

1 the Oklahoma Wheat Resources Act, no wheat shall be subject to a fee
2 more than once.

3 B. The Commission shall allocate twenty percent (20%) of the
4 ~~one and one half cent~~ two-cent fee levied and collected pursuant to
5 subsection A of this section to the Oklahoma Wheat Research
6 Foundation for the purpose of conducting wheat research, including,
7 but not limited to, utilization and educational projects, less the
8 cost of collecting the fee, such cost not to exceed fifty percent
9 (50%) of the total of the office rental and clerical costs, and the
10 costs of supplies and postage and such cost to be prorated on the
11 basis of eighty percent (80%) to the Commission and twenty percent
12 (20%) to the Oklahoma Wheat Research Foundation.

13 C. In order for the Oklahoma Wheat Research Foundation to
14 qualify for the allocation of twenty percent (20%) of collected
15 fees, the Commission shall appoint a member of the Oklahoma Wheat
16 Utilization, Research and Market Development Commission to the
17 Oklahoma Wheat Research Foundation board of directors.

18 SECTION 2. AMENDATORY 2 O.S. 2001, Section 18-309, is
19 amended to read as follows:

20 Section 18-309. A. Producers may petition for a referendum at
21 any time after five (5) years following the effective date of the
22 Oklahoma Wheat Resources Act to determine if the assessment is to be
23 continued.

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1 B. The President of the State Board of Agriculture shall call
2 and conduct a referendum if the petitions bear signatures of ten
3 percent (10%) of the wheat producers. No more than one such
4 referendum shall be conducted in any one thirty-six-month period.
5 The State Board of Agriculture shall determine if the petition bears
6 the required number of valid signatures. The President shall
7 announce the referendum at least thirty (30) days prior to the day
8 of voting. At least thirty (30) days before the referendum, the
9 President shall mail a notice of the referendum to all known wheat
10 producers in the State of Oklahoma who market wheat in commercial
11 quantities. The notice shall specify the dates, times, and places
12 for holding the referendum. The notice shall also include a sample
13 ballot with the following wording:

14 DO YOU FAVOR A CONTINUATION OF THE ~~15~~ 20 MILL PER BUSHEL
15 ASSESSMENT ON WHEAT MARKETED IN OKLAHOMA FOR UTILIZATION,
16 RESEARCH AND MARKET DEVELOPMENT?

17 YES () NO ()

18 C. Places within each county for conducting the referendum
19 shall be designated by the Agricultural Extension Division of
20 Oklahoma State University. Voting in each county shall be
21 supervised by the county agricultural extension agent, or a person
22 designated by the Extension Division in cases where there is no
23 county agent in a county at the time of the referendum.

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1 D. The Oklahoma Wheat Utilization, Research and Market
2 Development Commission shall ensure sufficient ballots and supplies
3 necessary for conducting the voting and the tabulation of returns.

4 E. Certified results of the referendum in each county shall be
5 transmitted within twenty-four (24) hours after voting ends to the
6 President of the State Board of Agriculture. The ballots shall be
7 transmitted to the President within forty-eight (48) hours. Ballots
8 shall be preserved by the President for a period of at least three
9 (3) months.

10 F. The results of the referendum shall be determined by the
11 President and the results certified to the Governor, who shall issue
12 a proclamation declaring the results.

13 G. The Commission shall bear expenses of advertising and
14 conducting the referendum.

15 H. Whenever the question of levying the assessments is
16 disapproved, by failure of sixty percent (60%) of the producers
17 voting in the referendum to favor continuation of the assessments,
18 the proclamation declaring the result shall provide for the
19 termination of the assessments on April 30, following the date of
20 the referendum.

21 I. Thirty (30) days after termination of the assessment, all
22 remaining funds of the Commission shall be transferred to the
23 Experiment Stations of Oklahoma State University, to be used for
24 continued research on wheat.

1 SECTION 3. This act shall become effective January 1, 2012.

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3 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS AND BUDGET, dated
4 04-07-2011 - DO PASS, As Amended.
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