

An Act

ENROLLED HOUSE
BILL NO. 1543

By: Patzkowsky of the House

and

Woods 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.

SUBJECT: Oklahoma Conservation Commission

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:

- a. assist and guide districts in the preparation and carrying out of programs for resource conservation authorized under the Conservation District Act,
- b. review district programs,

- c. coordinate the programs of the several districts and resolve any conflicts in such programs, and
- d. facilitate, promote, assist, harmonize, coordinate,, and guide the resource conservation programs and activities of districts as they relate to other special purpose districts, counties,, and other public agencies;

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

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

4. Review agreements, or forms of agreements, proposed to be entered into by districts with other districts or with any state, federal, ~~or tribal,~~ interstate, or other public or private agency, organization,, or individual, and advise the districts concerning the agreements or forms of agreements;

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

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

5. 7. Disseminate information throughout the state concerning the activities and programs of the conservation districts and ~~to~~ make available information concerning the needs and the work of the conservation districts and Commission to the Governor, the Legislature, executive agencies of the government of this state,

political subdivisions of this state, cooperating federal agencies,_ and the general public;

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

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

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

- a. administer the provisions of the Conservation District Act hereafter enacted by the Legislature appropriating funds for expenditure in connection with the activities of conservation districts,
- b. distribute to conservation districts funds, equipment, supplies,_ and services received by the Commission for that purpose from any source, subject to such conditions as shall be made applicable thereto in any state or federal statute or local ordinance making available such funds, property,_ or services,
- c. issue ~~rules establishing~~ guidelines and suitable controls to govern the use by conservation districts of funds, property,_ and services, and
- d. review all budgets, administrative procedures,_ and operations of such districts and advise the districts concerning their conformance with applicable laws and regulations;

9. 11. Enlist the cooperation and collaboration of state, federal, tribal, regional, interstate, local, public,_ and private

agencies with the conservation districts and to facilitate arrangements under which the conservation districts may serve county governing bodies and other agencies as their local operating agencies in the administration of any activity concerned with the conservation of renewable natural resources;

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

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

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

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

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

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

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

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

~~18.~~ 20. Have power, by administrative order, upon the written request of the board of directors of the conservation district or districts involved, with a showing that such request has been approved by a majority vote of the members of each of the boards 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 directing 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 nonpoint source categories except silviculture, urban ~~storm water~~ ~~stormwater~~ runoff and industrial runoff;

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

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

~~22.~~ 23. Administer cost-share programs ~~for the purpose of carrying to carry~~ out conservation or best management practices on the land to benefit the public through the prevention or reduction

of soil erosion and nonpoint source pollution and through general resource management. The Commission is not authorized to implement mandatory compliance with management practices, except as otherwise provided by law, to abate agricultural nonpoint source pollution;

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

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

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

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

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

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

29. 30. Administer the Blue Thumb Program;

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

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

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

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

- a. may establish and collect fees for services provided pursuant to the Conservation District Act and the Oklahoma Carbon Sequestration Enhancement Act, including any services for the certification or verification of sustainable agricultural production practices, including but not limited to, the Natural Resources Conservation Service Soil Condition Index, and
- b. shall promulgate all rules establishing fees in 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.

Passed the House of Representatives the 13th day of March, 2025.

Presiding Officer of the House
of Representatives

Passed the Senate the 6th day of May, 2025.

Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this _____
day of _____, 20_____, at _____ o'clock _____. M.
By: _____

Approved by the Governor of the State of Oklahoma this _____
day of _____, 20_____, at _____ o'clock _____. M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this _____
day of _____, 20_____, at _____ o'clock _____. M.
By: _____