

ENROLLED SENATE  
BILL NO. 101

By: Kerr of the Senate

and

Langmacher, Covey,  
Beutler, Benson, Sellers,  
Adair, Fields, Dunegan,  
Braddock, Corn, Lindley,  
Hilliard, Stites, Stanley,  
Pope (Clay ), Blackburn,  
Kirby, Collins, Turner,  
Bonny, Deutschendorf and  
Gilbert of the House

An Act relating to weather modification; creating the Oklahoma Weather Modification Act; providing short title; creating certain division in the Oklahoma Water Resources Board; authorizing the Oklahoma Weather Modification Advisory Board to hire certain staff and contract with individuals or entities to provide cloud seeding services; stating purpose; authorizing Board to acquire certain equipment; creating Oklahoma Weather Modification Advisory Board; stating membership; providing for staff and legal assistance; authorizing Oklahoma Weather Modification Advisory Board to promulgate rules implementing act; authorizing advisory board to make certain recommendations; providing funding; stating limits on certain funds; providing for certain billing to be administered by the State Insurance Department; authorizing Department to employ one full-time employee for certain purpose; stating funding; authorizing Department to promulgate rules; creating revolving fund; stating monies in fund; providing for expenditures; providing for codification; and declaring an 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 1801.1 of Title 82, unless there is created a duplication in numbering, reads as follows:

This act shall be known and may be cited as the "Oklahoma Weather Modification Act".

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1801.2 of Title 82, unless there is created a duplication in numbering, reads as follows:

There is hereby created in the Oklahoma Water Resources Board a division to administer the provisions of the Oklahoma Weather Modification Act. The Oklahoma Weather Modification Advisory Board, created pursuant to this act, shall be authorized to employ a Director of the Weather Modification Division. In addition to the Director, the Oklahoma Weather Modification Advisory Board is authorized to employ one full-time-equivalent employee to implement the provisions of this act. Funding for such positions shall be provided by the proceeds of the account created pursuant to subsection F of Section 4 of this act. The Director of the Weather Modification Division shall be authorized to contract with individuals or entities experienced with cloud-seeding operations in order to increase beneficial rainfall when needed and appropriate cloud formations are available, and to suppress hail in order to prevent property and crop damages. The Oklahoma Weather Modification Advisory Board may acquire equipment to accomplish the objectives of this act.

SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1801.3 of Title 82, unless there is created a duplication in numbering, reads as follows:

A. For the purpose of directing the activities of the Oklahoma Weather Modification Program, there is hereby created the Oklahoma Weather Modification Advisory Board. The Board shall consist of the Executive Director of the Oklahoma Water Resources Board, the Commissioner of Agriculture, the Executive Director of the Oklahoma Department of Tourism and Recreation, the Insurance Commissioner, or their designees, one member, appointed by the Governor, who shall be familiar with the insurance industry, two members appointed by the President Pro Tempore of the Senate and two members appointed by the Speaker of the House of Representatives. The appointed members shall serve for a term of four (4) years.

B. The Executive Director of the Oklahoma Water Resources Board shall be the Chair of the Oklahoma Weather Modification Advisory Board. Staff and legal assistance for the Board shall be provided by the Oklahoma Water Resources Board.

C. The Oklahoma Weather Modification Advisory Board shall make decisions regarding staffing for the program and other issues as the Advisory Board deems necessary. The Oklahoma Weather Modification Advisory Board is hereby authorized to promulgate rules to implement the provisions of this act.

SECTION 4. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1801.4 of Title 82, unless there is created a duplication in numbering, reads as follows:

A. Funding to administer the provisions of the Oklahoma Weather Modification Act shall be provided by an appropriation of up to One Million Dollars (\$1,000,000.00) made pursuant to law. In addition, voluntary participation by insurance companies and other interested

persons, firms or corporations to reach a goal of Two Million Dollars (\$2,000,000.00) for a total of Three Million Dollars (\$3,000,000.00) for the first year of the program. Goals for successive years will be Three Million Dollars (\$3,000,000.00) from the insurance companies and other interested parties. Voluntary assessments for insurance companies pursuant to this section shall be based on the amount of insurance premiums written in this state on property insurance, as defined in Section 704 of Title 36 of the Oklahoma Statutes, and casualty of insurance as defined in Section 707 of Title 36 of the Oklahoma Statutes, excluding accident and health insurance, workers' compensation insurance, burglary and theft insurance, leakage and fire extinguishing equipment insurance, credit insurance, malpractice insurance, and entertainments insurance.

B. Funding assessments to the insurance companies related to the provisions of this section shall be administered by the State Insurance Department. The Insurance Department shall be authorized to employ one additional full-time employee to perform these duties, funding for which shall be provided by proceeds derived from the provisions of this act. The State Insurance Department is hereby authorized to promulgate rules necessary to implement the provisions of this section.

C. There is hereby created an account within the Oklahoma Weather Modification Revolving Fund created pursuant to Section 1085.6 of Title 82 of the Oklahoma Statutes. The account shall be designated as the "Voluntary Participation Account" and shall consist of all monies received on behalf of the Oklahoma Weather Modification program pursuant to this act. All monies accruing to the credit of the account are hereby appropriated and may be budgeted and expended by the Oklahoma Weather Modification Advisory Board for expenses relating to administration, duties, operations, maintenance, special projects and acquisitions for the Weather Modification Program. Expenditures from the account 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 5. 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 Senate the 28th day of May, 1999.

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President of the Senate

Passed the House of Representatives the 28th day of May, 1999.

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Speaker of the House of  
Representatives