

1 STATE OF OKLAHOMA

2 2nd Session of the 52nd Legislature (2010)

3 HOUSE BILL 2709

By: Collins

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5
6 AS INTRODUCED

7 An Act relating to intoxicating liquors; amending
8 Section 16, Chapter 426, O.S.L. 2009 (37 O.S. Supp.
9 2009, Section 563.1), which relates to Oklahoma
10 Viticulture and Enology Center Development Revolving
11 Fund; modifying name of fund; requiring expenditures
12 from fund have certain approval; creating the
13 Oklahoma Viticulture and Enology Industry Development
14 Board; providing purpose; providing for board
15 membership; requiring staggered terms; allowing for
16 filling of vacancies; directing election of officers;
17 setting deadline for first meeting; requiring
18 quarterly meetings; prohibiting compensation;
19 defining quorum; providing for staff assistance;
20 providing for codification; and declaring an
21 emergency.

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

23 SECTION 1. AMENDATORY Section 16, Chapter 426, O.S.L.
24 2009 (37 O.S. Supp. 2009, Section 563.1), is amended to read as
follows:

Section 563.1 A. There is hereby created in the State Treasury
a revolving fund for the Oklahoma Department of Commerce to be

1 designated the "Oklahoma Viticulture and Enology ~~Center~~ Industry
2 Development Revolving Fund".

3 B. The fund shall be a continuing fund, not subject to fiscal
4 year limitations, and shall consist of all monies distributed to the
5 fund:

6 1. From the apportionment provided in paragraph 1 of Section
7 563 of ~~Title 37 of the Oklahoma Statutes~~ this title; and

8 2. From any other source in accordance with state and federal
9 law.

10 C. All monies accruing to the credit of the fund are hereby
11 appropriated and may be budgeted and expended by the Department for
12 the purpose of:

13 1. Establishing a Viticulture and Enology Center on the campus
14 of Redlands Community College;

15 2. Developing viticulture-related and enology-related education
16 programs;

17 3. Developing technologies, strategies, or practices that aid
18 in the production of grapes and wine in Oklahoma; and

19 4. Increasing the positive economic impact of the Oklahoma wine
20 industry on this state.

21 D. Beginning January 1, 2011, all expenditures from the fund by
22 the Department must be first approved by the Oklahoma Viticulture and
23 Enology Industry Development Board created in Section 2 of this act.

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1 E. Expenditures from the fund shall be made upon warrants
2 issued by the State Treasurer against claims filed as prescribed by
3 law with the Director of State Finance for approval and payment.

4 SECTION 2. NEW LAW A new section of law to be codified
5 in the Oklahoma Statutes as Section 563.2 of Title 37, unless there
6 is created a duplication in numbering, reads as follows:

7 A. There is hereby created the "Oklahoma Viticulture and
8 Enology Industry Development Board". This Board shall consist of
9 one nonvoting member from the Oklahoma Department of Commerce and
10 thirteen voting members and shall provide oversight to the Oklahoma
11 Department of Commerce with respect to the Oklahoma Viticulture and
12 Enology Industry Development Revolving Fund. The purpose of this
13 Board is to approve or disapprove projects to be funded by the
14 Oklahoma Department of Commerce from the Oklahoma Viticulture and
15 Enology Industry Development Revolving Fund.

16 B. The Oklahoma Viticulture and Enology Industry Development
17 Board shall consist of fourteen (14) members as follows:

18 1. The Oklahoma Department of Commerce Secretary shall
19 appoint one nonvoting member from the Department of Commerce
20 staff. The term shall be at the discretion of the Secretary of
21 the Oklahoma Department of Commerce;

22 2. The Oklahoma State University Dean of the Division of
23 Agricultural Sciences and Natural Resources shall appoint a staff
24 member who has direct knowledge and is active in the Oklahoma

1 viticulture and enology industry. This member shall be a voting
2 member. The initial term shall be three (3) years. All
3 subsequent terms shall be three (3) years;

4 3. The Redlands Community College Viticulture and Enology
5 Department shall appoint a staff member who has direct knowledge and
6 is active in the Oklahoma viticulture and enology industry. This
7 member shall be a voting member. The initial term shall be three
8 (3) years. All subsequent terms shall be three (3) years;

