

ENGROSSED HOUSE
BILL NO. 1203

BY: PAULK

AN ACT RELATING TO LABOR; AMENDING 40 O.S. 1981,
SECTION 1, WHICH RELATES TO THE POWERS AND DUTIES
OF THE COMMISSIONER OF LABOR; MODIFYING SUCH POWERS
AND DUTIES; AMENDING SECTION 4, CHAPTER 145, O.S.L.
1982, AS AMENDED BY SECTION 1, CHAPTER 101, O.S.L.
1983 (40 O.S. SUPP. 1990, SECTION 463), WHICH
RELATES TO INSPECTIONS OF AMUSEMENT RIDES;
MODIFYING INSPECTOR QUALIFICATIONS; PROVIDING AN
EFFECTIVE DATE; AND DECLARING AN EMERGENCY.

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

SECTION 1. AMENDATORY 40 O.S. 1981, Section 1, is
amended to read as follows:

Section 1. A. The Commissioner of Labor shall be the Chief
Executive Officer of the Department of Labor, and shall supervise
the work of that Department.

B. It shall be the duty of the
~~Commissioner of Labor are to carry into effect all laws in relation
to labor, passed by the Legislature, in regard to the
transportation, mechanical and manufacturing industries of the
state; to supervise the work of the different branches of his
department, which shall be divided into four bureaus, as follows:
Statistics; Arbitration and Conciliation; Free Employment; and~~

~~Factory Inspection. He shall appoint all officers, clerks and employees in the Department of Labor; collect, assort and systematize reports of all persons, firms or corporations required to report to the Commissioner of Labor annually, and present the same to the Legislature at the following session thereof; compile statistical detailed reports relating to the commercial, industrial, educational and sanitary conditions of the people, included in the mining, transportation, transmission, commercial, mechanical and manufacturing industries of the state; and he may administer oaths, issue subpoenas for the attendance of witnesses, and take testimony in all matters relating to the proper enforcement of all laws over which he has supervision under the provisions of this act to:~~

1. foster, promote, and develop the welfare of the wage earners of this state;
2. improve working conditions of the wage earners;
3. advance opportunities of wage earners for profitable employment; and
4. carry into effect all laws in relation to labor enacted by the Legislature for which responsibility is assigned to the Commissioner of Labor.

C. The Commissioner of Labor may administer oaths, issue subpoenas for the attendance of witnesses and take testimony in all matters relating to the proper enforcement of all laws over which the Commissioner has supervision pursuant to the provisions of the laws of this state.

SECTION 2. AMENDATORY Section 4, Chapter 145, O.S.L. 1982, as amended by Section 1, Chapter 101, O.S.L. 1983 (40 O.S. Supp. 1990, Section 463), is amended to read as follows:

Section 463. A. The inspection fee shall be Fifteen Dollars (\$15.00) per hour of actual inspection time. The certificate of inspection fee shall be Ten Dollars (\$10.00). No fees shall be charged to public agencies. The fees provided for in this

subsection shall not apply to amusement parks owned and operated by nonprofit corporations.

B. The Commissioner of Labor shall not issue an original certificate of inspection for an amusement ride until he receives certification in writing ~~by an engineer qualified under Sections 475.1 through 475.23 of Title 59 of the Oklahoma Statutes~~ that such amusement rides meet the requirements established by the Commissioner of Labor for amusement rides. The Commissioner of Labor shall designate by rule and regulation pursuant to Section 460 of this title the qualifications of the inspectors making the inspections required by this section.

C. Any permanent amusement park ride owner or operator shall file a copy of a certificate of insurance with the Commissioner of Labor on or before February 1 of each year. Such certificate of insurance shall be in such form as to reflect the safety inspection requirements for obtaining such insurance and the date of the last inspection. The amount of the premium and the amount of coverage shall not be required to be disclosed in the certificate.

The Commissioner may accept such certificate and insurance inspection as evidence sufficient to issue a certificate of inspection for the permanent amusement park ride.

D. The Governing Board of the State Fair of Oklahoma, the Tulsa State Fair, and the Muskogee State Fair shall file a copy of a certificate of insurance with the Commissioner of Labor before the rides are put into operation at each location for the use of the public. Such certificate shall be in such form as to reflect the safety inspection requirements for obtaining such insurance and the date of the inspection.

The Commissioner may accept such insurance inspection as evidence sufficient to issue a certificate of inspection for the rides.

SECTION 3. This act shall become effective July 1, 1991.

SECTION 4. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

Passed the House of Representatives the 5th day of March, 1991.

Speaker of the House of
Representatives

Passed the Senate the ____ day of _____, 1991.

President of the Senate