RBH No. 9775

An Act

ENROLLED SENATE
BILL NO. 1388

By: David and Shaw of the Senate

and

Cox, Sherrer and Hickman of the House

An Act relating to waters and water rights; amending 51 O.S. 2011, Section 6, as last amended by Section 1, Chapter 269, O.S.L. 2015 (51 O.S. Supp. 2015, Section 6), which relates to officers and deputies holding other offices; modifying certain exemption; deleting certain exemption; amending 82 O.S. 2011, Section 862, as amended by Section 1, Chapter 217, O.S.L. 2012 (82 O.S. Supp. 2015, Section 862), which relates to the powers and duties of the Grand River Dam Authority; updating statutory outline; stating dual office holding exemption for certain employees; amending 82 O.S. 2011, Section 875, which relates to the rights of the public to use of lands and lakes; changing references from district to Grand River Dam Authority; authorizing the Grand River Dam Authority to prescribe reasonable fees for certain uses of public lands; updating statutory language; terminating the Scenic Rivers Commission on certain date; transferring rights, authorities, functions, duties, assets, debts, property and employees of the Scenic Rivers Commission to the Grand River Dam Authority on certain date; providing for certain monies to be transferred; providing for transfer of personnel; providing for retention of certain benefits; requiring application of certain credit and coordination; terminating operation of the Scenic Rivers Commission by certain date; authorizing reappointment of members to advisory board to the Authority; allowing certain employees to retain badge

and firearm; authorizing the Authority to implement certain annual fees for use of flotation devices on certain waters; exempting certain landowners; authorizing the Authority to promulgate rules to establish an online payment process; authorizing the Authority to promulgate certain rules; providing for the transfer and termination of certain rules; establishing certain powers and duties of the Authority; listing powers and duties; amending 82 O.S. 2011, Sections 1451, 1452, 1453, 1454, 1455, 1456, 1457, 1460, 1464, 1465, 1466, 1467 and 1470, which relate to the Scenic Rivers Act; updating statutory citations; modifying designation of scenic rivers; changing description of designated scenic rivers; deleting certain definition; providing definition of scenic rivers; modifying legislative intent; deleting recognition for preserving scenic rivers; transferring certain duties to the Authority; deleting recognition of the threat of littering; deleting complaint process; deleting penalty for littering; expanding prohibition to use certain containers; making throwing or depositing trash on or near a scenic river subject to certain penalty; modifying recognition of certain property rights; updating statutory language; transferring duties relating to pollution prevention; deleting obsolete language; changing certain list of permitted or registered water pollution sources; deleting certain annual progress report requirements; modifying responsibilities for evaluating phosphorus pollution sources; modifying authority of the Authority to reduce pollution from certain sources; changing authority for promulgating certain rules; changing reference for exemption for certain practices; changing jurisdiction for certain cities, towns and counties; authorizing the Authority to issue a Notice of Violation to certain operations; authorizing the Authority to issue an order assessing an administrative penalty under certain circumstances; setting amount of penalty; providing for administrative hearing; transferring authority to establish certain fees and penalties to the

Authority; making certain fees effective until certain action; prohibiting commercial flotation devices on certain rivers; allowing the Authority to promulgate rules replacing or changing certain licenses and fees; deleting certain authorization for the administrator; modifying certain definition; amending 74 O.S. 2011, Sections 902, as last amended by Section 28, Chapter 1, O.S.L. 2014, 915, as amended by Section 3, Chapter 159, O.S.L. 2013 and 919.1 (74 O.S. Supp. 2015, Sections 902 and 915), which relate to the Oklahoma Public Employees Retirement System; modifying definitions; providing for employee benefits and contributions for certain public safety officers; amending 47 O.S. 2011, Section 2-315, which relates to retirement elections; providing for election for participation in the Oklahoma Law Enforcement Retirement System for certain individuals; repealing 82 O.S. 2011, Sections 1458, 1461, as amended by Section 1, Chapter 348, O.S.L. 2013, 1462, 1462A, as amended by Section 1068, Chapter 304, O.S.L. 2012, 1462B, as amended by Section 1069, Chapter 304, O.S.L. 2012, 1462C, as amended by Section 1070, Chapter 304, O.S.L. 2012, 1463, 1468, 1469 and 1471 (82 O.S. Supp. 2015, Sections 1461, 1462A, 1462B and 1462C), which relate to the Scenic Rivers Act; providing for codification; providing for recodification; providing an effective date; and declaring an emergency.

SUBJECT: Grand River Dam operations requirements

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

SECTION 1. AMENDATORY 51 O.S. 2011, Section 6, as last amended by Section 1, Chapter 269, O.S.L. 2015 (51 O.S. Supp. 2015, Section 6), is amended to read as follows:

Section 6. A. Except as may be otherwise provided, no person holding an office under the laws of the state and no deputy of any officer so holding any office shall, during the person's term of office, hold any other office or be the deputy of any officer holding any office, under the laws of the state. The provisions of this section shall not apply to:

1. Notaries public;

2. Members of the State Textbook Committee;

3. County free fair board members;

4. Municipal and county law enforcement officers serving in positions as law enforcement officers of both such governmental entities upon such terms and conditions as are mutually approved by resolutions adopted by the board of county commissioners and governing body of the municipality employing such officers;

5. Any person holding a county or municipal office or position, or membership on any public trust authority, who is a member of a board or commission that relates to federal, state, county or municipal government and is created by the United States Government, the State of Oklahoma or a political subdivision of the state, except where the duties of the offices or positions conflict;

6. Any elected municipal officers and school board members who are appointed to a state board, commission, or similar entity if there is no compensation for such services other than reimbursement for necessary travel expenses pursuant to the provisions of the State Travel Reimbursement Act;

7. Any trustee of a public trust, who is appointed as a trustee of a different public trust or any trustee of the Tulsa County Public Facilities Authority who may also be employed by the Department of Transportation;

8. Law enforcement officers employed by municipal or county law enforcement departments or agencies, other than those law enforcement officers elected or appointed as sheriff, chief of police or some similar position in which they are the head of a county or municipal law enforcement agency, who are elected to local

boards of education; provided, the provisions of this paragraph shall not prohibit any law enforcement officer employed by a municipality having a population of ten thousand (10,000) or fewer people from serving as a member of a local board of education;

9. Any member of the Oklahoma Highway Patrol Division of the Department of Public Safety who is elected to a local board of education;

10. Any District Supervisor, Assistant District Supervisor, Team Supervisor, Parole Officer 1 or Parole Officer 2 of the Department of Corrections who is elected or appointed to a city council;

11. Any trustee or director of a rural electric cooperative, or port authority who is appointed or elected to a state, county or municipal board, commission or similar entity;

12. County employees who are elected as members of town or city councils;

13. Municipal, county, state or tribal law enforcement or peace officers operating under cross-deputization agreements with an Indian tribe or branch of the federal government;

14. Municipal or county law enforcement or peace officers serving in positions as campus police officers or campus public safety officers pursuant to the provisions of the Oklahoma Campus Security Act, upon such terms and conditions as are mutually approved by resolution adopted by the governing body of the municipality or county and the governing board of the institution of higher education;

15. State law enforcement or peace officers serving in positions as campus police officers or campus public safety officers pursuant to the provisions of the Oklahoma Campus Security Act, upon such terms and conditions as are mutually approved by written agreement between the Commissioner of Public Safety and the governing board of the institution of higher education;

16. Municipal ~~and~~, county and state law enforcement officers serving in positions as part-time or seasonal rangers or peace

officers under the Oklahoma Tourism and Recreation Department or the ~~Oklahoma Scenic Rivers Commission~~ Grand River Dam Authority;

17. ~~The Administrator of a Scenic Rivers Commission serving in the position of a park ranger under the Oklahoma Tourism and Recreation Department;~~

~~18.~~ Members of the University Hospitals Authority;

~~19.~~ 18. Any person holding a state office or position who is a reserve force deputy sheriff, or a reserve special agent with the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control or a reserve municipal police officer;

~~20.~~ 19. Any person holding a state office or position who serves as a special assistant district attorney without compensation;

~~21.~~ 20. Any elected or appointed member of a local school board who is a member of a municipal planning commission;

~~22.~~ 21. Any elected or appointed member of a local school board who is a member or an officer of a volunteer fire department;

~~23.~~ 22. Directors or officers of a rural water district and chiefs of municipal fire departments or rural fire districts who are appointed or elected to an unsalaried office in a state, county, municipal, school, or technology center school board, commission, or similar entity, except where the duties of the office would create a conflict of interest;

~~24.~~ 23. Any person who is a dispatcher or confinement officer at a municipal or county jail who is a noncompensated reserve municipal police officer or a reserve deputy sheriff;

~~25.~~ 24. Any person who is an assistant district attorney serving as a municipal judge or prosecutor;

~~26.~~ 25. Any park ranger under the Oklahoma Tourism and Recreation Department or any game warden or reserve game warden employed by the Department of Wildlife Conservation who is elected

or appointed to a local board of education or to a municipal governing body, board, commission or similar entity;

~~27.~~ 26. Members of the Oklahoma State University Medical Center Authority, the Oklahoma State University Medical Trust or the State Board of Osteopathic Examiners;

~~28.~~ 27. Any member of the state Legislature or any state officer who serves on the board of trustees of the Oklahoma School for the Visual and Performing Arts; and

~~29.~~ 28. Members of the Council on Judicial Complaints.

The provisions of this section shall not prohibit any person holding an office under the laws of the state or any deputy of any officer so holding any office from serving upon the board of Oklahoma Futures or upon the board of directors of the Oklahoma Center for the Advancement of Science and Technology. The provisions of this section shall not prohibit a member of the board of directors of the Oklahoma Center for the Advancement of Science and Technology from serving upon the board of Oklahoma Futures.

B. Any salaries, emoluments or benefits that would otherwise be paid by the agency or political subdivision to a loaned employee or officer shall instead be paid to the regular employer of such employee. The loaned employee shall in turn be paid regular salary and benefits the same as if continuing regular employment with the permanent employer.

SECTION 2. AMENDATORY 82 O.S. 2011, Section 862, as amended by Section 1, Chapter 217, O.S.L. 2012 (82 O.S. Supp. 2015, Section 862), is amended to read as follows:

Section 862. The district shall have and is hereby authorized to exercise the following powers, rights and privileges:

~~(a)~~ 1. To control, store and preserve, within the boundaries of the district, the waters of Grand River and its tributaries, for any useful purpose, and to use, distribute and sell the same within the boundaries of the district; provided, however, that any municipal corporation within the area included within the jurisdiction of the Grand River Dam Authority shall be entitled to take water from the

Grand River and any of its tributaries in any quantities that may be needed by such municipal corporation;

~~(b)~~ 2. To develop and generate water power, electric power and electric energy, from whatever source, within the boundaries of the district; to acquire coal or other minerals to be used for the purposes of providing energy sources for electrical generating plants; to acquire or lease any and all railroad connections, equipment, rolling stock, trackage and otherwise, necessary to the transporting of coal and other minerals to generating plant sites within the district; and to buy, sell, resell, interchange and distribute electric power and energy in order to carry forward the business and functions of the district now or hereafter authorized by law and may enter into contracts for such purposes, such contracts to run for a period of not to exceed fifty (50) years except those contracts provided for in paragraphs ~~(f)~~ 6 and ~~(g)~~ 7 of this section. All contracts may contain such reasonable provisions, limitations, qualifications, protective clauses and rights and obligations of purchase and sale, and such provisions for the dedication of the use of facilities and the construction of additional facilities to serve the load requirements of all the parties as may be deemed advisable by the district to safeguard the business and properties of all the parties to such contracts, all within the limits of sound business judgment and practice, good conscience, and not contrary to the public policy of the state. The district is further authorized to participate in the Southwest Power Pool Integrated Marketplace or any other program established by a Federal Energy Regulatory Commission authorized Regional Transmission Organization in which the district is a member and to engage in the buying and selling of electricity products, fuel commodities, and financial instruments as deemed necessary and prudent by the district and specifically excludes any expansion of retail activities of the district. The Board of Directors shall adopt a hedging policy to enable the district to take advantage of standard market products to reduce risk while preventing speculative trading and potential abuses;

