

1 **SENATE FLOOR VERSION**

2 February 25, 2016

3 **AS AMENDED**

4 SENATE BILL NO. 1388

5 By: David of the Senate

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.

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

1 the use of firearms on its lands and lakes and suitable rules and
2 regulations and rules of travel, in the interest of public safety,
3 for the use of the waters of the lakes. The rules and regulations
4 and the rules of travel of boats used on or plying the waters of the
5 lakes shall be in keeping with the rules and regulations of the
6 United States Bureau of Navigation for inland waters.

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

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

19 D. The district may acquire, by purchase, condemnation, or
20 otherwise, lands suitable for park purposes or roadways along the
21 shores of ~~said~~ the lakes. After acquiring such lands the Grand
22 River Dam Authority may, but shall not be required to, assign or
23 lease the same to the State of Oklahoma for park or road purposes
24 and if such assignment is made the same shall be under the

1 supervision and control of the Oklahoma Tourism and Recreation
2 Commission or the Oklahoma Wildlife Commission, which shall keep
3 ~~said~~ the lands so assigned open to the public without charge so that
4 the public in general may have access to the lakes.

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

9 COMMITTEE REPORT BY: COMMITTEE ON ENERGY
10 February 25, 2016 - DO PASS AS AMENDED
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