

1 **SENATE FLOOR VERSION**
2 April 17, 2025

3 ENGROSSED HOUSE
4 BILL NO. 1543

By: Patzkowsky of the House
and
Green of the Senate

An Act relating to the Oklahoma Conservation Commission; amending 27A O.S. 2021, Section 3-2-106, which relates to the powers and duties of the Commission; providing that the Commission may enter into contracts and agreements and execute certain instruments in certain circumstances; updating language to include tribes; removing the ability of the Commission to establish and maintain a Conservation District Consolidation Fund; and providing an effective date.

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

SECTION 1. AMENDATORY 27A O.S. 2021, Section 3-2-106, is amended to read as follows:

Section 3-2-106. A. In addition to other powers and duties specified by law and except as otherwise provided by law, the Oklahoma Conservation Commission shall have the power and duty to:

1. Offer the assistance as may be appropriate to the directors of conservation districts in the carrying out of any of their powers and programs and to:

1 a. assist and guide districts in the preparation and
2 carrying out of programs for resource conservation
3 authorized under the Conservation District Act,
4 b. review district programs,
5 c. coordinate the programs of the several districts and
6 resolve any conflicts in such programs, and
7 d. facilitate, promote, assist, harmonize, coordinate,
8 and guide the resource conservation programs and
9 activities of districts as they relate to other
10 special purpose districts, counties, and other public
11 agencies;

12 2. Keep the directors of each of the several districts informed
13 of the activities and experience of all other districts, and to
14 facilitate an interchange of advice and experience between the
15 districts and cooperation between them;

16 3. Enter into contracts and agreements and execute such
17 instruments in the judgment of the Commission as are necessary,
18 beneficial, or convenient toward the exercise of any of the
19 Commission's powers conferred upon it by law. This includes, but is
20 not limited to, creating shared positions, administering statewide
21 programs with districts, and exploring funding sources for
22 conservation programs, practices, and pilot projects;

23 4. Review agreements, or forms of agreements, proposed to be
24 entered into by districts with other districts or with any state,

1 federal, ~~or tribal~~, interstate, or other public or private agency,
2 organization, or individual, and advise the districts concerning the
3 agreements or forms of agreements;

4 4. 5. Secure the cooperation and assistance of the United
5 States and any of its agencies, ~~and of any tribe~~, agencies of this
6 state, other entities, or individuals in the work of the Commission
7 or districts and to accept;

8 6. Accept donations, grants, gifts and contributions in money,
9 services, or otherwise from the United States or any of its agencies
10 ~~or from, tribes,~~ the state or any of its agencies, other entities,
11 or individuals in order to carry out the purposes of the
12 Conservation District Act;

13 5. 7. Disseminate information throughout the state concerning
14 the activities and programs of the conservation districts and to
15 make available information concerning the needs and the work of the
16 conservation districts and Commission to the Governor, the
17 Legislature, executive agencies of the government of this state,
18 political subdivisions of this state, cooperating federal agencies,
19 and the general public;

20 6. 8. Serve along with conservation districts as the official
21 state agencies for cooperating with the Natural Resources
22 Conservation Service of the United States Department of Agriculture
23 and carrying on conservation operations within the boundaries of
24 conservation districts;

1 7. 9. Cooperate with and give such assistance as it deems
2 necessary and proper to conservancy districts, watershed
3 associations, and other special purpose districts in the State of
4 Oklahoma for the purpose of cooperating with the United States
5 through the Secretary of Agriculture in the furtherance of
6 conservation pursuant to the provisions of the Federal Watershed
7 Protection and Flood Prevention Act, as amended;

8 8. 10. Recommend the inclusion in annual and longer-term
9 budgets and appropriation legislation of the State of Oklahoma of
10 funds necessary for appropriation by the Legislature to finance the
11 activities of the Commission and the conservation districts and to:

