

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 56th Legislature (2017)

4 HOUSE BILL 1372

By: Tadlock and McBride of the
House

5 and

6 Silk of the Senate

7
8
9 AS INTRODUCED

10 An Act relating to state government; amending 2 O.S.
11 2011, Sections 16-3 and 16-51, which relate to
12 forestry and the State Board of Agriculture; amending
13 74 O.S. 2011, Section 2224, which relates to property
14 transfer powers of the Oklahoma Tourism and
15 Recreation Commission; adding program
16 responsibilities; allowing for certain land
17 transfers; mandating transfer of the Forest Heritage
18 Center; and providing an effective date.

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

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

22 Section 16-3. The State Board of Agriculture shall institute a
23 broad program of education, outreach and action in the protection,
24 reforestation, harvesting, and wise use of forests and their
products throughout Oklahoma under the provisions the Board shall
adopt. These provisions shall include the need for trees and

1 forests to meet the increasing demands for forest products for human
2 consumption, the necessity of environmental improvement to filter
3 out noise and dirt, clean and replenish the atmosphere, to conserve
4 soil, water and wildlife, and to provide outdoor recreation for
5 healthful living. The Board shall administer silviculture best
6 management practices in cooperation with forestry land users under
7 the provisions of state and federal water pollution laws that
8 include the process to identify silviculturally related nonpoint
9 sources of pollution as defined by the Oklahoma Environmental
10 Quality Code and, to the extent feasible, establish procedures and
11 methods to control these sources.

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

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

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

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1 Section 2224. A. The Oklahoma Tourism and Recreation

2 Commission may transfer to any city, county, or other agency of
3 government, which is a willing recipient, its interest in real and
4 personal property owned by the State of Oklahoma or the Department
5 and operated and maintained under the jurisdiction of the
6 Commission. Such real estate transfers shall not be subject to
7 Section 456.7 or 129.4 of Title 74 of the Oklahoma Statutes or any
8 provision of state law relative to disposition of real estate. Such
9 real estate transfers shall be subject to the following provisions:

10 1. The city, county or other agency recipient shall agree to
11 accept the interest transferred by the state, accept responsibility
12 for the property, and use the real estate for public recreation or
13 educational purposes in accordance with the Land and Water
14 Conservation Fund Act of 1965, Public Law 88-578, 78 U.S.C., Section
15 897;

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

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

21 4. The consideration for the property transfer shall be the
22 agreement of the recipient to continue public recreation use of the
23 property and to manage the property without an operating subsidy
24 from the Department or Commission;

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

3 6. The Commission shall provide written notice to the President
4 Pro Tempore of the Senate and the Speaker of the House of
5 Representatives detailing any such proposed transfer agreement to be
6 entered into pursuant to this section no later than thirty (30) days
7 prior to the first day of the legislative session. The Commission
8 shall approve such proposed transfer during the legislative session
9 to be effective at the beginning of the next fiscal year, contingent
10 upon the approval of the proposed transfer by the Legislature.

11 B. The Commission shall transfer the property commonly known as
12 the Forest Heritage Center, located in Beavers Bend State Park,
13 McCurtain County, Oklahoma, to the Oklahoma Department of
14 Agriculture, Food, and Forestry.

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

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17 COMMITTEE REPORT BY: COMMITTEE ON BUSINESS, COMMERCE AND TOURISM,
18 dated 03/01/2017 - DO PASS, As Coauthored.