

1 **SENATE FLOOR VERSION**

2 February 21, 2017

3 SENATE BILL NO. 588

By: Silk

4  
5  
6 An Act relating to the forestry administration;  
7 amending 2 O.S. 2011, Section 16-3, which relates to  
8 the forestry program responsibilities; modifying  
9 responsibilities; amending 2 O.S. 2011, Section 16-  
10 51, which relates to forestry law; allowing the State  
11 Board of Agriculture to acquire property for certain  
purposes; amending 74 O.S. 2011, Section 2224, which  
relates to the transfer of interest in property;  
transferring property to the Department of  
Agriculture, Food, and Forestry; and providing an  
effective date.

12  
13  
14 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

15 SECTION 1. AMENDATORY 2 O.S. 2011, Section 16-3, is  
16 amended to read as follows:

17 Section 16-3. The State Board of Agriculture shall institute a  
18 broad program of education, outreach and action in the protection,  
19 reforestation, harvesting, and wise use of forests and their  
20 products throughout Oklahoma under the provisions the Board shall  
21 adopt. These provisions shall include the need for trees and  
22 forests to meet the increasing demands for forest products for human  
23 consumption, the necessity of environmental improvement to filter  
24 out noise and dirt, clean and replenish the atmosphere, to conserve

1 soil, water and wildlife, and to provide outdoor recreation for  
2 healthful living. The Board shall administer silviculture best  
3 management practices in cooperation with forestry land users under  
4 the provisions of state and federal water pollution laws that  
5 include the process to identify silviculturally related nonpoint  
6 sources of pollution as defined by the Oklahoma Environmental  
7 Quality Code and, to the extent feasible, establish procedures and  
8 methods to control these sources.

9 SECTION 2. AMENDATORY 2 O.S. 2011, Section 16-51, is  
10 amended to read as follows:

11 Section 16-51. The State Board of Agriculture for its Forestry  
12 Division on behalf of the state may acquire land suitable for  
13 nurseries, seed orchards, museums or educational facilities, state  
14 forests, school forests, tower, recreation and other sites by gift,  
15 donation, or purchase and may enter into agreements with the federal  
16 government or other agency for acquiring by gift or purchase the  
17 lands that are, in the judgment of the Board, suitable and desirable  
18 for the above purposes.

19 SECTION 3. AMENDATORY 74 O.S. 2011, Section 2224, is  
20 amended to read as follows:

21 Section 2224. A. The Commission may transfer to any city,  
22 county, or other agency of government, which is a willing recipient,  
23 its interest in real and personal property owned by the State of  
24 Oklahoma or the Department and operated and maintained under the

1 jurisdiction of the Commission. Such real estate transfers shall  
2 not be subject to ~~Section 456.7 or 129.4 of Title 74~~ Section 327 of  
3 Title 61 of the Oklahoma Statutes or any provision of state law  
4 relative to disposition of real estate. Such real estate transfers  
5 shall be subject to the following provisions:

6 1. The city, county or other agency recipient shall agree to  
7 accept the interest transferred by the state, accept responsibility  
8 for the property, and use the real estate for public recreation or  
9 educational purposes in accordance with the Land and Water  
10 Conservation Fund Act of 1965, Public Law 88-578, 78 U.S.C., Section  
11 897;

12 2. The city, county or other agency recipient shall not dispose  
13 of the property unless substitute property is provided that is  
14 equivalent in value and usefulness;

15 3. The Commission shall transfer the property to the recipient  
16 by quit claim deed or other instrument as may be appropriate;

17 4. The consideration for the property transfer shall be the  
18 agreement of the recipient to continue public recreation use of the  
19 property and to manage the property without an operating subsidy  
20 from the Department or Commission;

21 5. The real estate transfer shall be subject to all existing  
22 easements and reservations of record; and

23 6. The Commission shall provide written notice to the President  
24 Pro Tempore of the Senate and the Speaker of the House of

1 Representatives detailing any such proposed transfer agreement to be  
2 entered into pursuant to this section no later than thirty (30) days  
3 prior to the first day of the legislative session. The Commission  
4 shall approve such proposed transfer during the legislative session  
5 to be effective at the beginning of the next fiscal year, contingent  
6 upon the approval of the proposed transfer by the Legislature.

7 B. The Commission shall transfer the property commonly known as  
8 the Forest Heritage Center, located in Beavers Bend State Park,  
9 McCurtain County, Oklahoma, to the Oklahoma Department of  
10 Agriculture, Food, and Forestry.

11 SECTION 4. This act shall become effective November 1, 2017.

12 COMMITTEE REPORT BY: COMMITTEE ON AGRICULTURE AND WILDLIFE  
13 February 21, 2017 - DO PASS

14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24