

ENGROSSED SENATE
BILL NO. 1009

By: Price of the Senate
and
Leist of the House

An Act relating to agriculture; amending Section 4, Chapter 157, O.S.L. 1999 (2 O.S. Supp. 1999, Section 5-3.4), which relates to the Oklahoma Agriculture Enhancement and Diversification Program; specifying meetings to be subject to the Open Meeting Act and the Open Records Act; providing for confidentiality of certain information; authorizing executive session to be held to discuss certain information; and providing an effective date.

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

SECTION 1. AMENDATORY Section 4, Chapter 157, O.S.L. 1999 (2 O.S. Supp. 1999, Section 5-3.4), is amended to read as follows:

Section 5-3.4 A. The State Department of Agriculture shall require eligible applicants to submit information, forms and reports as are necessary to properly and efficiently administer the Oklahoma Agriculture Enhancement and Diversification Program.

B. Persons may apply to the State Department of Agriculture for grant or loan funds to develop or implement research or marketing and utilization or farm diversification plans, in accordance with rules promulgated by the State Board of Agriculture. Applications for grant or loan funds shall be approved or denied by the Department in accordance with criteria promulgated by the Board pursuant to the Oklahoma Agriculture Enhancement and Diversification Program.

C. The Commissioner of Agriculture may also allocate monies from the fund to eligible applicants on a matching basis.

D. Grant or loan funds may be made available to eligible applicants pursuant to evaluation by the Department based on the following criteria:

1. Preference will be given to the applicants whose:
 - a. industrial and nonfood production processes utilize agricultural products,
 - b. food, feed and fiber products and uses are innovative and add to the value of agricultural products,
 - c. applications demonstrate a high probability of job creation and return-on-investment,
 - d. proposals feature research that is innovative as well as commercially plausible,
 - e. proposals demonstrate a high probability of rapid commercialization,
 - f. projects demonstrate a shared commitment for funding from other private or public sources or from the applicant,
 - g. proposals center efforts on nonurban locales,
 - h. principals are individuals, a group of individuals, an individual on behalf of a group, or corporations which meet the criteria set forth in Section 951 of Title 18 of the Oklahoma Statutes, to market a product or formulate or implement a marketing plan for products which have not been marketed through existing marketing cooperatives,
 - i. proposals must contain the potential to create additional income for the farm unit, and
 - j. proposals must provide for new and innovative plans for marketing the product; and
2. Consideration shall not be given to applications for:

- a. research or marketing plans which do not clearly meet the stated objectives of the Oklahoma Agriculture Enhancement and Diversification Act,
- b. proposals which are aimed solely at business expansion or creation without regard to agricultural products utilization, and
- c. research or marketing plans that cannot reasonably be expected to result in a viable commercial application, or that are or have been duplicated by other research efforts.

E. Meetings of the Oklahoma Agriculture Enhancement and Diversification Advisory Board shall be subject to the Open Meeting Act and the Open Records Act. Any information submitted to or compiled by the Oklahoma Agriculture Enhancement and Diversification Advisory Board with respect to feasibility studies, marketing plans, financial statements, trade secrets, research concepts, methods, products, or any other proprietary information of persons shall be confidential, unless the person providing the information or the person who is the subject of the information consents to disclosure. Executive sessions may be held by the Oklahoma Agriculture Enhancement and Diversification Advisory Board to discuss these materials.

SECTION 2. This act shall become effective November 1, 2000.

Passed the Senate the 6th day of March, 2000.

President of the Senate

Passed the House of Representatives the ____ day of _____,
2000.

Speaker of the House of
Representatives