

STATE OF OKLAHOMA

1st Session of the 50th Legislature (2005)

HOUSE BILL 1813

By: Armes

AS INTRODUCED

An Act relating to waters and water rights; amending 82 O.S. 2001, Section 1086.2, which relates to powers of the Oklahoma Water Resources Board; providing for bids for statewide water plan; providing an effective date.

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

SECTION 1. AMENDATORY 82 O.S. 2001, Section 1086.2, is amended to read as follows:

Section 1086.2 A. For the purpose of effectuating the provisions of this act and the policy established in Section 1086.1 of this title, the Oklahoma Water Resources Board is hereby authorized, empowered and directed:

1. To prepare a comprehensive state water plan and decennial updates thereof for submission to the Legislature and, in connection therewith, to conduct surveys and cooperate with other state and federal agencies. Such comprehensive state water plan and the parts and portions thereof shall be submitted in final and completed form not later than September 1, 1975, and, in addition to the foregoing requirements, shall include a definition of "excess and surplus water of this state" and a recommended procedure for determining "excess and surplus water of this state," which definition and procedure are to be developed to insure that the area of origin will never be made water deficient.

The Water Resources Board shall permit representatives of the United States Army Corps of Engineers, the Bureau of Reclamation, the Soil Conservation Service and other appropriate federal

agencies, as well as representatives of state agencies involved in tourism, parks, fish and wildlife, recreation, soil conservation, public health, agriculture, public utilities and industrial development to participate to the extent of their authority and capacity in the development of the comprehensive state water plan. The Water Resources Board shall prepare such plan and updates in printed form. Upon completion thereof, the plan shall be submitted to the Oklahoma Legislature not later than September 1, 1975. The Board is not authorized to implement the plan or any part or update thereof except by express authorization and consent of the Legislature. The first decennial update shall be prepared and submitted to the Legislature no later than September 1, 1995. Thereafter, updates shall be prepared and likewise submitted no later than September 1 of the fifth year following the taking of the Federal Decennial Census.

Work on the first update shall begin with the passage and approval of this act. After completion of the first update, work on subsequent updates shall remain continuous and ongoing throughout the ten-year periods between submission of the updates.

2. To adopt such rules and regulations as may be necessary to effectuate the purposes of this act.

3. To make and enter into all contracts and agreements necessary or incidental to the performance of its duties and the execution of its powers under this act.

4. To receive and accept from the State of Oklahoma or the United States of America or any agency or instrumentality thereof grants of funds and to receive and accept aid or contributions from any source of either money, property, labor or other things of value to be held, used and applied only for the purposes for which such grants and contributions may be made.

5. To expend income and funds of the Board in the exercise of any or all of the powers granted to the Board under the provisions of this act.

6. To cooperate with all state institutions, agencies, departments, boards and officers in all matters relating to its duties; and all state institutions, agencies, departments, boards and officers are hereby authorized and directed to cooperate with the Board.

B. In order to gather the information necessary for the statewide water plan in the most cost-effective manner possible, the Board may accept bids and proposals from consulting firms to prepare a present and future water needs assessment for the state. The water needs assessment shall be performed with input and cooperation from all types of water users, using a uniform assessment methodology.

SECTION 2. This act shall become effective November 1, 2005

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