

1 STATE OF OKLAHOMA

2 2nd Session of the 57th Legislature (2020)

3 SENATE BILL 1163

By: Allen

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6 AS INTRODUCED

7 An Act relating to the Oklahoma Archeological Survey;  
8 amending 74 O.S. 2011, Section 241, which relates to  
9 supervision; correcting format; changing supervising  
10 entity to Office of the Secretary of Energy and  
11 Environment; amending 27A O.S. 2011, Section 1-2-101,  
12 which relates to Secretary of Environment; adding  
13 duty; and providing an effective date.

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

15 SECTION 1. AMENDATORY 74 O.S. 2011, Section 241, is  
16 amended to read as follows:

17 Section 241. ~~(a)~~ A. The Archeological Survey of the State of  
18 Oklahoma, located at Norman, Oklahoma, shall be under the direction  
19 and supervision of the ~~Regents of the University of Oklahoma~~ Office  
20 of the Secretary of Energy and Environment and shall be known as the  
21 Oklahoma Archeological Survey.

22 ~~(b)~~ B. The Oklahoma Archeological Survey shall have for its  
23 object and duties the following:  
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1       ~~(1)~~ 1. Excavation of historical sites, ruins and mounds for the  
2 purpose of securing data and objects relating to early man in  
3 Oklahoma;

4       ~~(2)~~ 2. Fundamental research in Oklahoma archeology and  
5 encouragement of public cooperation in the preservation of Oklahoma  
6 antiquities;

7       ~~(3)~~ 3. Research in and study of anthropology and related social  
8 and physical sciences both prior to excavation and thereafter in  
9 order to plan and aid in the discovery of archeological sites and  
10 artifacts and in their proper assessment and preservation once  
11 discovered;

12       ~~(4)~~ 4. Publication of findings in terms of their scientific and  
13 popular and cultural values;

14       ~~(5)~~ 5. Display and custodianship of relics, artifacts, sites  
15 and other tangible results of the operations of the survey;

16       ~~(6)~~ 6. Educational activities providing a stimulus to  
17 archeological efforts and the encouragement of archeological  
18 societies, parks and museums; and

19       ~~(7)~~ 7. To initiate, operate and maintain a program of  
20 archeology which shall include the specific responsibilities set out  
21 above which shall not be limited to those areas of action.

22       SECTION 2.       AMENDATORY       27A O.S. 2011, Section 1-2-101, is  
23 amended to read as follows:

1 Section 1-2-101. A. The Secretary of Energy and Environment or  
2 successor cabinet position having authority over the Department of  
3 Environmental Quality shall have the following jurisdictional areas  
4 of environmental responsibility:

5 1. Powers and duties for environmental areas designated to such  
6 position by the Governor;

7 2. The recipient of federal funds disbursed pursuant to the  
8 Federal Water Pollution Control Act, provided the Oklahoma Water  
9 Resources Board is authorized to be the recipient of federal funds  
10 to administer the State Revolving Fund Program. The federal funds  
11 received by the Secretary of Energy and Environment shall be  
12 disbursed to each state environmental agency and state agency with  
13 limited environmental responsibilities based upon its statutory  
14 duties and responsibilities relating to environmental areas as  
15 determined by the Secretary of Energy and Environment in  
16 consultation with the Secretary of Agriculture. Such funds shall be  
17 distributed to the appropriate state environmental agency or state  
18 agency with limited environmental responsibilities within thirty  
19 (30) days of its receipt by the Secretary or as otherwise provided  
20 by grant or contract terms without any assessment of administrative  
21 fees or costs. Disbursement of other federal environmental funds  
22 shall not be subject to this section. The Secretary of Energy and  
23 Environment shall make an annual written report no later than  
24 November 1 to the President Pro Tempore of the Senate, the Speaker

1 of the House of Representatives, and the Chair of each environmental  
2 committee of both the House of Representatives and Senate detailing  
3 the disbursement of federal funds;

4 3. Coordinate pollution control and complaint management  
5 activities of the state carried on by all state agencies to avoid  
6 duplication of effort including but not limited to the development  
7 of a common data base for water quality information with a uniform  
8 format for use by all state agencies and the public; ~~and~~

9 4. Act on behalf of the public as trustee for natural resources  
10 under the federal Oil Pollution Act of 1990, the federal  
11 Comprehensive Environmental Response, Compensation and Liability Act  
12 of 1980, as amended, the federal Water Pollution Control Act and any  
13 other federal laws providing that a trustee for the natural  
14 resources is to be designated. The Secretary is authorized to make  
15 claims against federal funds, receive federal payments, establish  
16 and manage a revolving fund in relation to duties as the natural  
17 resources trustee consistent with the federal enabling acts and to  
18 coordinate, monitor and gather information from and enter into  
19 agreements with the appropriate state environmental agencies or  
20 state agencies with limited environmental responsibilities in  
21 carrying out the duties and functions of the trustee for the natural  
22 resources of this state; and

23 5. Direct and supervise the Oklahoma Archeological Survey.

1 B. 1. The Secretary of ~~the~~ Energy and Environment or successor  
2 cabinet position having authority over the Department of  
3 Environmental Quality shall develop and implement, by January 1,  
4 2000, public participation procedures for the development and/or  
5 modification of:

- 6 a. the federally required list of impaired waters (303(d)  
7 report),
- 8 b. the federally required water quality assessment  
9 (305(b) report),
- 10 c. the federally required nonpoint source state  
11 assessment (319 report), and
- 12 d. the continuing planning process document.

13 2. The procedures shall provide for the documents to be  
14 submitted for formal public review with a published notice  
15 consistent with the Administrative Procedures Act, providing for a  
16 thirty-day comment period and the preparation of a responsiveness  
17 summary by the applicable state environmental agency.

18 3. Information from current research shall be considered when  
19 made available to the agency.

20 SECTION 3. This act shall become effective November 1, 2020.

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22 57-2-2381 CB 12/31/2019 11:55:25 AM  
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