

1 ENGROSSED HOUSE AMENDMENTS  
TO  
2 ENGROSSED SENATE BILL NO. 767

By: Marlatt of the Senate

3 and

4 Jackson of the House  
5  
6

7 An Act relating to marginal oil and gas wells; \* \* \*  
8 amending 52 O.S. 2011, Sections 288.5A and 288.5B, as  
9 amended by Section 214, Chapter 304, O.S.L. 2012 (52  
10 O.S. Supp. 2012, Section 288.5B), which relate to the  
11 Sustaining Oklahoma's Energy Resources Committee and  
12 Revolving Fund; \* \* \* amending 52 O.S. 703, which  
13 relates to levying fees for the Commission on  
14 Marginally Producing Oil and Gas Wells; \* \* \*  
15 amending 52 O.S. 2011, Section 704, which relates to  
16 fee refund procedures; \* \* \* repealing 52 O.S. 2011,  
17 Sections 700, 701, 702, 705, as amended by Section  
18 220, Chapter 304, O.S.L. 2012, 706 and 707 (52 O.S.  
19 Supp. 2012, Section 705), which relate to the  
20 Commission on Marginally Producing Oil and Gas Wells;  
21 providing for codification; providing for  
22 recodification; providing an effective date; and  
23 declaring an emergency.

18 AMENDMENT NO. 1. Page 2, line 1 through page 5, line 23, delete  
19 Sections 1 and 2 and insert new Sections 1 and 2  
to read

20 "SECTION 1. NEW LAW A new section of law to be codified  
21 in the Oklahoma Statutes as Section 288.5C of Title 52, unless there  
22 is created a duplication in numbering, reads as follows:

23 A. Effective July 1, 2013, all duties, assets and obligations  
24 of the Commission on Marginally Producing Oil and Gas Wells created

1 pursuant to Section 700 of Title 52 of the Oklahoma Statutes shall  
2 be transferred to the authority of the Committee for Sustaining  
3 Oklahoma's Energy Resources created pursuant to Section 288.5A of  
4 Title 52 of the Oklahoma Statutes.

5 B. Effective July 1, 2013, the terms of the members of the  
6 Commission on Marginally Producing Oil and Gas Wells appointed  
7 pursuant to the provisions of Section 700 of Title 52 of the  
8 Oklahoma Statutes shall be terminated.

9 C. Effective July 1, 2013, all unclassified full-time-  
10 equivalent, part-time, and temporary employees of the Commission on  
11 Marginally Producing Oil and Gas Wells shall be terminated.  
12 Employees shall be paid for any accrued annual leave and may be  
13 eligible for other benefits as provided by law.

14 D. Activities and functions previously performed by the  
15 Commission on Marginally Producing Oil and Gas Wells shall be under  
16 the responsibility of the Committee for Sustaining Oklahoma's Energy  
17 Resources or a successor committee as provided by law. The  
18 Committee may organize itself, create subcommittees or adopt  
19 procedures as deemed necessary and appropriate and consistent with  
20 the provisions of this act to implement the provisions of this act  
21 and carry out the functions and duties of the Commission on  
22 Marginally Producing Oil and Gas Wells with the exception of making  
23 annual reports as required by paragraph 7 of subsection A of Section  
24 701 of Title 52 of the Oklahoma Statutes.

1 E. Monies remaining in the Commission on Marginally Producing  
2 Oil and Gas Wells Revolving Fund created in Section 705 of Title 52  
3 of the Oklahoma Statutes shall be transferred to the credit of the  
4 Sustaining Oklahoma's Energy Resources Revolving Fund created in  
5 Section 288.5B of Title 52 of the Oklahoma Statutes for use as  
6 provided in this act.

7 F. The Committee for Sustaining Oklahoma's Energy Resources  
8 with the advice and consent of the Oklahoma Energy Resources Board  
9 is authorized to promulgate any rules necessary to implement the  
10 provisions of this act. The Secretary of Energy may provide  
11 assistance as necessary to oversee the transfer of duties, assets  
12 and obligations pursuant to this act.

13 SECTION 2. AMENDATORY 52 O.S. 2011, Section 288.5A, is  
14 amended to read as follows:

15 Section 288.5A A. ~~In addition to the powers, duties and~~  
16 ~~responsibilities assigned to the Oklahoma Energy Resources Board in~~  
17 ~~Section 288.5 of Title 52 of the Oklahoma Statutes, the Board is~~  
18 ~~authorized to administer the distribution of funds for research and~~  
19 ~~development of new technologies in the oil and gas industry as~~  
20 ~~provided in this act.~~

21 ~~B. The Board shall create an advisory committee~~ There is hereby  
22 created the Committee for Sustaining Oklahoma's Energy Resources  
23 which shall be under the direction and supervision of the Oklahoma  
24 Energy Resources Board and shall be for the purpose of ~~receiving and~~

1 ~~recommending to the Board proposals for projects designed to~~  
2 ~~encourage~~ encouraging new processes or technological advancements to  
3 sustain the oil and natural gas industry in the future for the  
4 benefit of the citizens of this state and for advancing activities  
5 to support marginally producing oil and gas wells.

6 C. B. 1. The ~~Advisory~~ Committee for Sustaining Oklahoma's  
7 Energy Resources ~~may~~ shall be made up of ~~any number of~~ not less than  
8 twelve but not more than eighteen members ~~the Board deems necessary~~  
9 ~~and appropriate and the.~~ The Oklahoma Energy Resources Board shall  
10 select one member of the Energy Resources Board to serve as the  
11 chair of the advisory committee Committee. Members Except as  
12 otherwise provided, members of the advisory committee Committee  
13 shall be appointed by the chair of the advisory committee Committee  
14 and approved by a majority of the Board and shall include the.