~~(c)~~ 3. To prevent or aid in the prevention of damage to person or property from the waters of the Grand River and its tributaries;

~~(d)~~ 4. To forest and reforest and to aid in the foresting and reforesting of the watershed area of the Grand River and its

tributaries and to prevent and to aid in the prevention of soil erosion and floods within the watershed area;

~~(e)~~ 5. To acquire by purchase, lease, gift, or in any other manner, and to maintain, use and operate or to contract for the maintenance, use and operation of any and all property of any kind, real, personal, or mixed, or any interest therein, including trucks of any size or weight and passenger vehicles and to own, construct, operate and maintain any project or works in conjunction or jointly with, as tenants in common, any public or private corporation duly authorized and qualified to do business within this state including, but not limited to, rural electric cooperatives of the State of Oklahoma or the United States of America, or any department, subdivision or agency of the State of Oklahoma or the United States of America, or with any "public agency" as defined under the Interlocal Cooperation Act, within or without the boundaries of the district, necessary, incidental or convenient to the exercise of the powers, rights, privileges and functions conferred upon it by the Grand River Dam Authority Act;

~~(f)~~ 6. In addition to any other powers conferred, the district shall have power and authority to participate and enter into agreements with any public or private corporation duly authorized and qualified to do business within the State of Oklahoma including, but not limited to, rural electric cooperatives, the state or the United States of America or any department, subdivision or agency of the state or the United States of America, or with any "public agency" as defined under the Interlocal Cooperation Act, for the purpose of planning, acquiring, financing, owning, operating and maintaining an undivided ownership of any steam, oil, gas, coal-fired, thermal, geothermal, solar, waste or refuse reclamation powered electric generating plant or plants or any facilities of every kind necessary, incidental or convenient for the production, generation and transmission of electric power and energy including, but not limited to, any and all related transmission facilities, which shall be used as common facilities. The agreements shall provide that the district and any participants therein shall have the incidents of tenant in common to any plant or facility. It shall also be provided in the agreements that the district and any participant in the project shall own a percentage of any common facility equal to the percentage of the money furnished or the value of property supplied by it for the acquisition and construction

thereof and shall own and control a like percentage of the electrical output thereof.

Each participant shall defray its own interest payments and other payments required to be made or deposited in connection with any financing undertaken by it to pay its percentage of the money furnished or value of property supplied by it for the planning, acquisition and construction of any common facility, or any additions or betterments thereto. The agreement shall further provide a uniform method of determining and allocating operation and maintenance expenses of the common facility.

In carrying out the powers granted in this section, the district and each participant shall be severally liable only for its own acts and not jointly or severally liable for the acts, omissions or obligations of others. No money or property supplied by the district or any participant for the planning, financing, acquiring, constructing, operating or maintaining of any common plant or facility shall be credited or otherwise applied to the account of any other participant therein, nor shall the undivided share of the district or any participant therein be charged, directly or indirectly, with any debt or obligation of any other participant or be subject to any lien as a result thereof. No action in connection with a common facility shall be binding upon the district except as expressly authorized and provided for in the participation agreement;

~~(g)~~ 7. In addition to the powers conferred in paragraph ~~(f)~~ 6 of this section, the district shall have power and authority to participate and enter into agreements with any public or private corporation duly authorized and qualified to do business within this state including, but not limited to, rural electric cooperatives, the State of Oklahoma or the United States of America or any department, subdivision or agency of the State of Oklahoma or the United States of America, or with any "public agency" as defined under the Interlocal Cooperation Act, for the purpose of planning, acquiring, financing, owning, operating and maintaining undivided ownership interests in any steam, oil, gas, coal-fired, thermal, geothermal, solar, waste or refuse reclamation powered electric generating plant or plants or any other facilities of every kind necessary, incidental or convenient for the production, generation and transmission of electric power and energy including, but not

limited to, any and all related transmission or other facilities which are to be used as common facilities and to cooperate with other state agencies and public trusts to promote economic development in the state and to assist in attracting industry to the state. Such undivided ownership interests may be created by an agreement entered into with respect to property to be acquired by the district. Any such agreement may be a sale agreement, with the purchase price payable at one time or in installments at such time and over such period as shall be agreed to by the parties thereto, a lease agreement, with a nominal purchase option, or any other type of agreement. In addition to the purchase price, the district shall be fully indemnified as to operation, maintenance, administrative and other expenses incurred with respect to such undivided interest. Any payment received in respect to any such agreement shall be deemed revenues of the Authority. The district is hereby authorized to enter into any such agreement in order to sell, lease or otherwise convey undivided ownership interests in any such property. Any such agreement shall specify the undivided interest to be owned or acquired by each of the participants, provide for a waiver of partition, prescribe the time of vesting of such interest and the amount of electrical output to be owned and controlled by any participant.

Each participant shall defray its own interest and other payments required to be made or deposited in connection with any financing undertaken by it to pay its percentage of the money furnished or value of property supplied by it for the planning, acquisition and construction of any common facility, or any additions or betterments thereto. The agreement shall provide a uniform method of determining and allocating operation and maintenance expenses of the common facility.

In carrying out the powers granted in this section, the district and each participant shall be severally liable only for its own acts and not jointly or severally liable for the acts, omissions or obligations of others. No money or property supplied by the district or any participant for the planning, financing, acquiring, constructing, operating or maintaining of any common plant or facility shall be credited or otherwise applied to the account of any other participant therein, nor shall the undivided share of the district or any participant therein be charged, directly or indirectly, with any debt or obligation of any other participant or

be subject to any lien as a result thereof. No action in connection with a common facility shall be binding upon the district except as expressly authorized and provided for in the participation agreement;

~~(h)~~ 8. To acquire by condemnation any and all property of any kind, real, personal, or mixed, or any interest therein, within or without the boundaries of the district, necessary, incidental or convenient to the exercise of the powers, rights, privileges and functions conferred upon it by the Grand River Dam Authority Act, in the manner provided by general law with respect to condemnation; provided that nothing in the Grand River Dam Authority Act shall ever be construed to authorize the district to acquire by condemnation any privately, municipally or publicly owned electric public utility system or any part thereof outside of the high-water mark of a reservoir area or outside a properly located damsite, except the districts may require the relocation of transmission lines and substations so owned where such relocation is necessary for the construction and maintenance of dams, reservoirs, levees, spillways and floodways, and in such event just compensation shall be paid. Provided that the Grand River Dam Authority shall have the right to cross transmission lines of other electric utility companies under proper engineering standards of construction as approved by the Corporation Commission;

~~(i)~~ 9. Subject to the provisions of the Grand River Dam Authority Act, from time to time sell, which shall include, but not be limited to, an installment sale agreement, lease with nominal purchase options, or otherwise dispose of any property of any kind, real, personal or mixed, or any interest therein, which shall not be necessary to the carrying on of the business of the district;

~~(j)~~ 10. To overflow and inundate any public lands and public property and to require the relocation of roads and highways in the manner and to the extent necessary to carry out the purposes of the Grand River Dam Authority Act; provided, that the district shall be liable in damages to the State of Oklahoma or any subdivision thereof for any injury occasioned or expense incurred by reason thereof;

~~(k)~~ 11. To construct, extend, improve, maintain and reconstruct, to cause to be constructed, extended, improved,

maintained and reconstructed, and to use and operate any and all facilities of any kind necessary, incidental or convenient to the exercise of such powers, rights, privileges and functions;

~~(l)~~ 12. To sue and be sued in its corporate name in contracts, reverse condemnation, tort, equity, mandamus and similar actions and in its own name plead and be impleaded, provided, however, that any and all actions of law or in an equity against the district shall be brought in the county in which the principal office of the district shall be located or in the county where the cause of action arose;

~~(m)~~ 13. To adopt, use and alter a corporate seal;

~~(n)~~ 14. To make bylaws for the management and regulation of its affairs;

~~(o)~~ 15. To appoint officers, agents and employees, to prescribe their duties and to fix their compensation; and enter into contracts with labor unions, provided, that contracts with labor unions shall not abrogate the rights of the district to cooperate and carry out Veterans on the Job Training;

~~(p)~~ 16. To make contracts and to execute instruments necessary, incidental or convenient to the exercise of the powers, rights, privileges and functions conferred upon it by the Grand River Dam Authority Act;

~~(q)~~ 17. To borrow money for its corporate purposes and, without limitation of the generality of the foregoing, to borrow money and accept grants from the United States of America, or from any corporation or agency created or designated by the United States of America, and, in connection with any such loan or grant, to enter into such agreements as the United States of America or such corporation or agency may require; and to make and issue its negotiable bonds for money borrowed, in the manner provided in the Grand River Dam Authority Act. Nothing in the Grand River Dam Authority Act shall authorize the issuance of any bonds, notes or other evidences of indebtedness of the district, except as specifically provided in the Grand River Dam Authority Act;

~~(r)~~ 18. To prescribe and enforce rules for the use for recreational and commercial purposes of the lakes created by the

district by impounding the waters of the lakes, and the shorelands of the district bordering thereon, including the use of firearms, the inspection of all boats of every character proposing to operate or operating on the lakes, the issuance of permits for the operation of boats, surfboards, aquaplanes, sea-skis or similar devices on the lakes for hire; the charging and collection of fees for the inspection or operation of such boats, surfboards, aquaplanes, sea-skis or other similar devices on the lakes for hire; preventing the launching or operation of any commercial or for-hire boat, surfboard, aquaplane, sea-ski or similar device for hire, on the waters of the lakes, without a certificate of inspection and a permit for such use; prescribing the type, style, location and equipment of all wharves, docks and anchorages along the shores and upon the water of the lakes; the issuance of permits for wharfage, dock or anchorage privileges and charging fees for such commercial or private permits; and the establishment and maintenance of public wharves, docks or anchorages and the charging and collection of fees for the use thereof by the public; to appoint or employ such persons as the district may deem proper and suitable for the purpose of enforcing such rules and regulations as may be issued hereunder, or as may be issued pursuant to the provisions of the Oklahoma Boating Safety Regulation Act, and for the enforcing of the provisions of the Grand River Dam Authority Act, and all violations of criminal laws occurring within the boundaries of the counties where real property owned or leased by the Grand River Dam Authority is located, which employees shall have the power of peace officers during the performance of those duties, except in the serving or execution of civil process.

Any municipal, county or state law enforcement officer employed by the Grand River Dam Authority to serve as a part-time or seasonal commissioned peace officer shall be exempt from the restrictions on dual office holding as provided for in paragraph 16 of subsection A of Section 6 of Title 51 of the Oklahoma Statutes;

~~(s)~~ 19. To do any and all other acts or things necessary, incidental or convenient to the exercise of the powers, rights, privileges or functions conferred upon it by the Grand River Dam Authority Act or any other act or law. Provided the district shall be liable for damage caused by the district, its agents, servants and employees in creating, constructing, maintaining or operating the district to any corporation, partnership, person or individual

whose property, either real or personal, within or without said district, has been damaged and the damages may be determined by appropriate action as provided by law. Nothing in the Grand River Dam Authority Act shall be construed as rendering the district liable for damage where it is not liable on general principles of law or statute or Constitutional provision.

Provided, however, that in the course of exercising its powers as herein enumerated, the district shall at all times consider the rights and needs of the people living within and upon the land lying within the watershed of the rivers or streams developed by the district; provided, however, that nothing herein shall prevent the district from selling for irrigation purposes within the boundaries of the district any water impounded by it under authority of law, provided that nothing herein contained shall authorize the state to engage in agriculture except for educational and scientific purposes and for the support of its penal, charitable, and educational institutions; ~~and~~

~~(t)~~ 20. To support and assist the efforts of state, regional and local development organizations, political subdivisions, industrial committees, chambers of commerce, tourism organizations, agricultural organizations, environmental organizations and other similar public and private agencies to obtain new and foster expansion of existing service, industrial and manufacturing facilities, businesses and enterprises to enhance the quality of life for the citizens of the district and the state. Provided, support and assistance shall be limited to an amount not to exceed a total of Twenty-five Thousand Dollars ($25,000.00) per year for one or more projects or efforts that are for the benefit of or impact the quality of life for each city or community located within the boundaries of the district~~.~~; and

~~(u)~~ 21. Notwithstanding any other provision of law, the General Manager, department heads and other essential employees of the district, as designated by the General Manager, may be permitted to use a district owned vehicle to provide transportation between the employee's residence and the assigned place of employment and between the residence and any location other than the assigned place of employment to which the employee travels in the performance of the employee's official duty.

