

SENATE CHAMBER
STATE OF OKLAHOMA

DISPOSITION

FLOOR AMENDMENT

No. _____

COMMITTEE AMENDMENT

(Date)

Mr./Madame President:

I move to amend House Bill No. 2214, by substituting the attached floor substitute for the title, enacting clause and entire body of the measure.

Submitted by:

Senator Murdock

Murdock-NP-FS-Req#2067
4/15/2021 10:01 AM

(Floor Amendments Only) Date and Time Filed: _____

Untimely

Amendment Cycle Extended

Secondary Amendment

1 STATE OF OKLAHOMA

2 1st Session of the 58th Legislature (2021)

3 FLOOR SUBSTITUTE
4 FOR ENGROSSED

5 HOUSE BILL NO. 2214

By: McDugle and Burns of the
House

6 and

7 Murdock of the Senate

8
9
10 FLOOR SUBSTITUTE

11 [Oklahoma Wildlife Conservation Commission -
12 Wildlife Land Acquisition Fund - land purchases -
effective date]

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

15 SECTION 1. AMENDATORY 29 O.S. 2011, Section 4-132, as
16 amended by Section 120, Chapter 304, O.S.L. 2012 (29 O.S. Supp.
17 2020, Section 4-132), is amended to read as follows:

18 Section 4-132. A. ~~The Department of Wildlife Conservation is~~
19 ~~hereby authorized to issue an Oklahoma Wildlife Habitat Stamp to any~~
20 ~~person upon the voluntary payment of a fee of Ten Dollars (\$10.00).~~
21 ~~Said fee shall be deposited in the Wildlife Land Acquisition Fund~~
22 ~~created in subsection C of this section.~~

1 ~~B. The Oklahoma Wildlife Conservation Commission shall~~
2 ~~promulgate rules specifying the form, design, and manner of issuance~~
3 ~~of said wildlife habitat stamp.~~

4 C. There is hereby created in the State Treasury a revolving
5 fund for the Oklahoma Wildlife Conservation Commission to be
6 designated the "Wildlife Land Acquisition Fund". The fund shall be
7 a continuing fund, not subject to fiscal year limitations, and shall
8 consist of ~~all monies received pursuant to the provisions of this~~
9 ~~section~~ and fees deposited by the Oklahoma Wildlife Conservation
10 Commission. The Oklahoma Wildlife Conservation Commission is hereby
11 authorized to invest all or part of the monies of ~~said~~ the fund in
12 any investment permitted by a written investment policy adopted by
13 the Wildlife Conservation Commission; provided, all investments
14 shall be made in accordance with the Oklahoma Uniform Prudent
15 Investor Act. Any interest or dividends accruing from such
16 investments shall be deposited in the Wildlife Land Acquisition
17 Fund. All monies accruing to the credit of ~~said~~ the fund are hereby
18 appropriated and may be budgeted and expended by the Oklahoma
19 Wildlife Conservation Commission for the purposes specified in
20 subsection ~~D~~ B of this section. Any monies withdrawn from ~~said~~ the
21 fund by the Oklahoma Wildlife Conservation Commission for investment
22 pursuant to this subsection shall be deemed to be for the purposes
23 specified in subsection ~~D~~ B of this section. Expenditures from ~~said~~
24 the fund shall be made upon warrants issued by the State Treasurer

1 against claims filed as prescribed by law with the Director of the
2 Office of Management and Enterprise Services for approval and
3 payment.

4 ~~D.~~ B. The Wildlife Land Acquisition Fund shall be used by the
5 Oklahoma Wildlife Conservation Commission for the acquisition on a
6 willing-seller willing-buyer basis only, leasing, taking of
7 easements, development, management, and enhancement of lands
8 ~~acquired pursuant to this section~~ and other purposes specified in
9 this subsection. Except as otherwise provided by this subsection,
10 the Commission may purchase land pursuant to this subsection only
11 after the land has been publicly offered for sale at fair-market
12 value by erecting signage on the property indicating the property is
13 for sale and causing public notice of the offer of sale by
14 publishing weekly in a newspaper of general circulation of the
15 county in which the property to be sold is situated for a minimum of
16 six (6) months. Thereafter, the Commission may purchase the land at
17 a price that is no more than the appraised value. Any property
18 where the entire outer boundary lines are surrounded by land owned
19 by the Commission shall be exempt from the notice and public offer
20 of sale requirements under this subsection. Additionally, the
21 Wildlife Land Acquisition Fund shall be used for the following
22 purposes:
23
24

1 1. Management of game animals, protected animals and birds,
2 furbearing animals, game birds, fish~~7~~ and their restoration,
3 propagation~~7~~ and protection; ~~and~~

4 2. Creation and management of public hunting, fishing~~7~~ and
5 trapping areas as places where the public may hunt, fish~~7~~ or trap as
6 authorized by law;

7 3. Maintenance of county roads necessary for travel to reach
8 public hunting areas; and

9 4. Maintenance of fences on public land including posting signs
10 at all places where entry to the property is normally expected, to
11 notify the person he or she is entering or exiting public land.

