

STATE OF OKLAHOMA

1st Session of the 43rd Legislature (1991)

SENATE BILL NO. 501

BY: DICKERSON

AS INTRODUCED

AN ACT RELATING TO STATE GOVERNMENT; AMENDING 74 O.S. 1981, SECTION 3001, AS LAST AMENDED BY SECTION 22, CHAPTER 225, O.S.L. 1988, SECTION 3009, AS AMENDED BY SECTION 152, CHAPTER 304, O.S.L. 1983, AND SECTION 3, CHAPTER 22, O.S.L. 1987 (74 O.S. SUPP. 1990, SECTIONS 3001, 3009 AND 3010), WHICH RELATE TO THE COMMITTEE ON PURCHASES OF PRODUCTS AND SERVICES OF THE SEVERELY HANDICAPPED; MODIFYING MEMBERSHIP; PROVIDING FOR ELECTION OF OFFICERS; SPECIFYING CERTAIN TERMS; PROVIDING FOR REAPPOINTMENT; PROVIDING FOR RULES AND REGULATIONS; SPECIFYING CONTENT OF RULES; REQUIRING REPORTING OF VIOLATIONS; REQUIRING ANNUAL REPORT; AUTHORIZING COUNTY AGENCIES TO PURCHASE CERTAIN SERVICES AND PRODUCTS; AND PROVIDING AN EFFECTIVE DATE.

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

SECTION 1. AMENDATORY 74 O.S. 1981, Section 3001, as last amended by Section 22, Chapter 225, O.S.L. 1988 (74 O.S. Supp. 1990, Section 3001), is amended to read as follows:

Section 3001. A. There is hereby re-created, to continue until July 1, 1994, in accordance with the provisions of the Oklahoma

Sunset Law, in the Office of Public Affairs a committee to be known as the "Committee on Purchases of Products and Services of the Severely Handicapped" which shall serve as successor to the Committee on Purchases of Blind-made Products and Services created by Section 103 of Title 7 of the Oklahoma Statutes. The Committee shall consist of ~~three (3)~~ six (6) members and one ex officio nonvoting member as follows:

1. A private citizen conversant with the problems incident to the employment of the severely handicapped who shall be appointed by and serve at the pleasure of the Governor;

2. The State Purchasing Director;

3. The Director of Visual Services, or his designee, ~~who shall serve as chairman of the Committee; and~~

4. The past president of Oklahoma Community-Based Providers;

5. A private citizen who is handicapped, to be selected by the Committee; and

6. A person employed by the Office of Public Affairs as not less than a qualified buyer in the purchasing division, appointed by the State Purchasing Director and designated as a "Buyer of Products and Services of the Severely Handicapped" to serve as an ex officio nonvoting member of the Committee.

B. The Committee shall elect from among its membership a Chairman and a Secretary who shall both serve for a period of one (1) year.

C. The private citizens on the Committee shall serve for a period of three (3) years and may be reappointed by the appointing authority.

SECTION 2. AMENDATORY 74 O.S. 1981, Section 3009, as amended by Section 152, Chapter 304, O.S.L. 1983 (74 O.S. Supp. 1990, Section 3009), is amended to read as follows:

Section 3009. A. The ~~Director of Public Affairs~~ Committee on Purchases of Products and Services of the Severely Handicapped shall

prescribe rules and regulations to carry out the purposes of the provisions of Sections 3001 through 3009 of this title ~~and to establish minimum and uniform standards of wages and other employee benefits for all employees of such qualified nonprofit agencies which sell products or services to the state or any of its agencies pursuant to the provisions of Sections 3001 through 3009 of this title.~~

B. The rules shall include requirements for:

1. Publishing a list of jobs that workshops can do for the state, annually;

2. Conducting a minimum of six (6) meetings per year, in compliance with the Open Meeting Law;

3. Making available to contractors the minutes of all meetings;

4. Notifying contractors at least ten (10) days prior to meeting dates. Meetings shall be called by the Committee Chairman;
and

5. Establishing guidelines by which a vendor may file a grievance.

C. The Committee shall report any violations of the intent of the laws to the Attorney General's office within thirty (30) days of their determination of such violations.

D. The Committee shall file an Annual Report within thirty (30) days after the close of the legislative year with the President Pro Tempore of the Senate, the Speaker of the House of Representatives and the Governor.

SECTION 3. AMENDATORY Section 3, Chapter 22, O.S.L. 1987 (74 O.S. Supp. 1990, Section 3010), is amended to read as follows:

Section 3010. Any municipality or county agency of this state is authorized to purchase products and services from any qualified nonprofit agency for the severely handicapped which is certified as a sheltered workshop by the Wage and Hour Division of the United States Department of Labor. Procurements made pursuant to the

provisions of this section shall not be subject to competitive bid requirements. To participate, a qualified nonprofit agency for the severely handicapped must be able to meet the needs and specifications for the products or services required by the purchasing body at a fair market price.

SECTION 4. This act shall become effective September 1, 1991.

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