SECTION 3. AMENDATORY 82 O.S. 2011, Section 875, is amended to read as follows:

Section 875. A. ~~The district~~ Except as may be provided in this subsection, the Grand River Dam Authority shall not prevent free public use of its lands and lakes for recreation purposes and for hunting and fishing, except at such points where, in the opinion of the ~~directors~~ Board of Directors, such use would be dangerous or would interfere with the proper conduct of its business~~, but~~. The Authority may, in the interest of public health and safety, make reasonable regulations governing such use and, in the interest of defraying costs associated with the maintenance and policing of public lands administered by the Authority, prescribe reasonable fees for camping and the use of Authority facilities and for the use of off-road and all-terrain vehicles on Authority lands.

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

the interest of public safety, for the use of the waters of the lakes. ~~The rules and regulations and the rules of travel of boats used on or plying the waters of the lakes shall be in keeping with the rules and regulations of the United States Bureau of Navigation for inland waters.~~

C. The ~~district~~ Authority shall prescribe, in the interest of public safety, suitable rules and regulations governing the keeping for hire or operations of a boat or boats, surfboards, aquaplanes, sea-skis or similar devices for pecuniary profit or gain on the waters of the lakes. The keeping for hire or operation of a boat or boats, surfboards, aquaplanes, sea-skis or similar devices, for pecuniary profit or gain, on the waters of the lake, shall only be allowed after a permit therefor has been issued by the ~~district~~ Authority. Applications for such permits are to be in writing, upon a form prescribed and furnished by the ~~district~~ Authority, and containing such information as is required by the ~~district~~ Authority. For the issuance of such a permit the ~~district~~ Authority shall charge a fee in an amount as specified by the ~~district~~ Authority, and shall have the power to prescribe the size and type of boat or boats allowed to operate under such permit and the equipment necessary to such operation. A permit shall be procured for the construction of wharves, docks, landings and anchorages when constructed for commercial or rental purposes. For the issuance of such a permit the ~~district~~ Authority shall charge a fee in an amount as specified by the ~~district~~ Authority. The ~~district~~ Authority shall prescribe the type, style and location and equipment of wharves, docks, anchorages and landings from which such boats operate and their rules of travel. Issuance of permits is to be deferred and withheld unless and until the applicant therefor has paid the permit fee and procured and deposited with the ~~district~~ Authority a good and sufficient bond, either in cash, or by a surety company licensed to do business in this state, or public liability and property damage insurance, written by a company licensed to do business in Oklahoma, in an amount and in such form as the ~~district~~ Authority shall specify, so as to assure compensation for injuries to or death of persons, and loss or damage to property for which the holder of such permit may be legally liable. Upon it being called to the attention of the Attorney General of Oklahoma by any citizen of Oklahoma that this section has not been complied with, it shall be the duty of the Attorney General of Oklahoma to institute the

proper legal proceedings to require ~~said district~~ the Authority, or its successor, to comply with the provisions of this section.

D. The ~~district~~ Authority may acquire, by purchase, condemnation, or otherwise, lands suitable for park purposes or roadways along the shores of ~~said~~ the lakes. After acquiring such lands the ~~Grand River Dam~~ Authority may, but shall not be required to, assign or lease the ~~same~~ lands to the State of Oklahoma for park or road purposes and if such assignment is made the ~~same~~ lands shall be under the supervision and control of the Oklahoma Tourism and Recreation Commission or the ~~Oklahoma~~ Department of Wildlife ~~Commission~~ Conservation, which shall keep ~~said~~ the lands so assigned open to the public ~~without charge~~ so that the public in general may have free access to the lakes.

SECTION 4. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 896.1 of Title 82, unless there is created a duplication in numbering, reads as follows:

A. Effective July 1, 2016, the Scenic Rivers Commission created pursuant to Section 1461 of Title 82 of the Oklahoma Statutes shall be terminated. Effective July 1, 2016, the rights and authorities of the Scenic Rivers Commission shall be transferred to the Grand River Dam Authority. Effective July 1, 2016, all assets, funds, liabilities, allotments, purchase orders, outstanding financial obligations, encumbrances, records, equipment and property of the Scenic Rivers Commission are hereby transferred to and placed under the supervision and control of the Grand River Dam Authority. Monies collected or accruing to the credit of the Scenic Rivers Commission in the State Treasury or under the management of the Office of Management and Enterprise Services pursuant to the provisions of Section 1462A, 1462B or 1462C of Title 82 of the Oklahoma Statutes as of the effective date of this act and after shall be transferred to the Grand River Dam Authority to assist in implementing this act or as otherwise directed to support the activities previously conducted by the Scenic Rivers Commission or the employees of the Commission. Any other monies from appropriations, fees, licenses, fines, penalties or other similar types of monies that accrue in any funds or accounts after the effective date of this act in the name of the Scenic Rivers Commission or maintained for the benefit of the Commission are transferred to the Grand River Dam Authority.

B. Personnel employed by the Scenic Rivers Commission on the effective date of this act shall be transferred to the Grand River Dam Authority subject to the following provisions:

1. Classified employees transferred shall remain subject to the provisions of the Merit System of Personnel Administration, as provided in the Oklahoma Personnel Act;

2. Unclassified employees transferred shall remain in the unclassified service and shall serve at the pleasure of the Grand River Dam Authority;

3. All employees transferred pursuant to this act shall retain leave, sick and annual time earned and any retirement and longevity benefits which have accrued during their employment with the state. The salaries of employees who are transferred shall not be reduced as a direct and immediate result of the transfer;

4. Should the Grand River Dam Authority implement a reduction in force, all employees transferred pursuant to this act shall be credited for the time they were employed by the Scenic Rivers Commission; and

5. The transfer of personnel shall be coordinated with the Office of Management and Enterprise Services.

C. The Scenic Rivers Commission shall cease operating as a Commission no later than July 1, 2016. The Grand River Dam Authority Board of Directors may create an advisory board relating to the management of the property and area previously under the authority of the Scenic Rivers Commission with consideration of and adherence to the provisions of the Scenic Rivers Act. Members currently serving on the Commission may be eligible to serve in an advisory capacity if so appointed by the Grand River Dam Authority Board of Directors and may serve for terms as authorized by the Board of Directors of the Authority.

D. The Administrator and Chief Ranger of the Scenic Rivers Commission employed by the Commission on the effective date of this act may maintain possession of the badge and assigned firearm issued by the Commission.

SECTION 5. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 896.2 of Title 82, unless there is created a duplication in numbering, reads as follows:

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

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

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

D. With regards to all rights and authorities transferred to the Grand River Dam Authority pursuant to this section and Section 4 of this act, all rules of the Scenic Rivers Commission relating to licensing, use permits and protection of natural resources, are hereby transferred to the Grand River Dam Authority to the extent the rules are consistent with state law and rules of the Authority for the purpose of implementing and enforcing the provisions of the Scenic Rivers Act. The rules shall remain in effect only until July 1, 2017, at which time the transferred rules will terminate unless earlier superseded by rules promulgated by the Authority.

SECTION 6. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 896.3 of Title 82, unless there is created a duplication in numbering, reads as follows:

For purposes of the Scenic Rivers Act, the Grand River Dam Authority shall have additional powers and duties to:

1. Prepare, adopt and publish management plans and other documents to guide public and private activities and programs;

2. Consider and comment on public and private practices and proposed actions that may affect a scenic river;

3. Recommend standards for local government agencies whose political boundaries include all or part of a scenic river;

4. Own and control public access points for scenic rivers, and purchase easements and fee title to land along the scenic rivers for public purposes which are to be held by the Authority as an agency of the State of Oklahoma; and

5. Identify public and private nuisances that adversely affect a scenic river and take lawful action to abate nuisances.

SECTION 7. AMENDATORY 82 O.S. 2011, Section 1451, is amended to read as follows:

Section 1451. Sections ~~1452~~ 7 through ~~1471~~ 19 of this ~~title~~ act shall be known and may be cited as the "Scenic Rivers Act".

SECTION 8. AMENDATORY 82 O.S. 2011, Section 1452, is amended to read as follows:

Section 1452. ~~A.~~ The Oklahoma Legislature finds that ~~some of the~~ certain free-flowing streams and rivers of Oklahoma possess such unique natural scenic beauty, water ~~conservation~~, fish, wildlife and outdoor recreational values of present and future benefit to the people of the state that it is the policy of the Legislature to preserve these areas for the benefit of the people of Oklahoma. For this purpose ~~there~~ the following are hereby designated ~~certain "scenic river areas" to be preserved as a part of Oklahoma's diminishing resource of free-flowing rivers and streams.~~

~~B. The areas of the state designated as "scenic river areas" shall include~~ as scenic rivers:

1. The Flint Creek ~~and the Illinois River above the confluence of the Barren Fork Creek in Cherokee, Adair and~~ in Delaware ~~Counties~~ County;

2. The Illinois River in Adair, Delaware and Cherokee Counties above its confluence with the Barren Fork Creek;

3. The Barren Fork Creek in Adair and Cherokee Counties from the present alignment of U.S. Highway 59 West to its confluence with the Illinois River;

~~3.~~ 4. The Upper Mountain Fork River above the 600-foot elevation level of Broken Bow Reservoir in McCurtain and LeFlore Counties;

~~4.~~ 5. Big ~~Lee's~~ Lee Creek~~, sometimes referred to as Lee Creek, located~~ in Sequoyah County, above the 420-foot MSL elevation~~, excluding that portion necessary for a dam to be built in the State of Arkansas with a crest elevation of no more than the 420-foot MSL elevation. The Oklahoma Water Resources Board shall make such classifications, designations or adjustments to Oklahoma's water quality standards as required to allow the impoundment of water by said dam~~; and

~~5.~~ 6. Little ~~Lee's~~ Lee Creek~~, sometimes referred to as Little Lee Creek, located~~ in Adair and Sequoyah Counties~~, beginning approximately four (4) miles east-southeast of Stilwell, Oklahoma, and ending at its conjunction with Big Lee's Creek approximately two (2) miles southwest of Short, Oklahoma~~.

~~C. The term "scenic river area" as used in the Scenic Rivers Act is defined as the stream or river and the public use and access areas located within the area designated.~~

SECTION 9. AMENDATORY 82 O.S. 2011, Section 1453, is amended to read as follows:

Section 1453. A. ~~Once an area is designated as a "scenic river area", it~~ 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 and the public use and access areas located within or adjacent to the stream or river.

B. It is the intent of the Legislature that~~:~~

~~1. The~~ a stream or river ~~in the area~~ designated as a scenic river shall be preserved in its free-flowing condition~~;~~ and

~~2. The stream or river~~ shall not be impounded by any large dam or structure except as specifically authorized by the Legislature.

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

SECTION 10. AMENDATORY 82 O.S. 2011, Section 1454, is amended to read as follows:

Section 1454. ~~A. It is recognized by the Legislature that an effective program for preserving the scenic beauty of the free-flowing streams and rivers designated as "scenic river areas" necessarily involves the cooperation and support of the people in the operating areas of designated "scenic river areas", as well as the people using the "scenic river areas", and the agencies of state government administering these areas.~~

~~B. The primary purpose of the Scenic Rivers Act is to encourage the preservation of the areas designated as "scenic river areas" in their natural scenic state.~~

~~C.~~ In order to assist in the public use and enjoyment of ~~such areas, any Scenic Rivers Commission,~~ the scenic rivers, the Grand River Dam Authority, the Oklahoma Tourism and Recreation Department and the ~~Oklahoma~~ Department of Wildlife Conservation ~~Commission~~ may acquire, develop and maintain public access points, easements or park areas in or near ~~"~~scenic ~~river areas"~~ rivers. Such acquisitions shall be by private treaty only, and the use of the

power of eminent domain for these purposes is specifically prohibited ~~by the Scenic Rivers Act~~.

