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February 21, 2017

By: Silk

An Act relating to the forestry administration; amending 2 O.S. 2011, Section 16-3, which relates to the forestry program responsibilities; modifying responsibilities; amending 2 O.S. 2011, Section 16-51, which relates to forestry law; allowing the State Board of Agriculture to acquire property for certain purposes; amending 74 O.S. 2011, Section 2224, which relates to the transfer of interest in property; transferring property to the Department of Agriculture, Food, and Forestry; and providing an effective date.

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

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

Section 16-3. The State Board of Agriculture shall institute a broad program of education, outreach and action in the protection, 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 forests to meet the increasing demands for forest products for human consumption, the necessity of environmental improvement to filter out noise and dirt, clean and replenish the atmosphere, to conserve

1 soil, water and wildlife, and to provide outdoor recreation for
2 healthful living. The Board shall administer silviculture best
3 management practices in cooperation with forestry land users under
4 the provisions of state and federal water pollution laws that
5 include the process to identify silviculturally related nonpoint
6 sources of pollution as defined by the Oklahoma Environmental
7 Quality Code and, to the extent feasible, establish procedures and
8 methods to control these sources.

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

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

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

21 Section 2224. A. The Commission may transfer to any city,
22 county, or other agency of government, which is a willing recipient,
23 its interest in real and personal property owned by the State of
24 Oklahoma or the Department and operated and maintained under the

jurisdiction of the Commission. Such real estate transfers shall not be subject to ~~Section 456.7 or 129.4 of Title 74~~ Section 327 of Title 61 of the Oklahoma Statutes or any provision of state law relative to disposition of real estate. Such real estate transfers shall be subject to the following provisions:

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

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

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

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

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

6. The Commission shall provide written notice to the President Pro Tempore of the Senate and the Speaker of the House of

1 Representatives detailing any such proposed transfer agreement to be
2 entered into pursuant to this section no later than thirty (30) days
3 prior to the first day of the legislative session. The Commission
4 shall approve such proposed transfer during the legislative session
5 to be effective at the beginning of the next fiscal year, contingent
6 upon the approval of the proposed transfer by the Legislature.

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

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

12 COMMITTEE REPORT BY: COMMITTEE ON AGRICULTURE AND WILDLIFE
13 February 21, 2017 - DO PASS
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