

STATE OF OKLAHOMA

1st Session of the 44th Legislature (1993)

COMMITTEE SUBSTITUTE
FOR ENGROSSED
HOUSE BILL NO. 1398

By: Taylor, Vaughn (Ray),
Gates, Maddux (Elmer) and
Greenwood of the House

and

Cullison of the Senate

COMMITTEE SUBSTITUTE

An Act relating to various task forces, councils, commissions and committees; amending 74 O.S. 1991, Sections 1844 and 1845, which relate to the Natural Heritage Areas Advisory Committee and Section 16, Chapter 310, O.S.L. 1992 (75 O.S. Supp. 1992, Section 11b), which relates to termination of certain bodies created by noncodified joint resolutions or bills; modifying duties of certain state agency; providing for termination of certain advisory bodies created by simple and concurrent resolutions; terminating certain advisory bodies; repealing 10 O.S. 1991, Section 175.6, which relates to the Professional Advisory Committee; repealing 30 O.S. 1991, Section 5-101, which relates to the Joint Task Force on Adult Guardianship; repealing 43 O.S. 1991, Sections 401 and 402, which relate to the Advisory Task Force on Child Support Enforcement; repealing 56 O.S. 1991, Section 66.2, which relates to the Oklahoma Council on Health Care Delivery; repealing 70 O.S. 1991, Section 6-101.12, which relates to the Administrator Evaluation Committee; repealing 70 O.S. 1991, Section 6-129, which relates to a subcommittee of the Professional Standards Board; repealing 70 O.S. 1991, Section 6-161, which relates to the Oklahoma Citizens Commission on Education; repealing 70 O.S. 1991, Sections 11-103.4 and 11-103.5, which relate to the Oklahoma Curriculum Committee; repealing 70 O.S. 1991, Section 23-103, which relates to the Oklahoma Educational Television Authority; repealing 74 O.S. 1991, Section 1842, which relates to the Natural Heritage Areas Advisory Committee; repealing 74 O.S. 1991, Sections 5065.1, 5065.2, 5065.3, 5065.4, 5065.5, 5065.6, 5065.7 and 5065.8, which relate to the Oklahoma Agroindustry Policy Commission; repealing Enrolled Senate Joint Resolution No. 19 of the 1st Session of the 41st Oklahoma Legislature, which relates to the Task Force on Alzheimer's Disease and Related Disorders; repealing Sections 1, 2, 3, 4, 5, 6, 7 and 8 of Enrolled Senate Joint Resolution No. 39 of the 2nd Session of the 41st Oklahoma Legislature, which relate to the Advisory Task Force on Pre-School and Kindergarten Programs and the Advisory Task Force on Child Care; repealing Enrolled House Joint Resolution No. 1031 of the 1st Session of the 42nd Oklahoma Legislature, which relates to the Interim Task Force on State and Education Employees Group Health Insurance; repealing Enrolled House Joint Resolution No. 1057 of the 2nd Session of the 42nd Oklahoma Legislature,

which relates to the Oklahoma State Personnel Study Commission; repealing Enrolled Senate Joint Resolution No. 5 of the 1st Session of the 43rd Oklahoma Legislature, which relates to the Performance Pay Study Commission; repealing Enrolled House Joint Resolution No. 1044 of the 1st Session of the 43rd Oklahoma Legislature, which relates to the Task Force to Study Oklahoma's Developmental Disabilities Services; repealing Section 4, Chapter 175, O.S.L. 1988, which relates to the Special Committee on Securities Industry Reform; repealing Sections 16, 17, 18, 19 and 20, Chapter 261, O.S.L. 1988, which relate to the Task Force on the Oklahoma Tuition Trust Act; repealing Sections 1, 2 and 3, Chapter 189, O.S.L. 1990, which relate to a special committee to investigate and study the general operations of the Grand River Dam Authority; repealing Section 115, Chapter 263, O.S.L. 1990, which relates to the Advisory Task Force on the Sale of School Lands; repealing Section 2, Chapter 341, O.S.L. 1990, which relates to the Lagged Payroll Study Committee; repealing Sections 2 and 3, Chapter 67, O.S.L. 1991, which relate to the Task Force on Teacher Preparation; repealing Sections 14 and 15, Chapter 173, O.S.L. 1991, which relate to a special joint legislative committee to study and make legislative proposals for siting, permitting and fees for handling, disposal and recycling of controlled industrial waste; repealing Section 2, Chapter 328, O.S.L. 1989, as last amended by Section 2, Chapter 252, O.S.L. 1991, which relates to the recodification committee; repealing Section 9, Chapter 281, O.S.L. 1991, as amended by Section 18, Chapter 329, O.S.L. 1991, which relates to the Vocational and Technical School Finance Committee; repealing Sections 5 and 6, Chapter 340, O.S.L. 1991, which relate to a task force to study regulation and management of the environment by agencies of this state; providing an effective date; and declaring an emergency.