12 a. administer the provisions of the Conservation District
13 Act hereafter enacted by the Legislature appropriating
14 funds for expenditure in connection with the
15 activities of conservation districts,

16 b. distribute to conservation districts funds, equipment,
17 supplies, and services received by the Commission for
18 that purpose from any source, subject to such
19 conditions as shall be made applicable thereto in any
20 state or federal statute or local ordinance making
21 available such funds, property, or services,

22 c. issue ~~rules establishing~~ guidelines and suitable
23 controls to govern the use by conservation districts
24 of funds, property, and services, and

1 d. review all budgets, administrative procedures, and
2 operations of such districts and advise the districts
3 concerning their conformance with applicable laws and
4 regulations;

5 9. 11. Enlist the cooperation and collaboration of state,
6 federal, tribal, regional, interstate, local, public, and private
7 agencies with the conservation districts and to facilitate
8 arrangements under which the conservation districts may serve county
9 governing bodies and other agencies as their local operating
10 agencies in the administration of any activity concerned with the
11 conservation of renewable natural resources;

12 10. 12. Pursuant to procedures developed mutually by the
13 Commission and federal, tribal, state, and local agencies that are
14 authorized to plan or administer activities significantly affecting
15 the conservation of renewable natural resources, receive from these
16 agencies for review and comment suitable descriptions of their
17 plans, programs, and activities for purposes of coordination with
18 district conservation programs and to arrange for and participate in
19 conferences necessary to avoid conflict among plans and programs, to
20 call attention to omissions, and to avoid duplication of effort;

21 11. 13. Compile information and make studies, summaries, and
22 analyses of district programs in relation to each other and to other
23 resource conservation programs on a statewide basis;

1 ~~12.~~ 14. Except as otherwise assigned by law, carry out the
2 policies of this state in programs at the state level for the
3 conservation of the renewable natural resources of this state and
4 represent the state in matters affecting such resources;

5 ~~13.~~ 15. Assist conservation districts in obtaining legal
6 services from state and local legal officers;

7 ~~14.~~ 16. Require annual reports from conservation districts, the
8 form and content of which shall be developed by the Commission in
9 consultation with the district directors;

10 ~~15.~~ 17. Establish by rules, with the assistance and advice of
11 the State Auditor and Inspector, adequate and reasonably uniform
12 accounting and auditing procedures ~~which~~ that shall be used by
13 conservation districts;

14 ~~16.~~ 18. Conduct workshops for district directors to instruct
15 them on the subjects of district finances, the Conservation District
16 Law and related laws, and their duties and responsibilities as
17 directors;

18 ~~17.~~ 19. Assist and supervise districts in carrying out their
19 responsibilities in accordance with ~~the~~ Oklahoma laws;

20 ~~18.~~ 20. Have power, by administrative order, upon the written
21 request of the board of directors of the conservation district or
22 districts involved, with a showing that such request has been
23 approved by a majority vote of the members of each of the boards
24 involved, to:

- a. transfer lands and assign easements from one district established under the provisions of the Conservation District Act to another,
 - b. divide a single district into two or more districts, each of which shall thereafter operate as a separate district under the provisions of the Conservation District Act, and
 - c. consolidate two or more districts established under the provisions of the Conservation District Act, which consolidated area shall operate thereafter as a single district under the provisions of the Conservation District Act;

19. 21. Except as otherwise provided by law, act as the management agency having jurisdiction over and responsibility for erecting nonpoint source pollution prevention programs outside the jurisdiction or control of cities or towns in Oklahoma. The commission, otherwise, shall be responsible for all identified point source categories except silviculture, urban ~~storm~~ water runoff and industrial runoff;

20 20. 22. Establish and maintain an Equipment Revolving Fund for
21 the purpose of loaning conservation districts funds to purchase
22 equipment to be used for the installation of conservation practices.
23 The fund shall consist of all monies appropriated to, deposited in
24 or credited to the fund;

