

ENGROSSED SENATE  
BILL NO. 737

By: Snyder of the Senate

and

Thornbrugh of the House

[ mortgage brokers - Waterworks and Wastewater Works  
Operator Certification Act - Revolving Fund -  
budgeting and expenditure - 59 O.S. - Section 1106  
- unlawful acts - plumbers - certificate -  
codification -

emergency ]

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

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 2092 of Title 59, unless there is created a duplication in numbering, reads as follows:

There is hereby created in the State Treasury a revolving fund for the Department of Consumer Credit to be designated the "Mortgage Brokers General Revolving Fund". The fund shall be a continuing fund, not subject to fiscal year limitations, and shall consist of application fees provided for in Section (2085(A)(2) of Title 59 of the Oklahoma Statutes. All monies accruing to the credit of the fund are hereby appropriated and may be budgeted and expended by the Department of Consumer Credit for the operating expenses of the Department and for the administration of the Mortgage Broker Licensure Act. Expenditures from said fund shall be made upon warrants issued by the State Treasurer against claims filed as prescribed by law with the Director of State Finance for approval and payment.

SECTION 2. AMENDATORY 59 O.S. 1991, Section 1106, as last amended by Section 1, Chapter 115, O.S.L. 1996 (59 O.S. Supp. 1998, Section 1106), is amended to read as follows:

Section 1106. A. Except as otherwise provided in the Waterworks and Wastewater Works Operator Certification Act, it shall be unlawful:

1. For any person to employ or appoint or vote for or approve the employment or appointment of any person as an operator of a waterworks or wastewater works who does not possess a valid current certificate issued under the Waterworks and Wastewater Works Operator Certification Act, which certifies the operator's competency to operate a waterworks or wastewater works for which the operator is employed or appointed as operator; or to employ or appoint a person as an operator of a waterworks or wastewater works or vote for or approve the employment or appointment of any person as an operator of a waterworks or wastewater works contrary to the terms and conditions of the certificate held by such person;

2. For any person to be the operator of a waterworks or wastewater works for the operation of which the person does not hold a required certificate, or to be the operator of any waterworks or wastewater works contrary to any of the terms and conditions of the operator's certificate; or

3. For any person to violate any rule or order made under the authority of the Waterworks and Wastewater Works Operator Certification Act or any certificate issued pursuant thereto.

B. Paragraphs 1 and 2 of subsection A of this section shall apply to a waterworks or wastewater works employing a superintendent of the waterworks or wastewater works who has not obtained the proper level of certification within six (6) months of employment as superintendent. The Environmental Quality Board may, by rule, limit the number of times this six-month exemption is available to a waterworks and wastewater works.

C. The provisions of this section shall not affect the practice of engineering by a professional engineer.

D. A plumber licensed pursuant to the Plumbing License Law of 1955 shall not be required to hold any waterworks or wastewater operator certificate in order to make connections to public water systems or lines or sewer systems or lines.

SECTION 3. 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 resolution shall take effect and be in full force from and after its passage and approval.

Passed the Senate the 22nd day of February, 1999.

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President of the Senate

Passed the House of Representatives the \_\_\_\_ day of \_\_\_\_\_, 1999.

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Speaker of the House of Representatives