12 ~~E.~~ C. The Oklahoma Wildlife Conservation Commission may accept
13 private contributions, grants~~7~~ and donations made for the purposes
14 of this section. Any monies received pursuant to this subsection
15 shall be deposited in the Wildlife Land Acquisition Fund created in
16 subsection ~~E~~ A of this section. Any property received pursuant to
17 this subsection which is not suitable for the purposes of this
18 section may be sold by the Oklahoma Wildlife Conservation Commission
19 and the proceeds from such sales shall be deposited in the Wildlife
20 Land Acquisition Fund created in subsection ~~E~~ A of this section.

21 ~~F.~~ D. Whenever the Oklahoma Wildlife Conservation Commission
22 acquires title to land pursuant to this section, the Commission
23 shall annually make in lieu of tax payments equal to the average ad
24 valorem tax per acre paid on similar land in that county. ~~Said~~ The

1 payments shall be made to the county treasurer of the county in
2 which the land is located.

3 E. The Oklahoma Wildlife Conservation Commission shall
4 prescribe any rules necessary to implement the provisions of this
5 section with legislative approval pursuant to the Administrative
6 Procedures Act. The Commission is authorized to designate license
7 fees, or portions thereof, for deposit to the Wildlife Land
8 Acquisition Fund created in subsection A of this section.

9 SECTION 2. AMENDATORY 29 O.S. 2011, Section 4-134, as
10 amended by Section 121, Chapter 304, O.S.L. 2012 (29 O.S. Supp.
11 2020, Section 4-134), is amended to read as follows:

12 Section 4-134. A. There is hereby created in the State
13 Treasury a revolving fund for the Oklahoma Wildlife Conservation
14 Commission to be designated the "Wildlife Heritage Fund". The fund
15 shall be a continuing fund, not subject to fiscal year limitations,
16 and shall consist of ~~all monies received from senior citizen~~
17 ~~lifetime licenses issued pursuant to the provisions of paragraphs 4~~
18 ~~through 6 of subsection B of Section 4-114 of this title~~ and fees
19 deposited by the Oklahoma Wildlife Conservation Commission. The
20 Oklahoma Wildlife Conservation Commission is hereby authorized to
21 invest all or part of the monies of ~~said~~ the fund in any investment
22 permitted by a written investment policy adopted by the Wildlife
23 Conservation Commission; provided, all investments shall be made in
24 accordance with the Oklahoma Uniform Prudent Investor Act. Any

1 interest or dividends accruing from such investments shall be
2 deposited in the Wildlife Heritage Fund. Only interest and
3 dividends derived from the principle can be expended and are hereby
4 appropriated and may be budgeted and expended by the Oklahoma
5 Wildlife Conservation Commission for the purposes specified in
6 subsection B of this section. Any monies withdrawn from ~~said~~ the
7 fund by the Oklahoma Wildlife Conservation Commission for investment
8 pursuant to this subsection shall be deemed to be for the purposes
9 specified in subsection B of this section. Expenditures from ~~said~~
10 the fund shall be made upon warrants issued by the State Treasurer
11 against claims filed as prescribed by law with the Director of the
12 Office of Management and Enterprise Services for approval and
13 payment.

14 B. The Wildlife Heritage Fund shall be used by the Oklahoma
15 Wildlife Conservation Commission for the acquisition of land on a
16 willing-seller willing-buyer basis only, leasing of land, and the
17 taking of easements, and for the development, management, and
18 enhancement of such lands ~~acquired pursuant to this section~~ and
19 other purposes specified in this subsection. Except as otherwise
20 required under this subsection, the Commission may purchase land
21 pursuant to this subsection only after the land has been publicly
22 offered for sale at fair-market value by erecting signage on the
23 property indicating the property is for sale and causing public
24 notice of the offer of sale by publishing weekly in a newspaper of

1 general circulation of the county in which the property to be sold
2 is situated for a minimum of six (6) months. Thereafter, the
3 Commission may purchase the land at a price that is no more than
4 appraised value. Any property where the entire outer boundary lines
5 are surrounded by land owned by the Commission shall be exempt from
6 the notice and public offer of sale requirements under this
7 subsection. Additionally, the Wildlife Heritage Fund shall be used
8 for the following purposes:

9 1. Management of game animals, protected animals and birds,
10 furbearing animals, game birds, fish~~7~~ and their restoration,
11 propagation, and protection; ~~and~~

12 2. Creation and management of public hunting, fishing~~7~~ and
13 trapping areas as places where the public may hunt, fish~~7~~ or trap as
14 authorized by law;

15 3. Maintenance of county roads necessary for travel to reach
16 public hunting areas; and

17 4. Maintenance of fences on public land including posting signs
18 at all places where entry to the property is normally expected, to
19 notify the person he or she is entering or exiting public land.