SECTION 11. AMENDATORY 82 O.S. 2011, Section 1455, is amended to read as follows:

Section 1455. A. ~~It is recognized by the Legislature that littering by people using the "scenic river areas" is one of the most immediate threats to the scenic beauty of our free-flowing streams and surrounding areas.~~

~~B. Any law enforcement, police or peace officer, game wardens or any other personnel of the Wildlife Conservation Commission, the personnel of the Tourism and Recreation Department, any landowner in the area, or any other interested party may file a complaint to enforce the provisions of the Scenic Rivers Act.~~

~~C. Any person who deliberately places, throws, drops, deposits or discards any garbage, trash, waste, rubbish, refuse, debris or other deleterious substance on or near a scenic river area shall be subject to the provisions of Section 1761.1 of Title 21 of the Oklahoma Statutes.~~

~~D.~~ The use of glass, Styrofoam or any plastic foam containers for any purpose shall be prohibited ~~in~~ on any ~~boat, canoe, raft or inflatable watercraft in a~~ scenic river ~~area~~ or on the Lower Mountain Fork River, south of the Broken Bow Lake Reregulation Dam to ~~United States~~ U.S. Highway 70. Any person found in violation of this ~~subsection~~ section shall be subject to the provisions of Section 1761.1 of Title 21 of the Oklahoma Statutes.

B. Any person who deliberately places, throws, drops, dumps, deposits or discards any garbage, trash, waste, rubbish, refuse, debris or other deleterious substance on or near a scenic river shall be subject to the provisions of Section 1761.1 of Title 21 of the Oklahoma Statutes.

SECTION 12. AMENDATORY 82 O.S. 2011, Section 1456, is amended to read as follows:

Section 1456. The property rights of private landowners ~~in and around "~~adjacent to a scenic river ~~areas"~~ are the same as in any

other area of the state. The unauthorized use of private property is trespassing and is subject to the penalties provided elsewhere in the statutes for such an offense.

SECTION 13. AMENDATORY 82 O.S. 2011, Section 1457, is amended to read as follows:

Section 1457. A. The ~~Executive Director of the~~ Department of Environmental Quality, the Corporation Commission, the ~~State~~ Oklahoma Department of Agriculture, Food, and Forestry, the Oklahoma Water Resources Board, the ~~Oklahoma~~ Department of Wildlife Conservation ~~Commission~~ and the Oklahoma Conservation Commission are hereby given the authority to assist the ~~Scenic Rivers Commission~~ Grand River Dam Authority in maintaining and improving water quality and in preventing and eliminating the pollution of waters within ~~a~~ ~~"~~scenic ~~river area"~~ rivers.

B. 1. The Secretary of Energy and Environment shall coordinate with the appropriate state environmental agencies to create a coordinated watershed restoration and protection strategy for each impaired scenic river in this state. ~~The strategy shall be submitted to the Governor, the President Pro Tempore of the Senate and the Speaker of the House of Representatives by January 31, 2003.~~

2. The coordinated watershed restoration and protection strategy shall identify all permitted or registered water pollution sources and shall include but not be limited to:

a. an overall pollutant-specific load reduction as identified in a developed total maximum daily load (TMDL), or as otherwise calculated in the absence of a ~~developed total maximum daily load~~ TMDL, to bring each impaired scenic river back into compliance with water quality standards,

b. pollutant-specific load reduction goals for each state environmental agency to accomplish through its water quality protection programs,

c. detailed compliance schedules indicating how much of the load reduction goal will be accomplished each year by each state environmental agency,

d. industry-specific descriptions of how load reduction goals for each state environmental agency will be accomplished,

e. an outline of innovative, cooperative intrastate and interstate strategies that will be pursued in order to expedite pollutant reductions, in particular where scenic river watersheds cross state lines. Such strategies may include nutrient trading and conservation reserve enhancement program (CREP) initiatives, and

f. a list of all permitted or registered water pollution sources subject to the jurisdiction of each state agency within each impaired scenic river watershed~~.~~ ~~For the permitted or registered water pollution sources subject to each state environmental agency's jurisdiction~~, including the following information ~~shall be included~~:

(1) types of operations or organizations regulated,

(2) list of the registrations or permits issued,

(3) details on governmental assistance given, and

(4) details of enforcement actions undertaken.

C. ~~1. The Secretary of Environment shall coordinate with the appropriate state environmental agencies to create an annual progress report, beginning January 31, 2004, and each year thereafter. The progress report shall be submitted to the Governor, the President Pro Tempore of the Senate, and the Speaker of the House of Representatives.~~

~~2. The annual progress report shall include any revisions and updates to the information provided in the original strategy, in addition to the following:~~

~~a. identification of all actions taken by each state environmental agency to reduce pollutant levels in each impaired scenic river watershed,~~

~~b. identification of the sources of pollutants causing impairment or continued degradation of each impaired scenic river,~~

~~c. outline of further steps to be taken by each state environmental agency to reduce pollutants from identified sources in order to accomplish pollutant-specific load reduction goals,~~

~~d. an analysis of the effectiveness of the pollutant reduction efforts of each state environmental agency based upon data collected by the Oklahoma Water Resources Board's Beneficial Use Monitoring Program, the Conservation Commission's Small Watershed Rotational Monitoring Program and other appropriate monitoring data, and~~

~~e. recommendations for further administrative, judicial or legislative actions necessary to achieve the load reduction goals assigned to each impaired scenic river watershed and to overcome any identified limitations or obstacles.~~

~~D.~~ 1. For those impaired scenic river watersheds where a ~~total maximum daily load (TMDL)~~ for phosphorus has been developed, the Department of Environmental Quality shall initially allocate a wasteload for phosphorus for discharges from wastewater treatment facilities which enter the scenic river which is achievable by the best available waste control process.

2. ~~The annual report required by subsection C of this section shall indicate how the Department has verified that each wastewater treatment facility having a discharge has, in fact, implemented appropriate waste controls for phosphorus.~~

~~3. If the state's water quality monitoring data demonstrate that the water quality standards for phosphorus applicable to a watershed remain impaired, and only after all permitted or~~

~~registered water pollution sources have also implemented the best available waste control processes for phosphorus to address the pollutant or pollutants contributing to the impairment of the watershed, the Department shall again evaluate and require regulated entities to take additional actions to achieve water quality standards for phosphorus~~ The Secretary of Energy and the Environment shall evaluate methods to reduce the contribution of phosphorus to impaired scenic rivers from non-point sources identified by a TMDL.

~~E.~~ D. 1. The ~~Scenic Rivers Commission~~ Grand River Dam Authority shall require all ~~entities~~ commercially operated flotation device operations and campgrounds using scenic rivers for recreational activities~~, which are licensed by the Commission,~~ to implement a program to control the amount of pollution entering ~~an impaired~~ a scenic river ~~watershed from such~~ that is impaired by recreational activities.

2. The ~~Scenic Rivers Commission~~ Grand River Dam Authority shall include in the coordinated watershed restoration and protection strategy~~, and all subsequent annual reports,~~ an identification of the pollution from recreational activities ~~which are licensed by the Commission~~ and those actions taken and planned to reduce the amount of pollution ~~from entering an impaired scenic river watershed~~.

~~F.~~ E. If the Legislature or the Governor finds~~, based on any of the annual reports required by this section,~~ that any of the state environmental agencies have failed to appropriately protect water quality standards in an impaired scenic river watershed, the Governor and the Legislature shall take any and all necessary and appropriate action to ~~require~~ help the agency to meet its ~~mandated~~ responsibilities.

SECTION 14. AMENDATORY 82 O.S. 2011, Section 1460, is amended to read as follows:

Section 1460. The Legislature finds that the protection and development of the ~~state's~~ scenic ~~river areas~~ rivers in the state and adjacent and contiguous lands and quality of outstanding resource waters included within each ~~Commission's operating area~~ scenic river should be provided for by properly planned and executed rules promulgated by ~~that Commission respecting~~ the Grand River Dam Authority. The rules promulgated by the Authority with respect to

scenic rivers may address public services, land use, occupancy, structures, lot and plot sizes, density of population and other activities as required for the proper protection of the aesthetic, scenic, historic, archeologic and scientific features of the ~~said affected areas~~ scenic rivers, or deemed necessary for the protection of the ecosystem and the environment from pollution, despoliation and destruction or waste of natural resources and all other factors adversely affecting the public health, safety and the general welfare so long as the rules comply with the exempt provisions of the Scenic Rivers Act pertaining to farming, ranching, forestry, silviculture and other agricultural uses.

SECTION 15. AMENDATORY 82 O.S. 2011, Section 1464, is amended to read as follows:

Section 1464. A. Nothing in the Scenic Rivers Act shall be construed to unduly restrict or adversely affect the use of property within ~~the jurisdiction of~~ any ~~Scenic Rivers Commission~~ scenic rivers basin for farming, ranching, forestry, silviculture and other agricultural uses so long as they are not inconsistent with the purposes of the Scenic Rivers Act.

B. Present farming, ranching, forestry, silviculture and other agricultural uses and practices, including existing building and replacement structures, are hereby exempt from the provisions of ~~any~~ the Scenic Rivers ~~Commission~~ Act.

C. The Scenic Rivers Act shall not be construed in any way to affect existing rights between a landowner and utility or pipeline companies.

SECTION 16. AMENDATORY 82 O.S. 2011, Section 1465, is amended to read as follows:

Section 1465. A. All cities and incorporated towns and counties that ~~make up a part of a jurisdiction of a certified Scenic Rivers Commission~~ contain all or part of a scenic river within the jurisdictional boundaries of the city, town or county are hereby invested with full power to plan, zone and enact all ordinances and regulations that are necessary and proper to carry out the purposes of the Scenic Rivers Act.

B. The cities, incorporated towns and counties shall follow their respective general procedures in the conduct of legislative functions.

C. In exercising planning and zoning functions, said cities, incorporated towns and counties shall utilize the organization and procedures available to cities and incorporated towns under the general planning and zoning laws of the state. Provided that, when a county exercises the powers provided by the Scenic Rivers Act, the board of county commissioners of that county shall perform the obligations and exercise the powers in the same manner as a local legislative body or mayor of a city, incorporated town or municipality.

SECTION 17. AMENDATORY 82 O.S. 2011, Section 1466, is amended to read as follows:

Section 1466. Each county, city, incorporated town or other governmental entity ~~that makes up a part of the operating area of a Scenic Rivers Commission~~ which contains all or part of a scenic river within its jurisdictional boundaries is hereby authorized to grant or otherwise provide funds for the operation and administration of the ~~Commission~~ Scenic Rivers Act.

SECTION 18. AMENDATORY 82 O.S. 2011, Section 1467, is amended to read as follows:

Section 1467. A. Any person who willfully violates any rule or order issued pursuant to the Scenic Rivers Act, except such rules or orders as relate solely to procedural matters, upon conviction thereof, shall be guilty of a misdemeanor.

B. In addition to other administrative actions, the Grand River Dam Authority may issue a Notice of Violation to any licensed commercial flotation device operation that is alleged to have violated any rule of the Grand River Dam Authority. The Notice of Violation shall advise the licensed operation of the applicable rule and the facts of the violation and shall set a reasonable period of time for the licensed operation to comply with the rule. After the time to comply has expired, if the licensed operation is found to still be in violation of the same rule, the Authority may issue a proposed order assessing an administrative penalty in an amount of

not less than One Hundred Dollars ($100.00) or more than Five Hundred Dollars ($500.00). The licensed operation shall have twenty (20) days from receipt of the order to request an administrative hearing. If a hearing is not requested, the proposed order shall become final and the administrative penalty shall become due and payable.

SECTION 19. AMENDATORY 82 O.S. 2011, Section 1470, is amended to read as follows:

Section 1470. A. 1. ~~The Scenic Rivers Commission for the Flint Creek and Illinois River within Adair, Cherokee and Delaware Counties and those portions of Barren Fork Creek within Cherokee County~~ 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 ~~Oklahoma Scenic Rivers Commission~~ license ~~is subject to~~ issued by the Authority shall result in a fine not to exceed One Hundred Dollars ($100.00). The ~~penalty will~~ fine shall be assessed upon the owner or operator of the commercial flotation device business and not upon the individual renting the commercial flotation device.