15 2. The Secretary of Energy, or a designee shall serve as a  
16 member of the Committee for Sustaining Oklahoma's Energy Resources.  
17 The Secretary of Energy shall select one member of the Committee who  
18 shall currently be serving on the Oklahoma Energy Initiative Board  
19 on behalf of the University of Oklahoma, Oklahoma State University,  
20 the University of Tulsa or Oklahoma City University.

21 3. Of the remaining members of the Committee for Sustaining  
22 Oklahoma's Energy Resources at least:

23 a. four members shall be independent oil and gas  
24 operators, of which at least one shall be from each of

1 the four Corporation Commission regulatory districts  
2 as they existed on January 1, 2013, and each shall  
3 have operations in the district they represent,

4 b. one member shall be an independent oil and gas  
5 operator from Osage County and shall have operations  
6 in Osage County,

7 c. one member shall be an independent oil and gas  
8 operator selected from a list of operators submitted  
9 by the Oklahoma Independent Petroleum Association,

10 d. one member shall be an oil and gas operator selected  
11 from a list of operators submitted by the Mid-  
12 Continent Oil and Gas Association,

13 e. one member shall be an Oklahoma oil and gas royalty  
14 owner selected from a list of names submitted by the  
15 Oklahoma Mineral Owners Association, and

16 f. one member shall be an Oklahoma oil and gas royalty  
17 owner selected from a list of names submitted by the  
18 Oklahoma affiliate of the National Association of  
19 Royalty Owners. ~~Advisory committee~~

20 4. With the exception of the Secretary of Energy or the  
21 designee of the Secretary, Committee members shall serve at the  
22 pleasure of the Board for three-year terms and may be removed from  
23 the Committee by a majority vote of the Committee with or without  
24 cause. The Oklahoma Energy Resources Board may establish terms of

1 ~~office and~~ any additional qualifications, requirements or conditions  
2 it deems appropriate for members of the ~~advisory committee~~ Committee  
3 which are consistent with the provisions of this section. The chair  
4 of the Committee, with the approval of the Board, shall strive to  
5 select representatives of all facets of the oil and natural gas  
6 industry, and the University of Oklahoma, Oklahoma State University  
7 ~~and,~~ the University of Tulsa, and Oklahoma City University, in  
8 addition to any other interested higher education institutions and  
9 governmental entities charged with duties and authority over  
10 relevant areas.

11 5. No member of the ~~advisory committee~~ Committee shall receive  
12 a salary for duties performed as a member of the ~~advisory committee~~  
13 Committee; however, members may be eligible to receive reimbursement  
14 for necessary and actual travel expenses as provided for in the  
15 State Travel Reimbursement Act if approved by the Oklahoma Energy  
16 Resources Board.

17 6. Members appointed to serve on the ~~advisory committee~~  
18 Committee shall be eligible to serve on any other state board or  
19 commission if ~~such~~ the member is otherwise qualified to hold such  
20 appointed office, notwithstanding the provisions of Section 6 of  
21 Title 51 of the Oklahoma Statutes.

22 D. C. The ~~Board~~ Committee for Sustaining Oklahoma's Energy  
23 Resources is authorized to accept appropriations, donations, grants,  
24 contributions and gifts from any public or private source for the

1 purpose of implementing the provisions of this act. The ~~Board~~  
2 Committee shall deposit such funds in the revolving fund created in  
3 Section ~~2~~ 288.5B of this ~~act~~ title.

4 ~~E. D.~~ The ~~Board~~ Committee for Sustaining Oklahoma's Energy  
5 Resources, with the advice and consent of the Oklahoma Energy  
6 Resources Board, is authorized to promulgate rules as necessary to  
7 implement the provisions of this act."

8 AMENDMENT NO. 2. Page 1, line 7 through line 21 1/2 insert a new  
9 title to read

10 "An Act relating to marginal oil and gas wells;  
11 transferring duties, assets and obligations of the  
12 Commission on Marginally Producing Oil and Gas Wells  
13 to the Committee for Sustaining Oklahoma's Energy  
14 Resources on certain date; terminating employees and  
15 appointments of Commission members by certain date;  
16 stating procedures; transferring authority for  
17 certain functions; transferring monies in certain  
18 revolving funds; authorizing rulemaking; providing  
19 for assistance by the Secretary of Energy; amending  
20 52 O.S. 2011, Sections 288.5A and 288.5B, as amended  
21 by Section 214, Chapter 304, O.S.L. 2012 (52 O.S.  
22 Supp. 2012, Section 288.5B), which relate to a  
23 Committee; creating the Committee for Sustaining  
24 Oklahoma's Energy Resources and Revolving Fund;  
providing purposes and duties of Committee;  
providing composition; providing terms of office;  
modifying purposes of fund; amending 52 O.S. 703,  
which relates to levying fees for the Commission on  
Marginally Producing Oil and Gas Wells; transferring  
fees to certain Committee; modifying statutory  
references; amending 52 O.S. 2011, Section 704,  
which relates to fee refund procedures; transferring  
duty to refund fees to certain Committee; repealing  
52 O.S. 2011, Sections 700, 701, 702, 705, as  
amended by Section 220, Chapter 304, O.S.L. 2012,  
706 and 707 (52 O.S. Supp. 2012, Section 705), which  
relate to the Commission on Marginally Producing Oil  
and Gas Wells; providing for codification; providing

1 for recodification; providing an effective date; and  
2 declaring an emergency.”

3 Passed the House of Representatives the 16th day of April, 2013.  
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5 \_\_\_\_\_  
6 Presiding Officer of the House of  
7 Representatives

8 Passed the Senate the \_\_\_\_ day of \_\_\_\_\_, 2013.  
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11 Presiding Officer of the Senate  
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