20 C. The Commission is authorized to designate license fees, or
21 portions thereof, for deposit to the Wildlife Heritage Fund created
22 in subsection A of this section. The Oklahoma Wildlife Conservation
23 Commission may accept private contributions, grants~~7~~ and donations
24 made for the purposes of this section. Any monies received pursuant

1 to this subsection shall be deposited in the Wildlife Heritage Fund
2 created in subsection A of this section. Any property received
3 pursuant to this subsection which is not suitable for the purposes
4 of this section may be sold by the Oklahoma Wildlife Conservation
5 Commission and the proceeds from such sales shall be deposited in
6 the Wildlife Heritage Fund created in subsection A of this section.

7 D. Whenever the Oklahoma Wildlife Conservation Commission
8 acquires title to land pursuant to this section, the Commission
9 shall annually make in lieu of tax payments equal to the average ad
10 valorem tax per acre paid on similar land in that county. ~~Said~~ The
11 payments shall be made to the county treasurer of the county in
12 which the land is located to be distributed by ~~said~~ the county
13 treasurer in the manner provided for by law for ad valorem tax
14 payments.

15 SECTION 3. AMENDATORY 29 O.S. 2011, Section 4-141, is
16 amended to read as follows:

17 Section 4-141. A. There is hereby created in the State
18 Treasury a revolving fund for the Oklahoma Wildlife Conservation
19 Commission to be designated the "Oklahoma Wildlife Land Fund". The
20 fund shall be a continuing fund, not subject to fiscal year
21 limitations, and shall consist of ~~all monies received pursuant to~~
22 ~~the provisions of Sections 4-110, 4-112 and 4-113 of this title from~~
23 ~~fees for the Oklahoma Wildlife Land Stamp and required to be~~
24 ~~deposited in the fund, subsection C of Section 4-114 of this title~~

1 ~~from fees for the Lifetime Oklahoma Wildlife Land Stamp and required~~
2 ~~to be deposited in the fund and any other monies received from fees~~
3 ~~for the Oklahoma Wildlife Land Stamp and required to be deposited in~~
4 ~~the fund~~ and fees deposited by the Commission. All monies accruing
5 to the credit of the fund ~~are hereby appropriated and shall be~~
6 expended by the Commission ~~as follows~~ exclusively:

7 1. ~~An amount equal to Four Dollars (\$4.00) per stamp to be used~~
8 ~~to~~ To retire the obligations and related expenses as authorized
9 pursuant to Section 168.9 of Title 73 of the Oklahoma Statutes or to
10 purchase, lease, or purchase easements on real property to be used
11 as public hunting, fishing, and trapping areas. Except as otherwise
12 required under this subsection, the Commission may purchase land
13 pursuant to this paragraph only after the land has been publicly
14 offered for sale at fair-market value by erecting signage on the
15 property indicating the property is for sale and causing public
16 notice of the offer of sale by publishing weekly in a newspaper of
17 general circulation of the county in which the property to be sold
18 is situated for a minimum of six (6) months. Thereafter, the
19 Commission may purchase the land at a price that is no more than
20 appraised value. Any property where the entire outer boundary lines
21 are surrounded by land owned by the Commission shall be exempt from
22 the notice and public offer of sale requirements under this
23 subsection; and
24

1 2. ~~An amount equal to fifty cents (\$0.50) per stamp to be used~~
2 ~~by the Commission for~~ For the management of the real property
3 acquired pursuant to Section 168.9 of Title 73 of the Oklahoma
4 Statutes ~~or acquired with proceeds from the Oklahoma Wildlife Land~~
5 ~~Stamp fee;~~

6 3. For the maintenance of county roads necessary for travel to
7 reach public hunting areas; and

8 4. For the maintenance of fences on public land including
9 posting signs at all places where entry to the property is normally
10 expected, to notify the person he or she is entering or exiting
11 public land.

12 B. The Oklahoma Wildlife Conservation Commission shall
13 prescribe any rules necessary to implement the provisions of this
14 section with legislative approval pursuant to the Administrative
15 Procedures Act. The Commission is authorized to designate license
16 fees, or portions thereof, for deposit to the fund created in
17 subsection A of this section.

18 SECTION 4. This act shall become effective November 1, 2021.

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20 58-1-2067 NP 4/15/2021 10:01:36 AM