

<DateSubmitted>

HOUSE OF REPRESENTATIVES
CONFERENCE COMMITTEE REPORT

Mr. President:
Mr. Speaker:

The Conference Committee, to which was referred

HB2239

By: Dobrinski of the House and Jech of the Senate

Title: Water preservation; creating the Terry Peach North Canadian Watershed Restoration Act; defining terms; creating certain pilot program; repealer; emergency.

Together with Engrossed Senate Amendments thereto, beg leave to report that we have had the same under consideration and herewith return the same with the following recommendations:

1. That the Senate recede from its amendment; and
2. By adopting the following conference committee amendment to restore the title to read as follows:

"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."

Respectfully submitted,

SENATE CONFEREES

Jech _____
Rader _____
Howard _____
Daniels _____
Stewart _____
Montgomery _____
Kirt _____

1 ENGROSSED SENATE AMENDMENT
TO

2 ENGROSSED HOUSE
3 BILL NO. 2239

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

5 and

6 Jech of the Senate

7
8
9 [Water preservation - Terry Peach North Canadian
10 Watershed Restoration Act - program - Oklahoma
11 Conservation Commission - duties - rules - procedures
12 - fund - deposits - expenditures - codification -
13 emergency]

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16 AUTHOR: Add the following Senate Coauthors: Stephens, Murdock, and
17 Pederson

18 AMENDMENT NO. 1. Page 1, strike the enacting clause
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1 Passed the Senate the 18th day of April, 2023.

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3 _____
4 Presiding Officer of the Senate

5 Passed the House of Representatives the ____ day of _____,
6 2023.

7
8 _____
9 Presiding Officer of the House
10 of Representatives

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11 procedures - fund - deposits - expenditures -
12 codification -

13 emergency]

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

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

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

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

1 A. As used in the Terry Peach North Canadian Watershed

2 Restoration Act:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

23 There is hereby created in the State Treasury a revolving fund
24 for the Oklahoma Conservation Commission to be designated the "North

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

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

18 SECTION 5. It being immediately necessary for the preservation
19 of the public peace, health or safety, an emergency is hereby
20 declared to exist, by reason whereof this act shall take effect and
21 be in full force from and after its passage and approval.
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1 Passed the House of Representatives the 9th day of March, 2023.

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3 _____
4 Presiding Officer of the House
5 of Representatives

6 Passed the Senate the ____ day of _____, 2023.

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8 _____
9 Presiding Officer of the Senate