

ENROLLED SENATE
BILL NO. 738

By: Schulz of the Senate

and

Sanders, Hilliard and
Roberts (Dustin) of the
House

An Act relating to the Oklahoma Liquefied Petroleum Gas Research, Marketing and Safety Commission; amending 52 O.S. 2001, Sections 420.24 and 420.25, which relate to powers and duties of the Commission and appointment of Director; authorizing the Commission to contract for services of certain employees; stating exemptions from certain act; authorizing Commission to purchase certain vehicles; stating purpose; stating exemption from certain requirements; authorizing Commission to establish scholarships for certain purpose and provide LP gas safety training courses; and declaring an emergency.

SUBJECT: Oklahoma Liquefied Petroleum Gas Research, Marketing and Safety Commission

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

SECTION 1. AMENDATORY 52 O.S. 2001, Section 420.24, is amended to read as follows:

Section 420.24. The Oklahoma Liquefied Petroleum Gas Research, Marketing and Safety Commission shall have the power and duty to:

1. Administer and enforce the provisions of the Oklahoma Liquefied Petroleum Gas Research, Marketing and Safety Act;

2. Establish an office for the Commission within the State of Oklahoma;

3. Elect a chairperson and whatever other officers may be necessary to direct operations of the Commission;

4. Employ personnel or contract for services as shall be deemed necessary to carry out the purpose and provisions of the Oklahoma Liquefied Petroleum Gas Research, Marketing and Safety Act and to prescribe their duties and fix their compensation;

5. Establish and administer the LP Gas Research, Marketing and Safety Revolving Fund;

6. Approve or disapprove the budget of the Commission;

7. Promulgate rules as it deems necessary to carry out the provisions of the Oklahoma Liquefied Petroleum Gas Research, Marketing and Safety Act;

8. Enter into contracts or agreements for studies, research projects, safety programs, experimental work, supplies or other services to carry out the purposes of the Oklahoma Liquefied Petroleum Gas Research, Marketing and Safety Act, and incur those expenses necessary to carry out those purposes. Contracts for acquisitions by the Commission shall be exempt from the requirements of the Oklahoma Central Purchasing Act. Any contract or agreement shall provide that:

- a. the person entering the contract or agreement on behalf of the Commission shall develop and submit to the Commission a plan or project together with a budget that shows estimated costs to be incurred for the plan or project, and
- b. the person entering the contract or agreement shall keep accurate records of all of its transactions, account for funds received and expended, and make periodic reports to the Commission of activities conducted, and any other reports as the Commission may require;

9. Keep accurate records of all financial transactions performed pursuant to the Oklahoma Liquefied Petroleum Gas Research, Marketing and Safety Act. These records shall be audited annually by an independent auditor and an annual report shall be compiled and presented to the Governor;

10. Cooperate with any private, local, state or national commission, organization, agency or group and to make contracts and agreements for joint programs beneficial to the LP gas industry;

11. Accept donations, grants, contributions and gifts from any public or private source and deposit the money in the LP Gas Research, Marketing and Safety Revolving Fund;

12. Approve or disapprove the investment of any monies in the LP Gas Research, Marketing and Safety Revolving Fund pursuant to ~~Section 7 of this act~~ 420.26 of this title; ~~and~~

13. Keep an accurate record of all assessments collected;

14. Purchase and own up to two (2) LP gas-powered vehicles for the purpose of promoting LP gas research, marketing and safety in accordance with this section. The Commission's authority to purchase and own such vehicles shall be exempt from all other provisions of Oklahoma law pertaining to the acquisition, ownership and disposition of state-owned vehicles; and such vehicles acquired by the Commission shall not be deemed to be part of the state motor pool;

15. Establish, award and disburse scholarships and scholarship funds and awards for merit to support or promote LP gas research, marketing or safety programs approved by the Commission; and

16. Sponsor or provide LP gas safety training courses as funding allows.

SECTION 2. AMENDATORY 52 O.S. 2001, Section 420.25, is amended to read as follows:

Section 420.25. A. There shall be an annual meeting of the Oklahoma Liquefied Petroleum Gas Research, Marketing and Safety Commission at which the annual report and proposed budget will be

presented. The Commission shall, at the call of the chairperson, hold at least three other regular meetings each year. The chairperson shall establish the time, a manner and place of all meetings and shall provide notice of such meetings. A majority of the members of the Commission shall constitute a quorum for the transaction of any business. In addition, the Commission shall determine the circumstances under which additional meetings of the Commission may be held.

B. The Commission may appoint a Director ~~who shall~~ or award contracts for services to carry out the provisions of the Oklahoma Liquefied Petroleum Gas Research, Marketing and Safety Act.—The and shall not be subject to the provisions of the Oklahoma Central Purchasing Act. If the Commission appoints a Director, the Director shall not be one of the appointed Commission members.

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.

Passed the Senate the 17th day of May, 2011.

Presiding Officer of the Senate

Passed the House of Representatives the 19th day of May, 2011.

Presiding Officer of the House
of Representatives