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

SECTION 1. AMENDATORY 74 O.S. 1991, Section 1844, is amended to read as follows:

Section 1844. In performing its duties pursuant to the provisions of the Oklahoma State Register of Natural Heritage Areas Act, the Oklahoma Tourism and Recreation Department shall:

1. Identify potential natural areas for inclusion in the State Register. Any person or organization may recommend the inclusion of any area within this state to the Department;
2. Notify the landowners of a potential natural area of the recommendation of said area, explain the scope and intent of the State Register, and request permission to evaluate the site of said area;

3. Evaluate the site of the potential natural area, upon receiving permission from the landowners, to determine whether said area satisfies the criteria listed in Section 6 of this act. ~~Such evaluation shall be performed by the State Register of Natural Heritage Areas Advisory Committee;~~

4. Invite the landowners of a natural area site which satisfies said criteria to register the site in the State Register. To register a site, a nonbinding agreement stating the intent of the landowners to protect the characteristics of the natural area site is signed by the landowners and the Director of the Oklahoma Tourism and Recreation Department. Upon the signing of said agreement, the Director shall present a plaque and a certificate of registration to the landowners acknowledging their generosity and civic-mindedness;

5. Protect the rights of the landowners by publicly listing a registered natural area only with the consent of the landowners and by removing a natural area from the State Register at the request of the landowners;

6. Assist the landowners of registered natural areas by providing information concerning such areas and by providing or arranging for technical assistance and resource planning which may be requested;

7. Review periodically each registered natural area and remove from the State Register any area which has had its natural character or quality degraded through significant natural or man-made changes; and

8. Publish an annual report on the state and condition of the registered natural areas which shall be available to the public.

SECTION 2. AMENDATORY 74 O.S. 1991, Section 1845, is amended to read as follows:

Section 1845. All potential natural areas recommended for inclusion in the State Register shall be evaluated by the ~~State Register of Natural Heritage Areas Advisory Committee~~ Oklahoma Tourism and Recreation Department, as required by Section ~~5~~ 1844 of this ~~act~~ title, according to the following criteria:

1. The diversity of flora and fauna;

2. The quality and viability of the occurrence of the element of natural diversity;

3. The absence of damaging land uses and the extent of historic disturbances;

4. The potential for sustained protection and management of the element of natural diversity;

5. The presence of additional elements of natural diversity not adequately represented in other registered natural areas; and

6. The significance of the educational and scientific values of the element of natural diversity.

SECTION 3. AMENDATORY Section 16, Chapter 310, O.S.L. 1992 (75 O.S. Supp. 1992, Section 11b), is amended to read as follows:

Section 11b. A. Any joint resolution or bill enacted after February 1, 1993, creating or establishing advisory bodies including, but not limited to, task forces, boards, commissions, and councils, which creation or establishment is not codified in the Oklahoma Statutes, shall terminate the first day of the first session of the next Regular Session of the Oklahoma Legislature unless such joint resolution or bill specifies an earlier termination date.

B. 1. Effective January 1, 1994, except as otherwise provided by this subsection, advisory bodies including, but not limited to, task forces, boards, commissions and councils created or established by simple resolutions or concurrent resolutions passed by the Legislature or either house thereof shall terminate the first day of the first regular session of the next Oklahoma Legislature, unless such simple or concurrent resolution specifies an earlier termination date.

2. Any such advisory body created prior to January 1, 1991, by a simple or concurrent resolution passed by the Legislature or either house thereof is hereby terminated.

SECTION 4. REPEALER 10 O.S. 1991, Section 175.6, 30 O.S. 1991, Section 5-101, 43 O.S. 1991, Sections 401 and 402, 56 O.S. 1991, Section 66.2, 70 O.S. 1991, Sections 6-101.12, 6-129, 6-161, 11-103.4, 11-103.5 and 23-103, 74 O.S. 1991, Sections 1842, Req. No. 0959Page 4

5065.1, 5065.2, 5065.3, 5065.4, 5065.5, 5065.6, 5065.7 and 5065.8, Enrolled Senate Joint Resolution No. 19 of the 1st Session of the 41st Oklahoma Legislature, Sections 1, 2, 3, 4, 5, 6, 7 and 8 of Enrolled Senate Joint Resolution No. 39 of the 2nd Session of the 41st Oklahoma Legislature, Enrolled House Joint Resolution No. 1031 of the 1st Session of the 42nd Oklahoma Legislature, Enrolled House Joint Resolution No. 1057 of the 2nd Session of the 42nd Oklahoma Legislature, Enrolled Senate Joint Resolution No. 5 of the 1st Session of the 43rd Oklahoma Legislature, Enrolled House Joint Resolution No. 1044 of the 1st Session of the 43rd Oklahoma Legislature, Section 4, Chapter 175, O.S.L. 1988, Sections 16, 17, 18, 19 and 20, Chapter 261, O.S.L. 1988, Sections 1, 2 and 3, Chapter 189, O.S.L. 1990, Section 115, Chapter 263, O.S.L. 1990, Section 2, Chapter 341, O.S.L. 1990, Sections 2 and 3, Chapter 67, O.S.L. 1991, Sections 14 and 15, Chapter 173, O.S.L. 1991, Section 2, Chapter 328, O.S.L. 1989, as last amended by Section 2, Chapter 252, O.S.L. 1991, Section 9, Chapter 281, O.S.L. 1991, as amended by Section 18, Chapter 329, O.S.L. 1991, and Sections 5 and 6, Chapter 340, O.S.L. 1991, are hereby repealed.

SECTION 5. This act shall become effective July 1, 1993.

SECTION 6. 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.

44-1-0959

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