

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 58th Legislature (2021)

4 COMMITTEE SUBSTITUTE
5 FOR ENGROSSED
6 SENATE BILL NO. 776

By: Murdock and Hamilton of the
Senate

and

Newton of the House

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11 COMMITTEE SUBSTITUTE

12 [game and fish - Wildlife Conservation Commission -
13 acquisition of land - effective date]

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

17 SECTION 1. AMENDATORY 29 O.S. 2011, Section 3-103, as
18 last amended by Section 1, Chapter 24, O.S.L. 2017 (29 O.S. Supp.
19 2020, Section 3-103), is amended to read as follows:

20 Section 3-103. A. The Wildlife Conservation Commission shall
21 constitute an advisory, administrative and policymaking board for
22 the protection, restoration, perpetuation, conservation,
23 supervision, maintenance, enhancement, and management of wildlife in
24 this state as provided in the Oklahoma Wildlife Conservation Code.

1 B. The Director shall consult with the Commission regarding the
2 administration of the affairs of the Department of Wildlife
3 Conservation. The Commission is authorized and empowered to require
4 from the Director complete reports and information relative to the
5 affairs of the Department at the time and in the manner the
6 Commission may deem advisable.

7 C. The Commission shall meet in regular session at least nine
8 times per year not to exceed one meeting per month with not more
9 than two consecutive calendar months between meetings and in special
10 sessions as may be called by the Chair or a majority of the
11 Commission. The Commission may hold any regular or special session
12 at any location within this state. Should a location be chosen
13 other than Commission headquarters in Oklahoma City for a regular or
14 special meeting, notice shall be posted at Commission headquarters
15 in Oklahoma City and advertised in the local newspaper of the city
16 in which the meeting is to be held, at least one time during each of
17 the two (2) weeks prior to the meeting. The advertisements shall
18 include time, date, and address of location of the meeting.

19 D. In addition to the other powers and duties prescribed by
20 law, the Commission shall:

21 1. Institute an affirmative action plan for hiring women and
22 minorities throughout the agency;

23 2. Elect a chair, vice-chair, and secretary, who shall perform
24 the duties required of them by statutes, rules of the Commission,

1 and the Constitution of the State of Oklahoma. The chair, vice-
2 chair, and secretary shall receive no extra compensation;

3 3. Appoint a Director, and determine the qualifications of the
4 Director and all assistants and employees. A Commissioner shall not
5 be eligible for employment in any position within the Department;

6 4. Prescribe rules and policies for the transaction of its
7 business and the control of the Department;

8 5. Develop and implement a plan to provide step raises for
9 Commission employees so that discrepancies of pay levels within a
10 pay grade are eliminated;

11 6. Acquire by purchase, lease, gift, or devise, waters, real
12 property and personal property incident to the exercise of its
13 functions and to maintain, operate, and dispose of the same. The
14 Commission shall acquire real property by purchase only after the
15 property has been publicly advertised for sale for a minimum of six
16 (6) months or through a public auction. The costs for acquisition
17 shall not exceed fair market value of the property. Provided,
18 however, when any real property becomes available for purchase and
19 the property is surrounded one hundred percent (100%) by existing
20 real property operated, controlled or owned by the Commission, the
21 property shall be exempt from the six (6) month advertisement and
22 auction requirement under this paragraph;

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1 7. Acquire real property by condemnation only when the Attorney
2 General or other counsel deems it an appropriate means of clearing
3 title from willing or unavailable sellers;

4 8. Supervise the establishment, extension, improvement, and
5 operation of the wildlife refuges, propagation areas or stations,
6 public hunting areas, public fishing areas, game management areas
7 and fish hatcheries;

8 9. Prescribe the manner of cooperation with the Oklahoma
9 Tourism and Recreation Department, colleges and universities within
10 the state, other state agencies, any agency of the federal
11 government, and any city, town, school district, or any other agency
12 or organization in study of conservation and propagation of wildlife
13 and in the establishment, maintenance, and operation of visual
14 educational facilities, recreational facilities, and hunting and
15 fishing facilities, in the study and propagation of wildlife;

16 10. Supervise the letting of all contracts and purchases for
17 the Department, with all purchases of personal property to be made
18 through the Office of Management and Enterprise Services;

19 11. Authorize all claims or expenditures prior to incurring
20 payment except as otherwise provided in this Code;

21 12. Prescribe rules on the use of Department-owned vehicles by
22 the Director, department heads and other essential employees as the
23 Commission deems necessary in order to perform their duties;

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1 13. Prescribe rules for the sale of all regular or special
2 licenses;

3 14. Publicize and encourage the conservation and appreciation
4 of wildlife and all other natural resources;

5 15. Regulate the seasons and harvest of wildlife;

6 16. Promulgate rules to sell fishing and hunting licenses via
7 the Internet;

8 17. Annually report to the Governor and the Legislature on the
9 complete operation, activities, and plans of the Department,
10 together with such recommendations for future activities as the
11 Commission may deem to be in the best interest of the state; and

12 18. Provide the Governor and the Legislature with an annual
13 inventory of all property and equipment.

14 SECTION 2. This act shall become effective November 1, 2021.

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16 COMMITTEE REPORT BY: COMMITTEE ON WILDLIFE, dated 04/12/2021 - DO
17 PASS, As Amended.

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