

SB 1009

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**THE STATE SENATE**  
**Monday, February 28, 2000**

**Senate Bill No. 1009**

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

1 pursuant to the Oklahoma Agriculture Enhancement and Diversification  
2 Program.

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

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

- 8 1. Preference will be given to the applicants whose:
  - 9 a. industrial and nonfood production processes utilize  
10 agricultural products,
  - 11 b. food, feed and fiber products and uses are innovative  
12 and add to the value of agricultural products,
  - 13 c. applications demonstrate a high probability of job  
14 creation and return-on-investment,
  - 15 d. proposals feature research that is innovative as well  
16 as commercially plausible,
  - 17 e. proposals demonstrate a high probability of rapid  
18 commercialization,
  - 19 f. projects demonstrate a shared commitment for funding  
20 from other private or public sources or from the  
21 applicant,
  - 22 g. proposals center efforts on nonurban locales,

- 1           h. principals are individuals, a group of individuals, an  
2           individual on behalf of a group, or corporations which  
3           meet the criteria set forth in Section 951 of Title 18  
4           of the Oklahoma Statutes, to market a product or  
5           formulate or implement a marketing plan for products  
6           which have not been marketed through existing  
7           marketing cooperatives,  
8           i. proposals must contain the potential to create  
9           additional income for the farm unit, and  
10          j. proposals must provide for new and innovative plans  
11          for marketing the product; and  
12          2. Consideration shall not be given to applications for:  
13          a. research or marketing plans which do not clearly meet  
14          the stated objectives of the Oklahoma Agriculture  
15          Enhancement and Diversification Act,  
16          b. proposals which are aimed solely at business expansion  
17          or creation without regard to agricultural products  
18          utilization, and  
19          c. research or marketing plans that cannot reasonably be  
20          expected to result in a viable commercial application,  
21          or that are or have been duplicated by other research  
22          efforts.

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

13        SECTION 2. This act shall become effective November 1, 2000.  
14        COMMITTEE REPORT BY: COMMITTEE ON AGRICULTURE & RURAL DEVELOPMENT,  
15        dated 2-21-00 - DO PASS, As Coauthored.