1 21. Establish and maintain a Conservation District
2 Consolidation Fund for the purpose of providing financial assistance
3 to conservation districts who choose to consolidate as outlined in
4 subparagraph e of paragraph 18 of this subsection. The fund shall
5 consist of all monies appropriated to, deposited in or credited to
6 the fund;

7 22. 23. Administer cost-share programs for the purpose of
8 carrying to carry out conservation or best management practices on
9 the land to benefit the public through the prevention or reduction
10 of soil erosion and nonpoint source pollution and through general
11 resource management. The Commission is not authorized to implement
12 mandatory compliance with management practices, except as otherwise
13 provided by law, to abate agricultural nonpoint source pollution;

14 23. 24. Plan watershed-based nonpoint source pollution control
15 activities, including the development and implementation of
16 conservation plans for the improvement and protection of the
17 resources of the state;

18 24. ~~Provide assistance to~~ 25. Assist the Oklahoma Water
19 Resources Board on lake projects through stream and river
20 monitoring, assessing watershed activities impacting lake water
21 quality, and assisting in the development of a watershed management
22 plan;

23 25. 26. Maintain the activities of the state's nonpoint source
24 working group;

1 26. 27. Prepare, revise, and review Oklahoma's nonpoint source
2 management program and nonpoint source assessment report in
3 coordination with other state environmental agencies and compile a
4 comprehensive assessment for the state every five (5) years. The
5 management program and assessment report shall be distributed to the
6 Governor, Secretary of Energy and Environment, the President Pro
7 Tempore of the Oklahoma State Senate, and the Speaker of the
8 Oklahoma House of Representatives;

9 27. 28. Under the direction of the Office of the Secretary of
10 the Energy and Environment, develop and implement the state's
11 nonpoint source water quality monitoring strategy in coordination
12 with other environmental agencies;

13 28. 29. Monitor, evaluate, and assess the waters of the state
14 to determine the condition of streams and rivers impacted by
15 nonpoint source pollution. In carrying out this area of
16 responsibility, the Conservation Commission shall serve as the
17 technical lead agency for nonpoint source pollution categories as
18 defined in Section 319 of the Federal Clean Water Act or other
19 subsequent federal or state nonpoint source programs;

20 29. 30. Administer the Blue Thumb Program;

21 30. 31. Enter into agreements or contracts for services with
22 any of the substate planning districts recognized by the Oklahoma
23 Department of Commerce;

1 ~~31.~~ 32. Cooperate with the federal government, or any agency
2 thereof, to participate in and coordinate with federal programs that
3 will yield additional federal funds to the state for programs within
4 the jurisdiction of the Conservation Commission. This participation
5 shall be subject to the availability of state funds;

6 ~~32.~~ 33. Implement pilot projects and programs, subject to the
7 availability of funds, that will demonstrate the latest technologies
8 and applications in conservation programs that may provide direct or
9 residual benefits to conservation practices in the state; and

10 ~~33.~~ 34. Promulgate rules necessary, expedient, or appropriate
11 to carry out the purposes, objectives, or provisions or appropriate
12 to the performance of the Conservation District Act and the Oklahoma
13 Carbon Sequestration Enhancement Act and:

- 14 a. may establish and collect fees for services provided
15 pursuant to the Conservation District Act and the
16 Oklahoma Carbon Sequestration Enhancement Act,
17 including any services for the certification or
18 verification of sustainable agricultural production
19 practices, including but not limited to, the Natural
20 Resources Conservation Service Soil Condition Index,
21 and

- 22 b. shall promulgate all rules establishing fees in
23 accordance with the Administrative Procedures Act,

which fees shall be fair and equitable to all parties concerned.

B. Nothing in this act shall take away any of the present duties or responsibilities delegated by law or constitution to other environmental agencies.

SECTION 2. This act shall become effective November 1, 2025.

COMMITTEE REPORT BY: COMMITTEE ON ENERGY
April 17, 2025 - DO PASS