

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 2nd Session of the 59th Legislature (2024)

4 COMMITTEE SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 3106

By: Dobrinski and **Archer**

7
8 COMMITTEE SUBSTITUTE

9 An Act relating to conservation; amending Section 1,
10 Chapter 372, O.S.L. 2023 (27A O.S. Supp. 2023,
11 Section 3-8-101), which relates to the Terry Peach
12 North Canadian Watershed Restoration Act; modifying
13 name of act; amending Section 2, Chapter 372, O.S.L.
14 2023 (27A O.S. Supp. 2023, Section 3-8-102), which
15 relates to pilot program to remove harmful woody
16 species; modifying name of act; modifying definition;
17 modifying area for pilot program; modifying name of
18 fund; amending Section 3, Chapter 372, O.S.L. 2023
19 (27A O.S. Supp. 2023, Section 3-8-103), which relates
20 to the North Canadian Watershed Restoration Revolving
21 Fund; modifying name of fund; modifying use of funds;
22 making certain appropriation; and providing an
23 effective date.

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

SECTION 1. AMENDATORY Section 1, Chapter 372, O.S.L.
2023 (27A O.S. Supp. 2023, Section 3-8-101), is amended to read as
follows:

Section 3-8-101. This act shall be known and may be cited as
the "Terry Peach ~~North Canadian Watershed~~ Water Restoration Act".

SECTION 2. AMENDATORY Section 2, Chapter 372, O.S.L.

2023 (27A O.S. Supp. 2023, Section 3-8-102), is amended to read as follows:

Section 3-8-102. A. As used in the Terry Peach ~~North Canadian Watershed~~ Water Restoration Act:

1. "Commission" means the Oklahoma Conservation Commission;

2. "Harmful woody species" means a tree or shrub species that is rapidly encroaching into adjoining lands and is likely to cause harm to the environment or economy. Harmful woody species include, but are not limited to, *Juniperus virginiana* (Eastern Redcedar), *Juniperus scopulorum* (Rocky Mountain juniper), *Juniperus monosperma* (oneseed juniper) ~~and~~, *Tamarix ramosissima* (salt cedar), *Juniperus pinchotii* (Redberry juniper), *Juniper ashei* (ashe juniper), and *Prosopis glandulosa* (honey mesquite); and

3. "~~North Canadian Watershed~~" means ~~the~~ an area of land in Oklahoma that drains or sheds water into ~~the North Canadian River a~~ waterway or water basin.

B. There is hereby created a statewide pilot program to remove or eradicate harmful woody species in ~~the North Canadian Watershed watersheds~~ to be administered by the Oklahoma Conservation Commission. To accomplish the goals listed in this section, the Commission is authorized to use the funds available in the ~~North Canadian Watershed~~ Water Restoration Revolving Fund established in Section 3 of this act. The purpose of the program is to manage and

1 eradicate, where possible, harmful woody species that damage grazing
2 lands, create significant wildfire risk, reduce wildlife habitat and
3 reduce water flow into ~~the North Canadian River~~ waterways and water
4 basins.

5 C. In administering the pilot program, the Commission shall:

6 1. Cooperate with landowners, state agencies, and other
7 political subdivisions for removal of harmful woody species;

8 2. Measure the density of harmful woody species and estimate
9 water used by those species;

10 3. Create a study using a parallel watershed with no control of
11 harmful woody species;

12 4. Utilize available funds to cost-share with landowners for
13 expenses incurred in the eradication of harmful woody species by
14 prescribed burn, biological controls, mechanical removal, or
15 herbicide applications;

16 5. Develop grant programs with conservation districts, rural
17 fire departments, and prescribe burn associations for resources
18 needed for prescribed burns, mechanical removal, biological control,
19 or herbicide applications on harmful woody species;

20 6. Bring attention to the problems posed by harmful woody
21 species to create awareness, demonstrate value to all stakeholders,
22 and encourage landowners to participate in the program; and

23 7. Have at least two active project areas in the program, one
24 above the Canton Lake dam and one below.

1 D. The Commission is authorized to promulgate any rules and
2 procedures to effectuate the provisions of this section.

3 SECTION 3. AMENDATORY Section 3, Chapter 372, O.S.L.
4 2023 (27A O.S. Supp. 2023, Section 3-8-103), is amended to read as
5 follows:

6 Section 3-8-103. There is hereby created in the State Treasury
7 a revolving fund for the Oklahoma Conservation Commission to be
8 designated the "~~North Canadian Watershed~~ Water Restoration Revolving
9 Fund". The fund shall be a continuing fund, not subject to fiscal
10 year limitations, and shall consist of all monies received by the
11 Conservation Commission from appropriations, federal grants or
12 funds, municipal contributions, private contributions, and any other
13 sources, including interest earned from the income in the fund, that
14 are designated for deposit to such fund or designated for duties
15 associated with harmful woody species removal from ~~the North~~
16 ~~Canadian Watershed~~ watersheds throughout the state. All monies
17 accruing to the credit of said fund are hereby appropriated and may
18 be budgeted and expended by the Conservation Commission to perform
19 the duties imposed on the Commission by law. Expenditures from said
20 fund shall be made upon warrants issued by the State Treasurer
21 against claims filed as prescribed by law with the Director of the
22 Office of Management and Enterprise Services for approval and
23 payment.

1 SECTION 4. There is hereby appropriated to the Conservation
2 Commission from any monies not otherwise appropriated from the
3 General Revenue Fund of the State Treasury for the fiscal year
4 ending June 30, 2025, the sum of Ten Million Dollars
5 (\$10,000,000.00) or so much thereof as may be necessary to perform
6 the duties imposed upon the Terry Peach Water Restoration Act by
7 law.

8 SECTION 5. This act shall become effective November 1, 2024.

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10 COMMITTEE REPORT BY: COMMITTEE ON AGRICULTURE, dated 02/21/2024 - DO
11 PASS, As Amended and Coauthored.

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