9 4. The Oklahoma Grape Growers and Wine Makers Association
10 Board of Directors shall appoint a member who derives a portion of
11 their income, has direct knowledge, and is active in the Oklahoma
12 viticulture and enology industry. This member shall be a voting
13 member. The initial term shall be one (1) year. All subsequent
14 terms shall be three (3) years;

15 5. The Oklahoma Department of Agriculture, Food, and Forestry
16 Agritourism Director shall be an ex officio voting member;

17 6. The Lincoln County Grape Growers Association shall appoint a
18 member who derives a portion of their income, has direct knowledge,
19 and is active in the Oklahoma viticulture and enology industry.
20 This member shall be a voting member. The initial term shall be
21 three (3) years. All subsequent terms shall be three (3) years;

22 7. The Frontier Country Wine Growers Association shall appoint
23 a member who derives a portion of their income, has direct
24 knowledge, and is active in Oklahoma Viticulture and Enology

1 Industry. This member shall be a voting member. The initial term
2 shall be two (2) years. All subsequent terms shall be three (3)
3 years;

4 8. The Grand Wine Country Association shall appoint a member
5 who derives a portion of their income, has direct knowledge, and is
6 active in the Oklahoma viticulture and enology industry. This
7 member shall be a voting member. The initial term shall be one (1)
8 year. All subsequent terms shall be three (3) years;

9 9. The Great Plains Wine Growers Association shall appoint a
10 member who derives a portion of their income, has direct knowledge,
11 and is active in the Oklahoma viticulture and enology industry.
12 This member shall be a voting member. The initial term shall be two
13 (2) years. All subsequent terms shall be three (3) years;

14 10. The Gloss Mountains Wine Growers Association shall appoint
15 a member who derives a portion of their income, has direct
16 knowledge, and is active in the Oklahoma viticulture and enology
17 industry. This member shall be a voting member. The initial term
18 shall be three (3) years. All subsequent terms shall be three (3)
19 years;

20 11. The Kiamichi Wine Growers Association shall appoint a
21 member who derives a portion of their income, has direct knowledge,
22 and is active in the Oklahoma viticulture and enology industry.
23 This member shall be a voting member. The initial term shall be one
24 (1) year. All subsequent terms shall be three (3) years;

1 12. The Governor shall appoint a member who derives a portion
2 of their income, has direct knowledge, and is active in the Oklahoma
3 viticulture and enology industry. This member shall be a voting
4 member. The initial term of shall be one (1) year. All subsequent
5 terms shall be three (3) years;

6 13. The President Pro Tempore of the Senate shall appoint a
7 member who derives a portion of their income, has direct knowledge,
8 and is active in the Oklahoma viticulture and enology industry.
9 This member shall be a voting member. The initial term shall be two
10 (2) years. All subsequent terms shall be three (3) years; and

11 14. The Speaker of the House shall appoint a member who derives
12 a portion of their income, has direct knowledge, and is active in
13 the Oklahoma viticulture and enology industry. This member shall be
14 a voting member. The initial term shall be two (2) years. All
15 subsequent terms shall be three (3) years.

16 C. Except as provided for ex officio members, voting members of
17 the Oklahoma Viticulture and Enology Industry Development Board
18 shall serve staggered three-year terms. Any vacancies in the
19 appointive membership shall be filled in the same manner as the
20 original appointment. Ex officio members are not limited in the
21 number of terms they serve. Members who are not ex officio shall
22 not be limited in the total number of terms in which they may serve;
23 however, they may only serve two consecutive terms. A member shall
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1 be replaced if they are absent for two or more regular meetings in
2 any calendar year. An individual member shall have one vote.

3 D. The Board shall elect from among its voting members a Chair,
4 Vice-chair and any other officers that the Board deems necessary.
5 Officers shall serve one-year terms. A member shall not be limited
6 in the total number of terms the member may serve as a particular
7 officer, but a member may only serve two consecutive terms in any
8 particular office.

9 E. The member from the Oklahoma Department of Commerce shall
10 call the first meeting of the Board prior to July 31, 2010. The
11 Board will meet at least quarterly thereafter.

12 F. Members of the Board shall not receive a salary for duties
13 performed by the Board.

14 G. A majority of the members shall constitute a quorum.

15 H. The Oklahoma Department of Commerce shall provide staff
16 assistance for the Board.

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

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