An Act

ENROLLED HOUSE
BILL NO. 2239

By: Dobrinski, Archer, Alonso-Sandoval, Talley, Moore, Bashore, Roberts, Patzkowsky, and Sims of the House

and

Jech, Stephens, Murdock, Pederson, and Bullard of the Senate

An Act relating to water preservation; creating the Terry Peach North Canadian Watershed Restoration Act; defining terms; creating certain pilot program; authorizing Oklahoma Conservation Commission to utilize certain funds; stating purpose of pilot program; listing certain Commission duties; authorizing the promulgation of rules and procedures; creating the North Canadian Watershed Restoration Revolving Fund; providing for content of fund; providing for deposits and expenditures; repealing 2 O.S. 2021, Section 16-73, which relates to Tamarix ssp; providing for codification; and declaring an emergency.

SUBJECT: Water preservation

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

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 3-8-101 of Title 27A, unless there is created a duplication in numbering, reads as follows:

This act shall be known and may be cited as the "Terry Peach North Canadian Watershed Restoration Act".

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 3-8-102 of Title 27A, unless there is created a duplication in numbering, reads as follows:

A. As used in the Terry Peach North Canadian Watershed 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); and

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

B. There is hereby created a pilot program to remove or eradicate harmful woody species in the North Canadian Watershed 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 Restoration Revolving Fund established in Section 3 of this act. The purpose of the program is to manage and eradicate, where possible, harmful woody species that damage grazing lands, create significant wildfire risk, reduce wildlife habitat and reduce water flow into the North Canadian River.

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

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

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

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

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

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

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

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

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

SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 3-8-103 of Title 27A, unless there is created a duplication in numbering, reads as follows:

There is hereby created in the State Treasury a revolving fund for the Oklahoma Conservation Commission to be designated the "North Canadian Watershed Restoration Revolving Fund". The fund shall be a continuing fund, not subject to fiscal year limitations, and shall consist of all monies received by the Conservation Commission from appropriations, federal grants or funds, municipal contributions, private contributions, and any other sources, including interest earned from the income in the fund, that are designated for deposit to such fund or designated for duties associated with harmful woody species removal from the North Canadian Watershed. All monies accruing to the credit of said fund are hereby appropriated and may be budgeted and expended by the Conservation Commission to perform the duties imposed on the Commission by law. Expenditures from said fund shall be made upon warrants issued by the State Treasurer against claims filed as prescribed by law with the Director of the Office of Management and Enterprise Services for approval and payment.

SECTION 4. REPEALER 2 O.S. 2021, Section 16-73 is hereby repealed.

SECTION 5. It being immediately necessary for the preservation of the public peace, health or safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

Passed the House of Representatives the 26th day of May, 2023.

Presiding Officer of the House of Representatives

Passed the Senate the 26th day of May, 2023.

Brent Howard

Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this 26th day of May, 2023, at 6:21 o'clock p. M.

By: Summer Curry

Approved by the Governor of the State of Oklahoma this 9th day of June, 2023, at 11:45 o'clock a. M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this 9th day of June, 2023, at 4:06 o'clock P. M.

By: Brian Bingman