

1                   **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2                   STATE OF OKLAHOMA

3                   1st Session of the 60th Legislature (2025)

4                   HOUSE BILL 1543

By: Patzkowsky of the House

5                   and

6                   **Green** of the Senate

9                   AS INTRODUCED

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

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

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

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

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

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

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

19       3. Enter into contracts and agreements and execute such  
20 instruments in the judgment of the Commission as are necessary,  
21 beneficial, or convenient toward the exercise of any of the  
22 Commission's powers conferred upon it by law. This includes, but is  
23 not limited to, creating shared positions, administering statewide

1    programs with districts, and exploring funding sources for  
2    conservation programs, practices, and pilot projects;

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

8        4. 5. Secure the cooperation and assistance of the United  
9    States and any of its agencies, ~~and of any tribe,~~ agencies of this  
10   state, other entities, or individuals in the work of the Commission  
11   ~~or districts and to accept;~~

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

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

1       6. 8. Serve along with conservation districts as the official  
2 state agencies for cooperating with the Natural Resources  
3 Conservation Service of the United States Department of Agriculture  
4 and carrying on conservation operations within the boundaries of  
5 conservation districts;

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

13       8. 10. Recommend the inclusion in annual and ~~longer-term~~  
14 longer-term budgets and appropriation legislation of the State of  
15 Oklahoma of funds necessary for appropriation by the Legislature to  
16 finance the activities of the Commission and the conservation  
17 districts and to:

- 18           a. administer the provisions of the Conservation District  
19                   Act hereafter enacted by the Legislature appropriating  
20                   funds for expenditure in connection with the  
21                   activities of conservation districts,
- 22           b. distribute to conservation districts funds, equipment,  
23                   supplies, and services received by the Commission for  
24                   that purpose from any source, subject to such

1           conditions as shall be made applicable thereto in any  
2           state or federal statute or local ordinance making  
3           available such funds, property,\_ or services,  
4           c. issue ~~rules establishing~~ guidelines and suitable  
5           controls to govern the use by conservation districts  
6           of funds, property,\_ and services, and  
7           d. review all budgets, administrative procedures,\_ and  
8           operations of such districts and advise the districts  
9           concerning their conformance with applicable laws and  
10          regulations;

11          9. 11. Enlist the cooperation and collaboration of state,  
12          federal, tribal, regional, interstate, local, public,\_ and private  
13          agencies with the conservation districts and to facilitate  
14          arrangements under which the conservation districts may serve county  
15          governing bodies and other agencies as their local operating  
16          agencies in the administration of any activity concerned with the  
17          conservation of renewable natural resources;

18          10. 12. Pursuant to procedures developed mutually by the  
19          Commission and federal, tribal, state,\_ and local agencies that are  
20          authorized to plan or administer activities significantly affecting  
21          the conservation of renewable natural resources, receive from these  
22          agencies for review and comment suitable descriptions of their  
23          plans, programs,\_ and activities for purposes of coordination with  
24          district conservation programs and to arrange for and participate in

1 conferences necessary to avoid conflict among plans and programs, to  
2 call attention to omissions, and to avoid duplication of effort;

3       11. 13. Compile information and make studies, summaries, and  
4 analyses of district programs in relation to each other and to other  
5 resource conservation programs on a statewide basis;

6       12. 14. Except as otherwise assigned by law, carry out the  
7 policies of this state in programs at the state level for the  
8 conservation of the renewable natural resources of this state and  
9 represent the state in matters affecting such resources;

10      13. 15. Assist conservation districts in obtaining legal  
11 services from state and local legal officers;

12      14. 16. Require annual reports from conservation districts, the  
13 form and content of which shall be developed by the Commission in  
14 consultation with the district directors;

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

19      16. 18. Conduct workshops for district directors to instruct  
20 them on the subjects of district finances, the Conservation District  
21 Law and related laws, and their duties and responsibilities as  
22 directors;

23      17. 19. Assist and supervise districts in carrying out their  
24 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;

1       20. 22. Establish and maintain an Equipment Revolving Fund for  
2 the purpose of loaning conservation districts funds to purchase  
3 equipment to be used for the installation of conservation practices.  
4 The fund shall consist of all monies appropriated to, deposited in  
5 or credited to the fund;

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

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

19       23. 24. Plan watershed-based nonpoint source pollution control  
20 activities, including the development and implementation of  
21 conservation plans for the improvement and protection of the  
22 resources of the state;

23       24. Provide assistance to 25. Assist the Oklahoma Water  
24 Resources Board on lake projects through stream and river

1 monitoring, assessing watershed activities impacting lake water  
2 quality, and assisting in the development of a watershed management  
3 plan;

4       25. 26. Maintain the activities of the state's nonpoint source  
5 working group;

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

14       27. 28. Under the direction of the Office of the Secretary of  
15 the Energy and Environment, develop and implement the state's  
16 nonpoint source water quality monitoring strategy in coordination  
17 with other environmental agencies;

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

1        29. 30. Administer the Blue Thumb Program;

2        30. 31. Enter into agreements or contracts for services with  
3 any of the substate planning districts recognized by the Oklahoma  
4 Department of Commerce;

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

10       32. 33. Implement pilot projects and programs, subject to the  
11 availability of funds, that will demonstrate the latest technologies  
12 and applications in conservation programs that may provide direct or  
13 residual benefits to conservation practices in the state; and

14       33. 34. Promulgate rules necessary, expedient, or appropriate  
15 to carry out the purposes, objectives, or provisions or appropriate  
16 to the performance of the Conservation District Act and the Oklahoma  
17 Carbon Sequestration Enhancement Act and:

18              a. may establish and collect fees for services provided  
19                   pursuant to the Conservation District Act and the  
20                   Oklahoma Carbon Sequestration Enhancement Act,  
21                   including any services for the certification or  
22                   verification of sustainable agricultural production  
23                   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.

COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS AND BUDGET, dated 03/05/2025 – DO PASS, As Coauthored.