

1 ENGROSSED SENATE
2 BILL NO. 588

By: Silk of the Senate

3 and

4 Tadlock of the House

5
6 [forestry administration - forestry program
7 responsibilities - acquire property - transfer of
8 interest in property - effective date]
9

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

11 SECTION 1. AMENDATORY 2 O.S. 2011, Section 16-3, is
12 amended to read as follows:

13 Section 16-3. The State Board of Agriculture shall institute a
14 broad program of education, outreach and action in the protection,
15 reforestation, harvesting, and wise use of forests and their
16 products throughout Oklahoma under the provisions the Board shall
17 adopt. These provisions shall include the need for trees and
18 forests to meet the increasing demands for forest products for human
19 consumption, the necessity of environmental improvement to filter
20 out noise and dirt, clean and replenish the atmosphere, to conserve
21 soil, water and wildlife, and to provide outdoor recreation for
22 healthful living. The Board shall administer silviculture best
23 management practices in cooperation with forestry land users under
24 the provisions of state and federal water pollution laws that

1 include the process to identify silviculturally related nonpoint
2 sources of pollution as defined by the Oklahoma Environmental
3 Quality Code and, to the extent feasible, establish procedures and
4 methods to control these sources.

5 SECTION 2. AMENDATORY 2 O.S. 2011, Section 16-51, is
6 amended to read as follows:

7 Section 16-51. The State Board of Agriculture for its Forestry
8 Division on behalf of the state may acquire land suitable for
9 nurseries, seed orchards, museums or educational facilities, state
10 forests, school forests, tower, recreation and other sites by gift,
11 donation, or purchase and may enter into agreements with the federal
12 government or other agency for acquiring by gift or purchase the
13 lands that are, in the judgment of the Board, suitable and desirable
14 for the above purposes.

15 SECTION 3. AMENDATORY 74 O.S. 2011, Section 2224, is
16 amended to read as follows:

17 Section 2224. A. The Commission may transfer to any city,
18 county, or other agency of government, which is a willing recipient,
19 its interest in real and personal property owned by the State of
20 Oklahoma or the Department and operated and maintained under the
21 jurisdiction of the Commission. Such real estate transfers shall
22 not be subject to ~~Section 456.7 or 129.4 of Title 74~~ Section 327 of
23 Title 61 of the Oklahoma Statutes or any provision of state law
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1 relative to disposition of real estate. Such real estate transfers
2 shall be subject to the following provisions:

3 1. The city, county or other agency recipient shall agree to
4 accept the interest transferred by the state, accept responsibility
5 for the property, and use the real estate for public recreation or
6 educational purposes in accordance with the Land and Water
7 Conservation Fund Act of 1965, Public Law 88-578, 78 U.S.C., Section
8 897;

9 2. The city, county or other agency recipient shall not dispose
10 of the property unless substitute property is provided that is
11 equivalent in value and usefulness;

12 3. The Commission shall transfer the property to the recipient
13 by quit claim deed or other instrument as may be appropriate;

14 4. The consideration for the property transfer shall be the
15 agreement of the recipient to continue public recreation use of the
16 property and to manage the property without an operating subsidy
17 from the Department or Commission;

18 5. The real estate transfer shall be subject to all existing
19 easements and reservations of record; and

20 6. The Commission shall provide written notice to the President
21 Pro Tempore of the Senate and the Speaker of the House of
22 Representatives detailing any such proposed transfer agreement to be
23 entered into pursuant to this section no later than thirty (30) days
24 prior to the first day of the legislative session. The Commission

1 shall approve such proposed transfer during the legislative session
2 to be effective at the beginning of the next fiscal year, contingent
3 upon the approval of the proposed transfer by the Legislature.

4 B. The Commission shall transfer the property commonly known as
5 the Forest Heritage Center, located in Beavers Bend State Park,
6 McCurtain County, Oklahoma, to the Oklahoma Department of
7 Agriculture, Food, and Forestry.

8 SECTION 4. This act shall become effective November 1, 2017.

9 Passed the Senate the 22nd day of March, 2017.

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11 _____
12 Presiding Officer of the Senate

13 Passed the House of Representatives the ____ day of _____,
14 2017.

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17 Presiding Officer of the House
18 of Representatives
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