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

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

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

2. A use fee of One Dollar ($1.00) per day for all noncommercial, privately owned flotation devices floating upon

~~state-designated~~ a designated scenic ~~rivers areas located within the operating area of jurisdiction of the Commission; provided, however, landowners~~ river. Landowners located immediately adjacent to ~~state-designated~~ a designated scenic ~~rivers areas~~ river shall not be required to pay ~~either~~ any fee for private use as authorized ~~by~~ in this ~~subsection~~ section or otherwise by law.

C. ~~The Scenic Rivers Commission for the Flint Creek and Illinois River within Adair, Cherokee and Delaware Counties and those portions of Barren Fork Creek within Cherokee County Scenic River Areas shall~~ Under the provisions of Section 5 of this act granting the Authority the power to establish licenses and set fees, the Authority may promulgate rules ~~and regulations~~ for the collection and administration of the fees imposed pursuant to the provisions of this section or may promulgate rules establishing licenses and setting fees that change or replace the licenses and fees imposed pursuant to the provisions of this section. Upon final adoption of rules changing or replacing any or all of the licenses and fees imposed pursuant to the provisions of this section, the Authority shall cease to impose, collect or charge the license and fee that was changed or replaced by rule. Rules promulgated by the Authority pursuant to this section shall be in accordance with the Administrative Procedures Act.

D. ~~The Commission~~ Until replaced or changed as provided for in subsection C of this section, the Grand River Dam Authority may ~~establish~~ charge a fee for use of camping sites located in public use and access areas controlled by the ~~Commission. The fee charged by the Commission shall~~ Authority in an amount that does not exceed the rate charged by the Oklahoma Tourism and Recreation Department for camping sites. ~~The Commission is authorized to promulgate rules to implement such fee pursuant to Article I of the Administrative Procedures Act.~~

~~E. The administrator of the Scenic Rivers Commission is authorized to be commissioned as a peace officer after completion of all required training for the purpose of supervision of peace officers employed by the Commission and such administrator may be utilized for any law enforcement purpose as may be necessary.~~

~~F.~~ E. For the purposes of ~~this section~~ the Scenic Rivers Act, "commercial flotation device" means a canoe, boat, kayak, inner

tube, raft or other similar device suitable for the transportation of a person or persons on waterways which is available for hire by the public for use on ~~waterways within the operating area of the Oklahoma Scenic Rivers Commission~~ scenic rivers.

SECTION 20. AMENDATORY 74 O.S. 2011, Section 902, as last amended by Section 28, Chapter 1, O.S.L. 2014 (74 O.S. Supp. 2015, Section 902), is amended to read as follows:

Section 902. As used in Section 901 et seq. of this title:

(1) "System" means the Oklahoma Public Employees Retirement System as established by this act and as it may hereafter be amended;

(2) "Accumulated contributions" means the sum of all contributions by a member to the System which shall be credited to the member's account;

(3) "Act" means Sections 901 to 932, inclusive, of this title;

(4) "Actuarial equivalent" means a deferred income benefit of equal value to the accumulated deposits or benefits when computed upon the basis of the actuarial tables in use by the System;

(5) "Actuarial tables" means the actuarial tables approved and in use by the Board at any given time;

(6) "Actuary" means the actuary or firm of actuaries employed by the Board at any given time;

(7) "Beneficiary" means any person named by a member to receive any benefits as provided for by Section 901 et seq. of this title. If there is no beneficiary living at time of member employee's death, the member's estate shall be the beneficiary;

(8) "Board" means the Oklahoma Public Employees Retirement System Board of Trustees;

(9) "Compensation" means all salary and wages, as defined by the Board of Trustees, including amounts deferred under deferred compensation agreements entered into between a member and a

participating employer, but exclusive of payment for overtime, payable to a member of the System for personal services performed for a participating employer but shall not include compensation or reimbursement for traveling, or moving expenses, or any compensation in excess of the maximum compensation level, provided:

(a) For compensation for service prior to January 1, 1988, the maximum compensation level shall be Twenty-five Thousand Dollars ($25,000.00) per annum.

For compensation for service on or after January 1, 1988, through June 30, 1994, the maximum compensation level shall be Forty Thousand Dollars ($40,000.00) per annum.

For compensation for service on or after July 1, 1994, through June 30, 1995, the maximum compensation level shall be Fifty Thousand Dollars ($50,000.00) per annum; for compensation for service on or after July 1, 1995, through June 30, 1996, the maximum compensation level shall be Sixty Thousand Dollars ($60,000.00) per annum; for compensation for service on or after July 1, 1996, through June 30, 1997, the maximum compensation level shall be Seventy Thousand Dollars ($70,000.00) per annum; and for compensation for service on or after July 1, 1997, through June 30, 1998, the maximum compensation level shall be Eighty Thousand Dollars ($80,000.00) per annum. For compensation for services on or after July 1, 1998, there shall be no maximum compensation level for retirement purposes.

(b) Compensation for retirement purposes shall include any amount of elective salary reduction under Section 457 of the Internal Revenue Code of 1986 and any amount of nonelective salary reduction under Section 414(h) of the Internal Revenue Code of 1986.

(c) Notwithstanding any provision to the contrary, the compensation taken into account for any employee in determining the contribution or benefit accruals for any plan year is limited to the annual compensation

limit under Section 401(a)(17) of the federal Internal Revenue Code.

(d) Current appointed members of the Oklahoma Tax Commission whose salary is constitutionally limited and is less than the highest salary allowed by law for his or her position shall be allowed, within ninety (90) days from the effective date of this act, to make an election to use the highest salary allowed by law for the position to which the member was appointed for the purposes of making contributions and determination of retirement benefits. Such election shall be irrevocable and be in writing. Reappointment to the same office shall not permit a new election. Members appointed to the Oklahoma Tax Commission after the effective date of this act shall make such election, pursuant to this subparagraph, within ninety (90) days of taking office;

(10) "Credited service" means the sum of participating service, prior service and elected service;

(11) "Dependent" means a parent, child, or spouse of a member who is dependent upon the member for at least one-half (1/2) of the member's support;

(12) "Effective date" means the date upon which the System becomes effective by operation of law;

(13) "Eligible employer" means the state and any county, county hospital, city or town, conservation districts, circuit engineering districts and any public or private trust in which a county, city or town participates and is the primary beneficiary, is to be an eligible employer for the purpose of this act only, whose employees are covered by Social Security and are not covered by or eligible for another retirement plan authorized under the laws of this state which is in operation on the initial entry date. Emergency medical service districts may join the System upon proper application to the Board. Provided affiliation by a county hospital shall be in the form of a resolution adopted by the board of control.

(a) If a class or several classes of employees of any above-defined employers are covered by Social Security and are not covered by or eligible for and will not become eligible for another retirement plan authorized under the laws of this state, which is in operation on the effective date, such employer shall be deemed an eligible employer, but only with respect to that class or those classes of employees as defined in this section.

(b) A class or several classes of employees who are covered by Social Security and are not covered by or eligible for and will not become eligible for another retirement plan authorized under the laws of this state, which is in operation on the effective date, and when the qualifications for employment in such class or classes are set by state law; and when such class or classes of employees are employed by a county or municipal government pursuant to such qualifications; and when the services provided by such employees are of such nature that they qualify for matching by or contributions from state or federal funds administered by an agency of state government which qualifies as a participating employer, then the agency of state government administering the state or federal funds shall be deemed an eligible employer, but only with respect to that class or those classes of employees as defined in this subsection; provided, that the required contributions to the retirement plan may be withheld from the contributions of state or federal funds administered by the state agency and transmitted to the System on the same basis as the employee and employer contributions are transmitted for the direct employees of the state agency. The retirement or eligibility for retirement under the provisions of law providing pensions for service as a volunteer firefighter shall not render any person ineligible for participation in the benefits provided for in Section 901 et seq. of this title. An employee of any public or private trust in which a county, city or town participates and is the primary beneficiary

shall be deemed to be an eligible employee for the purpose of this act only.

(c) All employees of the George Nigh Rehabilitation Institute who elected to retain membership in the System, pursuant to Section 913.7 of this title, shall continue to be eligible employees for the purposes of this act. The George Nigh Rehabilitation Institute shall be considered a participating employer only for such employees.

(d) All employees of CompSource Mutual Insurance Company who retain membership in the Oklahoma Public Employees Retirement System pursuant to Section ~~14~~ 913.9 of this ~~act~~ title shall continue to be eligible employees for the purposes of the Oklahoma Public Employees Retirement System. CompSource Mutual Insurance Company shall be considered a participating employer only for such employees.

(e) All employees of a successor organization, as defined by Section 5-60.12 of ~~this title~~ Title 2 of the Oklahoma Statutes, who retain membership in the Oklahoma Public Employees Retirement System pursuant to Section ~~24~~ 5-60.35 of ~~this act~~ Title 2 of the Oklahoma Statutes shall continue to be eligible employees for the purposes of the Oklahoma Public Employees Retirement System. A successor organization shall be considered a participating employer only for such employees.

(f) A participating employer of the Teachers' Retirement System of Oklahoma, who has one or more employees who have made an election pursuant to enabling legislation to retain membership in the System as a result of change in administration, shall be considered a participating employer of the Oklahoma Public Employees Retirement System only for such employees;

(14) "Employee" means any officer or employee of a participating employer, whose employment is not seasonal or temporary and whose employment requires at least one thousand

(1,000) hours of work per year and whose salary or wage is equal to the hourly rate of the monthly minimum wage for state employees. For those eligible employers outlined in Section 910 of this title, the rate shall be equal to the hourly rate of the monthly minimum wage for that employer. Each employer, whose minimum wage is less than the state's minimum wage, shall inform the System of the minimum wage for that employer. This notification shall be by resolution of the governing body.

(a) Any employee of the county extension agents who is not currently participating in the Teachers' Retirement System of Oklahoma shall be a member of this System.

(b) Eligibility shall not include any employee who is a contributing member of the United States Civil Service Retirement System.

(c) It shall be mandatory for an officer, appointee or employee of the office of district attorney to become a member of this System if he or she is not currently participating in a county retirement system. Provided further, that if an officer, appointee or employee of the office of district attorney is currently participating in such county retirement system, he or she is ineligible for this System as long as he or she is eligible for such county retirement system. Any eligible officer, appointee or employee of the office of district attorney shall be given credit for prior service as defined in this section. The provisions outlined in Section 917 of this title shall apply to those employees who have previously withdrawn their contributions.

(d) Eligibility shall also not include any officer or employee of the Oklahoma Employment Security Commission, except for those officers and employees of the Commission electing to transfer to this System pursuant to the provisions of Section 910.1 of this title or any other class of officers or employees specifically exempted by the laws of this state, unless there be a consolidation as provided by Section 912 of this title. Employees of the Oklahoma

Employment Security Commission who are ineligible for enrollment in the Employment Security Commission Retirement Plan, that was in effect on January 1, 1964, shall become members of this System.

(e) Any employee employed by the Legislative Service Bureau, State Senate or House of Representatives for the full duration of a regular legislative session shall be eligible for membership in the System regardless of classification as a temporary employee and may participate in the System during the regular legislative session at the option of the employee. For purposes of this subparagraph, the determination of whether an employee is employed for the full duration of a regular legislative session shall be made by the Legislative Service Bureau if such employee is employed by the Legislative Service Bureau, the State Senate if such employee is employed by the State Senate, or by the House of Representatives if such employee is employed by the House of Representatives. Each regular legislative session during which the legislative employee or an employee of the Legislative Service Bureau participates full time shall be counted as six (6) months of full-time participating service.

(i) Except as otherwise provided by this subparagraph, once a temporary session employee makes a choice to participate or not, the choice shall be binding for all future legislative sessions during which the employee is employed.

