating termination of certain rules by certain date; providing an effective date; and declaring an 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:

Section 896.6. A. The term "scenic river" as used in the Scenic Rivers Act is defined as a stream or river designated pursuant to ~~Section 8 of this act~~ Section 896.5 of this title and

1 the public use and access areas located within or adjacent to the
2 stream or river.

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

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

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

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
21 56-1-152

CB

1/19/2017 9:38:10 PM