

1 **SENATE FLOOR VERSION**

2 April 12, 2023

3 ENGROSSED HOUSE
4 BILL NO. 2239

5 By: Dobrinski, Archer, Alonso-
6 Sandoval, Talley, Moore,
7 Bashore and Roberts of the
8 House

9 and

10 Jech and Stephens of the
11 Senate

12 [Water preservation - Terry Peach North Canadian
13 Watershed Restoration Act - program - Oklahoma
14 Conservation Commission - duties - rules - procedures
15 - fund - deposits - expenditures - codification -
16 emergency]

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

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

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

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

26 A. As used in the Terry Peach North Canadian Watershed
27 Restoration Act:

1 1. "Commission" means the Oklahoma Conservation Commission;

2 2. "Harmful woody species" means a tree or shrub species that
3 is rapidly encroaching into adjoining lands and is likely to cause
4 harm to the environment or economy. Harmful woody species include,
5 but are not limited to, *Juniperus virginiana* (Eastern Redcedar),
6 *Juniperus scopulorum* (Rocky Mountain juniper), *Juniperus monosperma*
7 (oneseed juniper) and *Tamarix ramosissima* (salt cedar); and

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

10 B. There is hereby created a pilot program to remove or
11 eradicate harmful woody species in the North Canadian Watershed to
12 be administered by the Oklahoma Conservation Commission. To
13 accomplish the goals listed in this section, the Commission is
14 authorized to use the funds available in the North Canadian
15 Watershed Restoration Revolving Fund established in Section 3 of
16 this act. The purpose of the program is to manage and eradicate,
17 where possible, harmful woody species that damage grazing lands,
18 create significant wildfire risk, reduce wildlife habitat and reduce
19 water flow into the North Canadian River.

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

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

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

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

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

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

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

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

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

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

21 There is hereby created in the State Treasury a revolving fund
22 for the Oklahoma Conservation Commission to be designated the "North
23 Canadian Watershed Restoration Revolving Fund". The fund shall be a
24 continuing fund, not subject to fiscal year limitations, and shall

1 consist of all monies received by the Conservation Commission from
2 appropriations, federal grants or funds, municipal contributions,
3 private contributions, and any other sources, including interest
4 earned from the income in the fund, that are designated for deposit
5 to such fund or designated for duties associated with harmful woody
6 species removal from the North Canadian Watershed. All monies
7 accruing to the credit of said fund are hereby appropriated and may
8 be budgeted and expended by the Conservation Commission to perform
9 the duties imposed on the Commission by law. Expenditures from said
10 fund shall be made upon warrants issued by the State Treasurer
11 against claims filed as prescribed by law with the Director of the
12 Office of Management and Enterprise Services for approval and
13 payment.

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

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

20 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS
21 April 12, 2023 - DO PASS
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