

OKLAHOMA STATE SENATE
CONFERENCE
COMMITTEE REPORT

May 5, 2011

Mr. President:

Mr. Speaker:

The Conference Committee, to which was referred

SB 738

By: Schulz of the Senate and Sanders and Hilliard of the House

Title: Oklahoma Liquefied Petroleum Gas Research, Marketing and Safety Commission;
authorizing Commission to contract for services. Emergency.

Together with Engrossed House Amendments thereto, beg leave to report that we have had the same under consideration and herewith return the same with the following recommendations:

1. That the Senate recedes from all Amendments.
2. That the attached Conference Committee Substitute be adopted.

Respectfully submitted,

SENATE CONFEREES:

Schulz

Barrington

Branan

Ballenger

Marlatt

Burrage

Justice

HOUSE CONFEREES:

Conference Committee on Natural Resources

SB738 CCR A

Senate Action _____ Date _____ House Action _____ Date _____

1 STATE OF OKLAHOMA

2 1st Session of the 53rd Legislature (2011)

3 CONFERENCE COMMITTEE SUBSTITUTE
4 FOR ENGROSSED

5 SENATE BILL NO. 738

6 By: Schulz of the Senate

7 and

8 Sanders and Hilliard of the
9 House

10 CONFERENCE COMMITTEE SUBSTITUTE

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

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

24 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 1. Administer and enforce the provisions of the Oklahoma
2 Liquefied Petroleum Gas Research, Marketing and Safety Act;
- 3 2. Establish an office for the Commission within the State of
4 Oklahoma;
- 5 3. Elect a chairperson and whatever other officers may be
6 necessary to direct operations of the Commission;
- 7 4. Employ personnel or contract for services as shall be deemed
8 necessary to carry out the purpose and provisions of the Oklahoma
9 Liquefied Petroleum Gas Research, Marketing and Safety Act and to
10 prescribe their duties and fix their compensation;
- 11 5. Establish and administer the LP Gas Research, Marketing and
12 Safety Revolving Fund;
- 13 6. Approve or disapprove the budget of the Commission;
- 14 7. Promulgate rules as it deems necessary to carry out the
15 provisions of the Oklahoma Liquefied Petroleum Gas Research,
16 Marketing and Safety Act;
- 17 8. Enter into contracts or agreements for studies, research
18 projects, safety programs, experimental work, supplies or other
19 services to carry out the purposes of the Oklahoma Liquefied
20 Petroleum Gas Research, Marketing and Safety Act, and incur those
21 expenses necessary to carry out those purposes. Contracts for
22 acquisitions by the Commission shall be exempt from the requirements
23 of the Oklahoma Central Purchasing Act. Any contract or agreement
24 shall provide that:

1 a. the person entering the contract or agreement on
2 behalf of the Commission shall develop and submit to
3 the Commission a plan or project together with a
4 budget that shows estimated costs to be incurred for
5 the plan or project, and

6 b. the person entering the contract or agreement shall
7 keep accurate records of all of its transactions,
8 account for funds received and expended, and make
9 periodic reports to the Commission of activities
10 conducted, and any other reports as the Commission may
11 require;

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

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

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

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

4 13. Keep an accurate record of all assessments collected;

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

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

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

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

20 Section 420.25. A. There shall be an annual meeting of the
21 Oklahoma Liquefied Petroleum Gas Research, Marketing and Safety
22 Commission at which the annual report and proposed budget will be
23 presented. The Commission shall, at the call of the chairperson,
24 hold at least three other regular meetings each year. The

1 chairperson shall establish the time, a manner and place of all
2 meetings and shall provide notice of such meetings. A majority of
3 the members of the Commission shall constitute a quorum for the
4 transaction of any business. In addition, the Commission shall
5 determine the circumstances under which additional meetings of the
6 Commission may be held.

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

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

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