(ii) Notwithstanding the provisions of division (i) of this subparagraph, any employee, who is eligible for membership in the System because of the provisions of this subparagraph and who was employed by the State Senate or House of Representatives after January 1, 1989, may file an election, in a manner specified by the Board, to participate as a member of the System prior to September 1, 1989.

(iii) Notwithstanding the provisions of division (i) of this subparagraph, a temporary legislative session employee who elected to become a member of the System may withdraw from the System effective the day said employee elected to participate in the System upon written request to the Board. Any such request must be received by the Board prior to October 1, 1990. All employee contributions made by the temporary legislative session employee shall be returned to the employee without interest within four (4) months of receipt of the written request.

(iv) A member of the System who did not initially elect to participate as a member of the System pursuant to this subparagraph shall be able to acquire service performed as a temporary legislative session employee for periods of service performed prior to the date upon which the person became a member of the System if:

a. the member files an election with the System not later than December 31, 2000, to purchase the prior service; and

b. the member makes payment to the System of the actuarial cost of the service credit pursuant to subsection A of Section 913.5 of this title. The provisions of Section 913.5 of this title shall be applicable to the purchase of the service credit, including the provisions for determining service credit in the event of incomplete payment due to cessation of payments, death, termination of employment or retirement, but the payment may extend for a period not to exceed ninety-six (96) months;

(15) "Entry date" means the date on which an eligible employer joins the System. The first entry date pursuant to Section 901 et seq. of this title shall be January 1, 1964;

(16) "Executive Director" means the managing officer of the System employed by the Board under Section 901 et seq. of this title;

(17) "Federal Internal Revenue Code" means the federal Internal Revenue Code of 1954 or 1986, as amended and as applicable to a governmental plan as in effect on July 1, 1999;

(18) "Final average compensation" means the average annual compensation, including amounts deferred under deferred compensation agreements entered into between a member and a participating employer, up to, but not exceeding the maximum compensation levels as provided in paragraph (9) of this section received during the highest three (3) of the last ten (10) years of participating service immediately preceding retirement or termination of employment and with respect to members whose first participating service occurs on or after July 1, 2013, the compensation received during the highest five (5) of the last ten (10) years of participating service immediately preceding retirement or termination of employment. Provided, no member shall retire with a final average compensation unless the member has made the required contributions on such compensation, as defined by the Board of Trustees;

(19) "Fiscal year" means the period commencing July 1 of any year and ending June 30 of the next year. The fiscal year is the plan year for purposes of the federal Internal Revenue Code; however, the calendar year is the limitation year for purposes of Section 415 of the federal Internal Revenue Code;

(20) "Fund" means the Oklahoma Public Employees Retirement Fund as created by Section 901 et seq. of this title;

(21) "Leave of absence" means a period of absence from employment without pay, authorized and approved by the employer and acknowledged to the Board, and which after the effective date does not exceed two (2) years;

(22) "Member" means an eligible employee or elected official who is in the System and is making the required employee or elected official contributions, or any former employee or elected official

who shall have made the required contributions to the System and shall have not received a refund or withdrawal;

(23) "Military service" means service in the Armed Forces of the United States by an honorably discharged person during the following time periods, as reflected on such person's Defense Department Form 214, not to exceed five (5) years for combined participating and/or prior service, as follows:

(a) during the following periods, including the beginning and ending dates, and only for the periods served, from:

(i) April 6, 1917, to November 11, 1918, commonly referred to as World War I,

(ii) September 16, 1940, to December 7, 1941, as a member of the 45th Division,

(iii) December 7, 1941, to December 31, 1946, commonly referred to as World War II,

(iv) June 27, 1950, to January 31, 1955, commonly referred to as the Korean Conflict or the Korean War,

(v) February 28, 1961, to May 7, 1975, commonly referred to as the Vietnam era, except that:

a. for the period from February 28, 1961, to August 4, 1964, military service shall only include service in the Republic of Vietnam during that period, and

b. for purposes of determining eligibility for education and training benefits, such period shall end on December 31, 1976, or

(vi) August 1, 1990, to December 31, 1991, commonly referred to as the Gulf War, the Persian Gulf War, or Operation Desert Storm, but excluding any person who served on active duty for training

only, unless discharged from such active duty for a service-connected disability;

(b) during a period of war or combat military operation other than a conflict, war or era listed in subparagraph (a) of this paragraph, beginning on the date of Congressional authorization, Congressional resolution, or Executive Order of the President of the United States, for the use of the Armed Forces of the United States in a war or combat military operation, if such war or combat military operation lasted for a period of ninety (90) days or more, for a person who served, and only for the period served, in the area of responsibility of the war or combat military operation, but excluding a person who served on active duty for training only, unless discharged from such active duty for a service-connected disability, and provided that the burden of proof of military service during this period shall be with the member, who must present appropriate documentation establishing such service.

An eligible member under this paragraph shall include only those persons who shall have served during the times or in the areas prescribed in this paragraph, and only if such person provides appropriate documentation in such time and manner as required by the System to establish such military service prescribed in this paragraph, or for service pursuant to subdivision a of division (v) of subparagraph (a) of this paragraph those persons who were awarded service medals, as authorized by the United States Department of Defense as reflected in the veteran's Defense Department Form 214, related to the Vietnam Conflict for service prior to August 5, 1964;

(24) "Normal retirement date" means the date on which a member may retire with full retirement benefits as provided in Section 901 et seq. of this title, such date being whichever occurs first:

(a) the first day of the month coinciding with or following a member's:

(1) sixty-second birthday with respect to members whose first participating service occurs prior to November 1, 2011, or

(2) sixty-fifth birthday with respect to members whose first participating service occurs on or after November 1, 2011, or with respect to members whose first participating service occurs on or after November 1, 2011, reaches a minimum age of sixty (60) years and who also reaches a normal retirement date pursuant to subparagraph c of this paragraph,

(b) for any person who initially became a member prior to July 1, 1992, and who does not reach a normal retirement date pursuant to division (1) of subparagraph (a) of this paragraph, the first day of the month coinciding with or following the date at which the sum of a member's age and number of years of credited service total eighty (80); such a normal retirement date will also apply to any person who became a member of the sending system as defined in Section 901 et seq. of this title, prior to July 1, 1992, regardless of whether there were breaks in service after July 1, 1992,

(c) for any person who became a member after June 30, 1992, but prior to November 1, 2011, and who does not reach a normal retirement date pursuant to division (1) of subparagraph (a) of this paragraph, the first day of the month coinciding with or following the date at which the sum of a member's age and number of years of credited service total ninety (90),

(d) in addition to subparagraphs (a), (b) and (c) of this paragraph, the first day of the month coinciding with or following a member's completion of at least twenty (20) years of full-time-equivalent employment as:

(i) a correctional or probation and parole officer with the Department of Corrections and at the time of retirement, the member was a correctional

or probation and parole officer with the Department of Corrections, or

(ii) a correctional officer, probation and parole officer or fugitive apprehension agent with the Department of Corrections who is in such position on June 30, 2004, or who is hired after June 30, 2004, and who receives a promotion or change in job classification after June 30, 2004, to another position in the Department of Corrections, so long as such officer or agent has at least five (5) years of service as a correctional officer, probation and parole officer or fugitive apprehension agent with the Department, has twenty (20) years of full-time-equivalent employment with the Department and was employed by the Department at the time of retirement, or

(iii) a firefighter with the Oklahoma Military Department either employed for the first time on or after July 1, 2002, or who was employed prior to July 1, 2002, in such position and who makes the election authorized by division (2) of subparagraph b of paragraph (9) of subsection A of Section 915 of this title and at the time of retirement, the member was a firefighter with the Oklahoma Military Department, and such member has at least twenty (20) years of credited service upon which the two and one-half percent (2 1/2%) multiplier will be used in calculating the retirement benefit, or

(iv) a public safety officer employed by the Grand River Dam Authority for the first time on or after the effective date of this act,

(e) for those fugitive apprehension agents who retire on or after July 1, 2002, the first day of the month coinciding with or following a member's completion of at least twenty (20) years of full-time-equivalent employment as a fugitive apprehension agent with the

Department of Corrections and at the time of retirement, the member was a fugitive apprehension agent with the Department of Corrections, or

(f) for any member who was continuously employed by an entity or institution within The Oklahoma State System of Higher Education and whose initial employment with such entity or institution was prior to July 1, 1992, and who without a break in service of more than thirty (30) days became employed by an employer participating in the Oklahoma Public Employees Retirement System, the first day of the month coinciding with or following the date at which the sum of the member's age and number of years of credited service total eighty (80);

(25) "Participating employer" means an eligible employer who has agreed to make contributions to the System on behalf of its employees;

(26) "Participating service" means the period of employment after the entry date for which credit is granted a member;

(27) "Prior service" means the period of employment of a member by an eligible employer prior to the member's entry date for which credit is granted a member under Section 901 et seq. of this title;

(28) "Retirant" or "retiree" means a member who has retired under the System;

(29) "Retirement benefit" means a monthly income with benefits accruing from the first day of the month coinciding with or following retirement and ending on the last day of the month in which death occurs or the actuarial equivalent thereof paid in such manner as specified by the member pursuant to Section 901 et seq. of this title or as otherwise allowed to be paid at the discretion of the Board;

(30) "Retirement coordinator" means the individual designated by each participating employer through whom System transactions and communication shall be directed;

(31) "Social Security" means the old-age survivors and disability section of the Federal Social Security Act;

(32) "Total disability" means a physical or mental disability accepted for disability benefits by the Federal Social Security System;

(33) "Service-connected disability benefits" means military service benefits which are for a service-connected disability rated at twenty percent (20%) or more by the Veterans Administration or the Armed Forces of the United States;

(34) "Elected official" means a person elected to a state office in the legislative or executive branch of state government or a person elected to a county office for a definite number of years and shall include an individual who is appointed to fill the unexpired term of an elected state official;

(35) "Elected service" means the period of service as an elected official; ~~and~~

(36) "Limitation year" means the year used in applying the limitations of Section 415 of the Internal Revenue Code of 1986, which year shall be the calendar year; and

(37) "Public safety officers of the Grand River Dam Authority" means those persons hired by the Grand River Dam Authority on or after the effective date of this act who are certified by the Council on Law Enforcement Education and Training or an equivalent certifying entity for law enforcement personnel training and who perform law enforcement functions as part of their regularly assigned duties and responsibilities on a full-time basis. With respect to any public safety officer hired by the Grand River Dam Authority on or after the effective date of this act, any earned benefits or credits toward retirement benefits from previous participation within the Oklahoma Public Employees Retirement System or the Oklahoma Law Enforcement Retirement System shall remain within that system.

SECTION 21. AMENDATORY 74 O.S. 2011, Section 915, as amended by Section 3, Chapter 159, O.S.L. 2013 (74 O.S. Supp. 2015, Section 915), is amended to read as follows:

Section 915. A. (1) Except as otherwise provided in this subsection and as provided for elected officials in Section 913.4 of this title, any member who shall retire on or after the member's normal retirement date shall be entitled to receive an annual retirement benefit equal to two percent (2%) of the member's final average compensation as determined pursuant to paragraph (18) of Section 902 of this title, multiplied by the number of years of credited service that has been credited to the member in accordance with the provisions of Section 913 of this title other than years credited pursuant to paragraph (2) of this subsection.

(2) Effective January 1, 2004, except as otherwise provided for elected officials in Section 913.4 of this title and except for those members making contributions pursuant to paragraphs (c), (d) and (e) of subsection (1) of Section 919.1 of this title, any member who shall retire shall be entitled to receive an annual retirement benefit equal to two and one-half percent (2 1/2%) of the member's final average compensation as determined pursuant to paragraph (18) of Section 902 of this title, multiplied by the number of full years of participating service after January 1, 2004, that have been credited to the member in accordance with the provisions of Section 913 of this title and only for those full years of participating service for which contributions have been made pursuant to paragraph (e) of subsection (1) of Section 919.1 of this title. The two and one-half percent (2 1/2%) multiplier shall not apply to purchased service, purchased or granted military service or transferred service. In order to receive the two and one-half percent (2 1/2%) multiplier in computing retirement benefits, an active member shall make an irrevocable written election to pay the contributions pursuant to paragraph ~~(e)~~ (f) of subsection (1) of Section 919.1 of this title. The two and one-half percent (2 1/2%) multiplier pursuant to this paragraph shall not apply to additional years of service credit attributed to sick leave pursuant to paragraph 7 of subsection B of Section 913 of this title and fractional years pursuant to subsection C of Section 913 of this title and shall be attributable only to the participating service credited after the election of the member.

