

STATE OF OKLAHOMA

1st Session of the 52nd Legislature (2009)

HOUSE BILL 1934

By: Jackson

AS INTRODUCED

An Act relating to labor; amending 40 O.S. 2001, Section 141.16, as last amended by Section 1, Chapter 260, O.S.L. 2008 (40 O.S. Supp. 2008, Section 141.16), which relates to the Boiler and Pressure Vessel Safety Act; modifying fees; providing an effective date; and declaring an emergency.

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

SECTION 1. AMENDATORY 40 O.S. 2001, Section 141.16, as last amended by Section 1, Chapter 260, O.S.L. 2008 (40 O.S. Supp. 2008, Section 141.16), is amended to read as follows:

Section 141.16

A. 1. a. Annual certificate of operation fee shall be as follows:

- (1) with manway state inspector \$75.00
- (2) without manway state inspector \$50.00
- (3) any size special - or owner/user inspector \$50.00
- (4) each public hot water supply heater (biennially) \$5.00

1 (5) each public boiler
2 inspection/certification \$25.00

3 b. Only one certificate of operation fee per year may be
4 charged; except an additional fee equal to the
5 certificate of operation fee may be charged for
6 witnessing a hydrostatic test required after repairs,
7 provided a fee equal to the total fees identified in
8 division (1) or (2) of subparagraph a of this
9 paragraph, whichever is appropriate, and subparagraph
10 f of paragraph 2 of this subsection may be charged
11 when the pressure-retaining item is not prepared and
12 ready pursuant to rules promulgated by the
13 Commissioner of Labor at the time of the inspection.

14 2. Other Fees

15 a. ~~hydrostatic test~~ inspection of steam
16 pipeline per day \$150.00
17 (for each additional half-day or
18 part thereof) \$75.00
19 b. shop review fees ~~\$1,250.00~~
20 \$2,000.00
21 c. licensing fees
22 (1) repair, service, install (annually) ~~\$50.00~~
23 \$100.00
24

1	(2) installer technician (one-time	
2	issuance) <u>(biennially)</u>	\$50.00
3	(3) boiler operator (biennially)	\$50.00
4	d. certificate of competency fee	\$15.00
5	e. examination fee	\$50.00
6	f. boiler or pressure vessel inspection	
7	fee for certificate inspections by	
8	state inspectors	\$100.00
9	g. authorized inspector services for weld	
10	repairs or alterations, per eight-hour	
11	day or part thereof	\$300.00
12	h. a fee as established by rule may be	
13	assessed for the issuance of duplicate	
14	licenses and certificates, not to exceed	\$10.00

15 B. All institutions owned or operated by the State of Oklahoma
16 or its agencies or by any county, municipality or school district,
17 and such institutions or agencies, and all owners or users of
18 boilers or pressure vessels of historical significance as specified
19 in subsection D of Section 141.5 of this title are exempt from the
20 payment of only those fees provided for in paragraph 2 of subsection
21 A of this section.

22 C. 1. Except for the revenue listed in paragraph 2 of this
23 subsection, the Commissioner shall account for and transfer all fees
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1 so received to the State Treasury to the credit of the General
2 Revenue Fund, together with a detailed report of same.

3 2. The Commissioner shall account for and deposit all fee
4 revenue received and listed in this paragraph to the Safety
5 Standards Revolving Fund created pursuant to subsection E of this
6 section:

7 a. Twenty-five Dollars (\$25.00) of each certificate of
8 operation fee collected under divisions (1), (2) and
9 (3) of subparagraph a of paragraph 1 of subsection A
10 of this section,

11 b. all fees listed in divisions (4) and (5) of
12 subparagraph a of paragraph 1 of subsection A of this
13 section, and

14 c. all fees listed in subparagraphs b, g and h of
15 paragraph 2 of subsection A of this section.

16 D. All fees shall be paid directly to the Department of Labor.

17 E. There is hereby created in the State Treasury a revolving
18 fund for the Department of Labor to be designated the "Safety
19 Standards Revolving Fund". The fund shall be a continuing fund, not
20 subject to fiscal year limitations, and shall consist of monies
21 collected by the Department and specifically designated for deposit
22 pursuant to the Boiler and Pressure Vessel Safety Act. Expenditures
23 from said fund shall be made upon warrants issued by the State
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1 Treasurer against claims filed as prescribed by law with the
2 Director of State Finance for approval and payment.

3 SECTION 2. This act shall become effective July 1, 2009.

4 SECTION 3. It being immediately necessary for the preservation
5 of the public peace, health and safety, an emergency is hereby
6 declared to exist, by reason whereof this act shall take effect and
7 be in full force from and after its passage and approval.

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9 52-1-5701 LRB 12/29/08

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