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March 3, 2022

By: Quinn

An Act relating to commercial flotation devices; amending 82 O.S. 2021, Section 896.16, which relates to commercial flotation device licensing and fees; modifying certain rules to be promulgated by certain agencies; updating statutory reference; and providing an effective date.

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

SECTION 1. AMENDATORY 82 O.S. 2021, Section 896.16, is amended to read as follows:

Section 896.16. A. 1. Until replaced or changed as provided for in subsection C of this section, the Grand River Dam Authority is authorized and directed to charge an annual use fee of Thirty-five Dollars (\$35.00) per commercially owned and operated flotation device on the Illinois River within Adair, Cherokee and Delaware Counties.

2. The operation of a commercial flotation device without displaying a proper license issued by the Authority shall result in a fine not to exceed One Hundred Dollars (\$100.00). The fine shall be assessed upon the owner or operator of the commercial flotation

1 device business and not upon the individual renting the commercial
2 flotation device.

3 3. Commercial flotation devices shall not be operated on Flint
4 Creek in Delaware County and those portions of Barren Creek in
5 Cherokee County.

6 B. For the Flint Creek and Illinois River within Adair,
7 Cherokee and Delaware Counties and those portions of Barren Fork
8 Creek within Cherokee County, the Authority is authorized and
9 directed to charge until replaced or changed as provided for in
10 subsection C of this section:

11 1. An annual use fee of Ten Dollars (\$10.00) per noncommercial,
12 privately owned device; or

13 2. A use fee of One Dollar (\$1.00) per day for all
14 noncommercial, privately owned flotation devices floating upon a
15 designated scenic river. Landowners located immediately adjacent to
16 a designated scenic river shall not be required to pay any fee for
17 private use as authorized in this section or otherwise by law.

18 C. Under the provisions of ~~Section 5 of this act~~ Section 896.2
19 of this title granting the Authority the power to establish licenses
20 and set fees, the Authority may promulgate rules for the collection
21 and administration of the fees imposed pursuant to the provisions of
22 this section or may promulgate rules establishing licenses,
23 providing for issuance, renewal, revocation, denial, and suspension
24 of licenses, and setting fees that change or replace the licenses

1 and fees imposed pursuant to the provisions of this section. Upon
2 final adoption of rules changing or replacing any or all of the
3 licenses and fees imposed pursuant to the provisions of this
4 section, the Authority shall cease to impose, collect or charge the
5 license and fee that was changed or replaced by rule. Rules
6 promulgated by the Authority pursuant to this section shall be in
7 accordance with the Administrative Procedures Act.

8 D. Until replaced or changed as provided for in subsection C
9 of this section, the Grand River Dam Authority may charge a fee for
10 use of camping sites located in public use and access areas
11 controlled by the Authority in an amount that does not exceed the
12 rate charged by the Oklahoma Tourism and Recreation Department for
13 camping sites.

14 E. For the purposes of the Scenic Rivers Act, "commercial
15 flotation device" means a canoe, boat, kayak, inner tube, raft or
16 other similar device suitable for the transportation of a person or
17 persons on waterways which is available for hire by the public for
18 use on scenic rivers.

19 SECTION 2. This act shall become effective November 1, 2022.

20 COMMITTEE REPORT BY: COMMITTEE ON ENERGY
21 March 3, 2022 - DO PASS
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