(3) The minimum final average compensation for any person who becomes a member of the System on or after July 1, 1995:

a. and who had twenty (20) or more years of credited service within the System as of the member's retirement date shall be no less than Thirteen Thousand Eight Hundred Dollars ($13,800.00) per annum,

b. and who had at least fifteen (15) but not more than nineteen (19) years of credited service within the System as of the member's retirement date shall be no less than Six Thousand Nine Hundred Dollars ($6,900.00) per annum,

c. and who had less than fifteen (15) years of credited service within the System as of the member's retirement date shall not be eligible for any minimum amount of final average compensation and the member's final average compensation shall be the final average compensation as defined by paragraph (18) of Section 902 of this title~~,~~.

(4) Provided, further, any member who has elected a vested benefit pursuant to Section 917 of this title shall be entitled to receive benefits as outlined in this section except the percent factor and the member's maximum compensation level in effect the date the member's employment was terminated with a participating employer shall be applicable.

(5) Any member who is a correctional officer or a probation and parole officer employed by the Department of Corrections at the time of retirement and who retires on or before June 30, 2000, shall be entitled to receive an annual retirement benefit equal to two and one-half percent (2 1/2%) of the final average compensation of the member not to exceed Twenty-five Thousand Dollars ($25,000.00) and two percent (2%) of the final average salary in excess of Twenty-five Thousand Dollars ($25,000.00) but not exceeding the maximum compensation level as provided in paragraph (9) of Section 902 of this title, multiplied by the number of years of service as a correctional officer or a probation and parole officer, provided, any years accrued prior to July 1, 1990, as a correctional officer or a probation and parole officer by a member who is employed as a correctional officer or a probation and parole officer on July 1, 1990, shall be calculated for retirement purposes at two and one-quarter percent (2 1/4%) of the final average compensation of the

member not to exceed Twenty-five Thousand Dollars ($25,000.00) and two percent (2%) of the final average salary in excess of Twenty-five Thousand Dollars ($25,000.00) but not exceeding the maximum compensation level as provided in paragraph (9) of Section 902 of this title, multiplied by the number of years of such service and any years in excess of twenty (20) years as such an officer or years credited to the member in accordance with the provisions of Section 913 of this title shall be calculated for retirement purposes at two percent (2%) of the final average compensation of the member multiplied by the number of years of such service. Any person who contributes to the System as a correctional officer or a probation and parole officer as provided in paragraph (c) of subsection (1) of Section 919.1 of this title, on or before June 30, 2000, but who does not make such contributions after June 30, 2000, and who does not qualify for normal retirement under subparagraph (c) of paragraph (24) of Section 902 of this title shall have retirement benefits for each year of full-time-equivalent participating service as a correctional or a probation and parole officer after July 1, 1990, computed on two and one-half percent (2 1/2%) of the final average compensation based upon those years as a correctional officer or a probation and parole officer. Provided, further, any fugitive apprehension agent shall be entitled to receive benefits as outlined in this act for service as a fugitive apprehension agent prior to July 1, 2002, only upon payment to the System of the employee contributions which would have been paid if such fugitive apprehension agent had been covered by this section prior to the effective date of this act, plus interest of not to exceed ten percent (10%) as determined by the Board. The Department of Corrections may make the employee contribution and interest payment on behalf of such member.

(6) Any member who is a correctional officer, a probation and parole officer or a fugitive apprehension agent employed by the Department of Corrections at the time of retirement and who retires on or after July 1, 2002, shall be entitled to receive an annual retirement benefit equal to two and one-half percent (2 1/2%) of the final average compensation of the member, but not exceeding the maximum compensation level as provided in paragraph (18) of Section 902 of this title, multiplied by the number of years of service as a correctional officer, a probation and parole officer or a fugitive apprehension agent, and any years in excess of twenty (20) years as such an officer or agent, or years credited to the member in

accordance with the provisions of Section 913 of this title, shall be calculated for retirement purposes at two percent (2%) of the final average compensation of the member multiplied by the number of years of such service. For purposes of this paragraph, "final average compensation" shall be determined by computing the average annual salary, in the manner prescribed by paragraph (18) of Section 902 of this title, for the highest three (3) years of the last ten (10) years of participating service immediately preceding retirement or termination of employment for all years of service performed by such member, both for years of service performed as a correctional officer, probation and parole officer or fugitive apprehension agent, not in excess of twenty (20) years, and for years of service performed in excess of twenty (20) years, whether as a correctional officer, probation and parole officer, fugitive apprehension agent or other position unless the computation of benefits would result in a lower retirement benefit amount than if final average compensation were to be computed as otherwise provided by this paragraph. "Final average compensation" shall be determined by computing the average annual salary for the highest five (5) of the last ten (10) years of participating service immediately preceding retirement or termination of employment, with respect to members whose first participating service occurs on or after July 1, 2013.

(7) Any member who is a correctional officer, a probation and parole officer or a fugitive apprehension agent who has at least five (5) years of service as a correctional officer, a probation and parole officer or a fugitive apprehension agent who is in such position on June 30, 2004, or who is hired after June 30, 2004, in such position, and who receives a promotion or change in job classification after June 30, 2004, to another position in the Department of Corrections, and who is employed by the Department of Corrections at the time of retirement and who retires on or after July 1, 2004, shall be entitled to receive an annual retirement benefit equal to two and one-half percent (2 1/2%) of the final average compensation of the member, but not exceeding the maximum compensation level as provided in paragraph (18) of Section 902 of this title, multiplied by the number of years of service with the Department of Corrections and any years in excess of twenty (20) years with the Department or years credited to the member in accordance with the provisions of Section 913 of this title, shall be calculated for retirement purposes at two percent (2%) of the final average compensation of the member multiplied by the number of

years of such service. For purposes of this paragraph, "final average compensation" shall be determined by computing the average annual salary, in the manner prescribed by paragraph (18) of Section 902 of this title, for the highest three (3) years of the last ten (10) years of participating service immediately preceding retirement or termination of employment for all years of service performed by such member with the Department. "Final average compensation" shall be determined by computing the average annual salary for the highest five (5) of the last ten (10) years of participating service immediately preceding retirement or termination of employment, with respect to members whose first participating service occurs on or after July 1, 2013.

(8) Any person who contributed to the System as a correctional officer, a probation and parole officer or a fugitive apprehension agent as provided in paragraphs (c) or (d) of subsection (1) of Section 919.1 of this title, and who retires under normal retirement or early retirement on or after January 1, 2004, under paragraph (24) of Section 902 of this title, and any public safety officer described by paragraph (37) of Section 902 of this title hired on or after the effective date of this act by the Grand River Dam Authority and who retires on or after the effective date of this act, shall have retirement benefits for each year of full-time-equivalent participating service as a correctional officer, a probation and parole officer or a fugitive apprehension agent, or Grand River Dam public safety officer computed on two and one-half percent (2 1/2%) of the final average compensation based upon those years as a correctional officer, a probation and parole officer ~~or~~, a fugitive apprehension agent or a Grand River Dam public safety officer. For purposes of this paragraph, "final average compensation" shall be determined by computing the average annual salary, in the manner prescribed by paragraph (18) of Section 902 of this title, for the highest three (3) years of the last ten (10) years of participating service immediately preceding retirement or termination of employment for all years of service performed by such member, both for years of service performed as a correctional officer, probation and parole officer or fugitive apprehension agent, or years of service performed as a Grand River Dam public safety officer, not in excess of twenty (20) years, and for years of service performed in excess of twenty (20) years, whether as a correctional officer, probation and parole officer, fugitive apprehension agent, Grand River Dam public safety officer, or other

position unless the computation of benefits would result in a lower retirement benefit amount than if final average compensation were to be computed as otherwise provided by this paragraph. "Final average compensation" shall be determined by computing the average annual salary for the highest five (5) of the last ten (10) years of participating service immediately preceding retirement or termination of employment, with respect to members whose first participating service occurs on or after July 1, 2013, or with respect to Grand River Dam public safety officers whose first participating service occurs on or after the effective date of this act.

(9) Any member who is:

a. initially on or after July 1, 2002, employed as a firefighter for the Oklahoma Military Department and who retires on or after the member's normal retirement date shall be entitled to receive an annual retirement benefit equal to two and one-half percent (2 1/2%) of the final average compensation of the member multiplied by the number of years of service in such service,

b. (1) a firefighter who performs firefighting services for the Oklahoma Military Department prior to July 1, 2002, and who makes an election in writing on a form prescribed for this purpose by the System not later than December 31, 2002, shall be entitled to receive a retirement benefit based upon two and one-half percent (2 1/2%) of the final average compensation of the member multiplied by the number of years of service as a firefighter with the Oklahoma Military Department on or after July 1, 2002. The election authorized by this subdivision shall be irrevocable once the election is filed with the System,

(2) a firefighter who performs firefighting services for the Oklahoma Military Department prior to July 1, 2002, and who makes the election in division (1) of this subparagraph may also make

an election in writing on a form prescribed for this purpose by the System not later than December 31, 2002, to receive a retirement benefit based upon two and one-half percent (2 1/2%) of the final average compensation of the member multiplied by the number of years of service as a firefighter with the Oklahoma Military Department prior to July 1, 2002. The election authorized by this subdivision shall be irrevocable once the election is filed with the System. Retirement benefits shall be calculated based upon the two and one-half percent (2 1/2%) multiplier upon payment being made pursuant to Section 913.5 of this title.

(10) Upon death of a retirant, there shall be paid to his beneficiary an amount equal to the excess, if any, of his accumulated contributions over the sum of all retirement benefit payments made.

(11) Such annual retirement benefits shall be paid in equal monthly installments, except that the Board may provide for the payment of retirement benefits which total less than Two Hundred Forty Dollars ($240.00) a year on other than a monthly basis.

(12) Pursuant to the rules established by the Board, a retiree receiving monthly benefits from the System may authorize warrant deductions for any products currently offered to active state employees through the Employees Benefits Council, provided that product is offered to state retirees as a group and has a minimum participation of five hundred state retirees. The System has no responsibility for the marketing, enrolling or administration of such products, but shall retain a processing fee of two percent (2%) of the gross deductions for the products. Retirement benefit deductions shall be made for membership dues for any statewide association for which payroll deductions are authorized pursuant to subsection B of Section 34.70 of Title 62 of the Oklahoma Statutes for retired members of any state-supported retirement system, upon proper authorization given by the member to the board from which the member or beneficiary is currently receiving retirement benefits.

B. A member shall be considered disabled if such member qualifies for the payment of Social Security disability benefits, or the payment of benefits pursuant to the Railroad Retirement Act of 1974, Section 231 et seq. of Title 45 of the United States Code, and shall be eligible for benefits hereunder upon proof of such disability, provided such member is an active regularly scheduled employee with a participating employer at the time of injury or inception of illness or disease resulting in subsequent certification of eligibility for Social Security disability benefits by reason of such injury, illness or disease, providing such disability is certified by the Social Security Administration within one (1) year after the last date physically on the job and after completion of at least eight (8) years of participating service or combined prior and participating service or resulting in subsequent certification of eligibility of disability by the Railroad Retirement Board providing such certification is made by the Railroad Retirement Board within one (1) year after the last date physically on the job and after completion of at least eight (8) years of participating service or combined prior and participating service. The member shall submit to the Retirement System the Social Security Award Notice or the Railroad Retirement Award Notice certifying the date of entitlement for disability benefits, as issued by the Social Security Administration, Department of Health and Human Services or the Railroad Retirement Board. Disability benefits shall become effective on the date of entitlement as established by the Social Security Administration or the Railroad Retirement Board, but not before the first day of the month following removal from the payroll, whichever is later, and final approval by the Retirement System. Benefits shall be based upon length of service and compensation as of the date of disability, without actuarial reduction because of commencement prior to the normal retirement date. The only optional form of benefit payment available for disability benefits is Option A as provided for in Section 918 of this title. Option A must be elected in accordance with the provisions of Section 918 of this title. Benefit payments shall cease upon the member's recovery from disability prior to the normal retirement date. Future benefits, if any, shall be paid based upon length of service and compensation as of the date of disability. In the event that disability ceases and the member returns to employment within the System credited service to the date of disability shall be restored, and future benefits shall be determined accordingly.

