

1 STATE OF OKLAHOMA

2 1st Session of the 56th Legislature (2017)

3 SENATE BILL 588

By: Silk

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5  
6 AS INTRODUCED

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

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

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

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

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

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

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

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

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

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

7 1. The city, county or other agency recipient shall agree to  
8 accept the interest transferred by the state, accept responsibility  
9 for the property, and use the real estate for public recreation or  
10 educational purposes in accordance with the Land and Water  
11 Conservation Fund Act of 1965, Public Law 88-578, 78 U.S.C., Section  
12 897;

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

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

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

22 5. The real estate transfer shall be subject to all existing  
23 easements and reservations of record; and  
24

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

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

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

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