

ENROLLED HOUSE  
BILL NO. 2186

By: Carey of the House

and

Gumm of the Senate

An Act relating to agriculture; granting authority to Oklahoma Department of Agriculture, Food, and Forestry to enter into certain cooperative agreements; specifying terms of agreement; providing for personnel; providing for funding; specifying requirements of inspection activities; 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 19-1 of Title 2, unless there is created a duplication in numbering, reads as follows:

A. The Oklahoma Department of Agriculture, Food, and Forestry may enter into any cooperative agreement with the United States Department of Agriculture to certify or establish an inspection service for the purpose of grading fruits, nuts, and vegetables.

B. The terms and conditions of the cooperative agreement shall be the governing authority for the inspection service. The cooperative agreement shall include, but not be limited to, the establishment or certification of an inspection service and the grading of fruits, nuts, and vegetables.

C. To implement the terms of any state-federal cooperative agreement regarding the establishment or certification of an inspection service, the Department may employ personnel to oversee and supervise the inspection service.

D. Personnel of the inspection service shall not be employees of the state for any purpose and shall not be entitled to any state benefits including, but not limited to accrual of leave, insurance, longevity, retirement, unemployment, or workers compensation.

E. The legislature shall not appropriate funds for the operation of an inspection service established or certified to implement a cooperative agreement pursuant to this section. The legislature may appropriate funds necessary for the Department to employ personnel to supervise and oversee an inspection service.

F. Inspection service activities conducted under a cooperative agreement pursuant to this section shall be self-financed. The inspection service shall charge a fee to any person who receives inspection services pursuant to the terms of a cooperative

agreement. The fees shall be commensurate to the costs of the inspection service.

SECTION 2. 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 House of Representatives the 26th day of February, 2004.

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Presiding Officer of the House of  
Representatives

Passed the Senate the 19th day of April, 2004.

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Presiding Officer of the Senate