C. A member who incurred a disability pursuant to subsection B of this section on or after July 1, 1999, and who has retired from the System with an early retirement benefit pending certification from the Social Security Administration or the Railroad Retirement Board shall receive a retirement benefit not less than the disability retirement benefit provided by subsection B of this section once the System receives a Social Security Award Notice or a Railroad Retirement Award Notice pursuant to subsection B of this section and a completed Application for Disability Benefits. In addition, such member shall receive the difference, if any, between the early retirement benefit and the disability benefit from the date the Social Security Administration or the Railroad Retirement Board establishes disability entitlement.

D. Any actively participating member of the System on or after July 1, 1998, except for those employees provided in subparagraph (e) of paragraph (14) of Section 902 of this title, whose employment is less than full-time, shall have his or her final average compensation calculated on an annualized basis using his or her hourly wage subject to the maximum compensation limits; provided, however, any such member who has at least three (3) years of full-time employment during the last ten (10) years immediately preceding termination or retirement shall not be eligible for the annualization provisions contained herein. The Board of Trustees shall promulgate such administrative rules as are necessary to implement the provisions of this subsection.

SECTION 22. AMENDATORY 74 O.S. 2011, Section 919.1, is amended to read as follows:

Section 919.1 (1) Employee contributions to the System shall be:

(a) for employees except as otherwise provided in paragraphs (b), (c), (d), ~~and~~ (e), and (f) of this subsection: beginning July 1, 2006, and thereafter, three and one-half percent (3.5%) of allowable annual compensation;

(b) for correctional officers and probation and parole officers employed by the Department of Corrections:

beginning July 1, 1998, and thereafter, and for correctional officers or probation and parole officers who are in such position on June 30, 2004, or who are hired after June 30, 2004, and who receive a promotion or change in job classification after June 30, 2004, to another position in the Department of Corrections, so long as such officers have at least five (5) years of service as a correctional officer or probation and parole officer, eight percent (8%) of allowable compensation as provided in paragraph (9) of Section 902 of this title;

(c) for fugitive apprehension agents who are employed with the Department of Corrections on or after July 1, 2002, and for fugitive apprehension agents who are in such position on June 30, 2004, or who are hired after June 30, 2004, and who receive a promotion or change in job classification after June 30, 2004, to another position in the Department of Corrections, so long as such agents have at least five (5) years of service as a fugitive apprehension agent, eight percent (8%) of allowable compensation as provided in paragraph (9) of Section 902 of this title;

(d) for firefighters of the Oklahoma Military Department first employed beginning July 1, 2002, and thereafter, and such firefighters who performed service prior to July 1, 2002, for the Oklahoma Military Department and who make the election authorized by division (1) of subparagraph b of paragraph (9) of subsection A of Section 915 of this title who perform service on or after July 1, 2002, in such capacity, eight percent (8%) of allowable compensation as provided in subsection (9) of Section 902 of this title;

(e) <u>for all public safety officers of the Grand River Dam Authority as defined by paragraph (37) of Section 902 of this title, eight percent (8%) of allowable compensation as provided in paragraph (9) of Section 902 of this title; and</u>

(f) for all employees except those who make contributions pursuant to paragraphs (b), (c), ~~and~~ (d), and (e) of this subsection who make an irrevocable written election pursuant to paragraph (2) of subsection A of Section 915 of this title: six and forty-one one-hundredths percent (6.41%) of allowable annual compensation.

The contributions required by paragraphs (b) ~~and~~, (c), and (e) of this subsection shall be made by a member for not more than twenty (20) years and thereafter shall be as provided in paragraph (a) of this subsection.

(2) Contributions shall be deducted by each state agency by the participating employer for such benefits as the Board is authorized to administer as provided for by law. Employee and employer contributions shall be remitted monthly, or as the Board may otherwise provide, to the Executive Director for deposit in the Oklahoma Public Employees Retirement Fund.

(3) Each participating employer shall pick up under the provisions of Section 414(h)(2) of the Internal Revenue Code of 1986 and pay the contribution which the member is required by law to make to the System for all compensation earned after December 31, 1988. Although the contributions so picked up are designated as member contributions, such contributions shall be treated as contributions being paid by the participating employer in lieu of contributions by the member in determining tax treatment under the Internal Revenue Code of 1986 and such picked up contributions shall not be includable in the gross income of the member until such amounts are distributed or made available to the member or the beneficiary of the member. The member, by the terms of this System, shall not have any option to choose to receive the contributions so picked up directly and the picked up contributions must be paid by the participating employer to the System.

Member contributions which are picked up shall be treated in the same manner and to the same extent as member contributions made prior to the date on which member contributions were picked up by the participating employer. Member contributions so picked up shall be included in gross salary for purposes of determining benefits and contributions under the System.

The participating employer shall pay the member contributions from the same source of funds used in paying salary to the member, by effecting an equal cash reduction in gross salary of the member.

(4) By September 1, 1989, the System shall refund the accumulated employee contributions of any member who elects to retain the member's membership in the Teachers' Retirement System of Oklahoma, in accordance with Section 17-104 of Title 70 of the Oklahoma Statutes, to such member. Upon the refund of the accumulated employee contributions referred to in this subsection, all benefits and rights accrued to such member are terminated.

SECTION 23. AMENDATORY 47 O.S. 2011, Section 2-315, is amended to read as follows:

Section 2-315. A. Members of the Oklahoma Public Employees Retirement System who are active Lake Patrolmen or Dispatchers of the Grand River Dam Authority on June 30, 2003, may make an irrevocable written election on or before January 1, 2004, to participate in the Oklahoma Law Enforcement Retirement System. Such patrolmen and dispatchers who make the election as provided by this section shall be subject to the following:

1. Upon the date the patrolman or dispatcher makes the election pursuant to this section, he or she shall cease accruing benefits in the Oklahoma Public Employees Retirement System and shall commence accruing benefits in the Oklahoma Law Enforcement Retirement System;

2. Prior to the beginning of the month following receipt of the patrolman's or dispatcher's election by the Oklahoma Public Employees Retirement System, the Oklahoma Public Employees Retirement System shall transfer to the Oklahoma Law Enforcement Retirement System all employee contributions and employer contributions including any amounts received by the Oklahoma Public Employees Retirement System on behalf of a transferring member related to a purchase or transfer of credited service to the Oklahoma Public Employees Retirement System. The Oklahoma Public Employees Retirement System shall also send to the Oklahoma Law Enforcement Retirement System the retirement records of the transferring member;

3. To receive service credit accrued by such transferring member prior to the election, or prior to the date as of which the person making the election ceases to be a member of the Oklahoma Public Employees Retirement System, whichever date occurs last, the member shall make an irrevocable written election. The election shall be to either pay the difference between the amount transferred by the Oklahoma Public Employees Retirement System to the Oklahoma Law Enforcement Retirement System in paragraph 2 of this subsection and the amount determined by the Board of Trustees pursuant to Section 2-307.5 of Title 47 of the Oklahoma Statutes to receive full eligible credit for the years sought to be transferred or receive eligible prorated service credit for only the amount received from the Oklahoma Public Employees Retirement System pursuant to this subsection. Payments made by such transferring members pursuant to this paragraph shall be made pursuant to subsection B of Section 2-307.5 of Title 47 of the Oklahoma Statutes;

4. Service credit shall only be transferable pursuant to this section if the transferring member is not receiving or eligible to receive service credit or benefits from said service in any other public retirement system and has not received service credit for the same years of service pursuant to Sections 2-307.1, 2-307.3 and 2-307.4 of Title 47 of the Oklahoma Statutes. Provided further, that only transferred credited service related to Lake Patrol service as a patrolman or dispatcher with the Grand River Dam Authority and any other law enforcement related service, including service with the Department of Corrections as a correctional officer or probation and parole officer or any credited service that was purchased or transferred to the Oklahoma Public Employees Retirement System from the Oklahoma Law Enforcement Retirement System or the Oklahoma Police Pension and Retirement System, shall be included in the determination of an officer's normal retirement date or vesting date in the Oklahoma Law Enforcement Retirement System; and

5. All service credit with the Oklahoma Public Employees Retirement System which is ineligible for transfer to the Oklahoma Law Enforcement Retirement System shall be canceled.

B. ~~Lake Patrolmen and Dispatchers of the Grand River Dam Authority who are hired on or after the effective date of this act, shall participate and be members of the Oklahoma Law Enforcement Retirement System.~~ The Grand River Dam Authority shall be a

participating employer in the Oklahoma Law Enforcement Retirement System for all Grand River Dam Lake Patrolmen and Dispatchers who participate in the Oklahoma Law Enforcement Retirement System pursuant to the provisions of this section.

SECTION 24. RECODIFICATION 82 O.S. 2011, Section 1451, as amended by Section 7 of this act, shall be recodified as Section 896.4 of Title 82 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 25. RECODIFICATION 82 O.S. 2011, Section 1452, as amended by Section 8 of this act, shall be recodified as Section 896.5 of Title 82 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 26. RECODIFICATION 82 O.S. 2011, Section 1453, as amended by Section 9 of this act, shall be recodified as Section 896.6 of Title 82 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 27. RECODIFICATION 82 O.S. 2011, Section 1454, as amended by Section 10 of this act, shall be recodified as Section 896.7 of Title 82 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 28. RECODIFICATION 82 O.S. 2011, Section 1455, as amended by Section 11 of this act, shall be recodified as Section 896.8 of Title 82 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 29. RECODIFICATION 82 O.S. 2011, Section 1456, as amended by Section 12 of this act, shall be recodified as Section 896.9 of Title 82 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 30. RECODIFICATION 82 O.S. 2011, Section 1457, as amended by Section 13 of this act, shall be recodified as Section 896.10 of Title 82 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 31. RECODIFICATION 82 O.S. 2011, Section 1460, as amended by Section 14 of this act, shall be recodified as Section

896.11 of Title 82 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 32. RECODIFICATION 82 O.S. 2011, Section 1464, as amended by Section 15 of this act, shall be recodified as Section 896.12 of Title 82 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 33. RECODIFICATION 82 O.S. 2011, Section 1465, as amended by Section 16 of this act, shall be recodified as Section 896.13 of Title 82 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 34. RECODIFICATION 82 O.S. 2011, Section 1466, as amended by Section 17 of this act, shall be recodified as Section 896.14 of Title 82 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 35. RECODIFICATION 82 O.S. 2011, Section 1467, as amended by Section 18 of this act, shall be recodified as Section 896.15 of Title 82 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 36. RECODIFICATION 82 O.S. 2011, Section 1470, as amended by Section 19 of this act, shall be recodified as Section 896.16 of Title 82 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 37. REPEALER 82 O.S. 2011, Sections 1458, 1461, as amended by Section 1, Chapter 348, O.S.L. 2013, 1462, 1462A, as amended by Section 1068, Chapter 304, O.S.L. 2012, 1462B, as amended by Section 1069, Chapter 304, O.S.L. 2012, 1462C, as amended by Section 1070, Chapter 304, O.S.L. 2012, 1463, 1468, 1469 and 1471 (82 O.S. Supp. 2015, Sections 1461, 1462A, 1462B and 1462C), are hereby repealed.

SECTION 38. This act shall become effective July 1, 2016.

SECTION 39. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

Passed the Senate the 4th day of May, 2016.

Presiding Officer of the Senate

Passed the House of Representatives the 21st day of April, 2016.

Presiding Officer of the House of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this 5th day of May, 2016, at 10:55 o'clock A M.

By: Audrey Rockwell

Approved by the Governor of the State of Oklahoma this 11th day of May, 2016, at 4:14 o'clock P M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this 11th day of May, 2016, at 4:59 o'clock P. M.

By: