

STATE OF OKLAHOMA

2nd Session of the 48th Legislature (2002)

CONFERENCE COMMITTEE SUBSTITUTE
FOR ENGROSSED
SENATE BILL 1104

By: Haney and Hobson of the
Senate

and

Mass and Bonny of the House

CONFERENCE COMMITTEE SUBSTITUTE

An Act relating to the Corporation Commission;
amending 17 O.S. 2001, Section 180.10, which relates
to the Corporation Commission Plugging Fund;
authorizing use of certain funds for general
operating expenses; providing an effective date; and
declaring an emergency.

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

SECTION 1. AMENDATORY 17 O.S. 2001, Section 180.10, is
amended to read as follows:

Section 180.10 A. There is hereby created in the State
Treasury a fund for the Corporation Commission to be designated the
"Corporation Commission Plugging Fund". The plugging fund shall
consist of monies received by the Corporation Commission as required
by law to be deposited to the credit of said fund. Said fund shall
be a continuing fund not subject to fiscal year limitations and
shall not be subject to legislative appropriations. Expenditures
from said plugging fund shall be made pursuant to the laws of this
state and the statutes relating to the Corporation Commission and
may include expenditures for necessary general operating expenses of
the Oil and Gas Conservation Division. In addition, expenditures
from said plugging fund may be made pursuant to the Oklahoma Central
Purchasing Act, Section 85.1 et seq. of Title 74 of the Oklahoma
Statutes, for purposes of immediately responding to emergency

situations, within the Commission's jurisdiction, having potentially critical environmental or public safety impact. Warrants for expenditures from said fund shall be drawn by the State Treasurer, based on claims signed by an authorized employee or employee of the Corporation Commission and approved for payment by the Director of State Finance. The provisions of this act or rules or regulations promulgated pursuant thereto, shall not be construed to relieve or in any way diminish the surety bonding requirements required by Section 318.1 of Title 52 of the Oklahoma Statutes.

B. Prior to July 1, 2006, the plugging fund shall be maintained at Five Million Dollars (\$5,000,000.00). If the plugging fund falls below the five-million-dollar maintenance level, the Corporation Commission shall notify the Oklahoma Tax Commission that the plugging fund has fallen below the required maintenance level and that the excise tax which has been levied by subsection A of Section 1101 of Title 68 of the Oklahoma Statutes and subsection A of Section 1102 of Title 68 of the Oklahoma Statutes which is credited and apportioned to the Corporation Commission Plugging Fund pursuant to Section 1103 of Title 68 of the Oklahoma Statutes is to be imposed. Such additional excise tax shall be imposed and collected until such time as is necessary to meet the additional five-million-dollar maintenance level. The Tax Commission shall notify the persons responsible for payment of the excise tax on oil and gas of the imposition of such tax. The provisions of this subsection shall terminate on July 1, 2006.

SECTION 2. This act shall become effective July 1, 2002.

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 act shall take effect and be in full force from and after its passage and approval.