

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 2nd Session of the 54th Legislature (2014)

4 COMMITTEE SUBSTITUTE
5 FOR ENGROSSED
6 SENATE BILL NO. 1581

By: Justice of the Senate

and

Watson of the House

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11 COMMITTEE SUBSTITUTE

12 An Act relating to the Oklahoma Energy Initiative;
13 amending Sections 3 and 4, Chapter 247, O.S.L. 2012,
14 (17 O.S. Supp. 2013, Sections 802.3 and 802.4), which
15 relate to the Oklahoma Energy Initiative; modifying
16 membership of board; updating title; deleting certain
17 travel reimbursements; and declaring an emergency.

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

19 SECTION 1. AMENDATORY Section 3, Chapter 247, O.S.L.
20 2012 (17 O.S. Supp. 2013, Section 802.3), is amended to read as
21 follows:

22 Section 802.3 A. The Oklahoma Energy Initiative shall be
23 administered and governed by the Oklahoma Energy Initiative Board,
24 made up of representatives of the contributing institutions of the

1 Initiative which initially shall be the University of Oklahoma,
2 Oklahoma State University, Oklahoma City University, the University
3 of Tulsa, and the Noble Foundation. Additional contributing
4 institutions may be added at the discretion of the Board, as such
5 institutions contribute to the purpose, objectives and research
6 coordinated by the Initiative. Additional contributing institutions
7 may include state, federal, and private agencies, institutions of
8 higher education, nonprofit research institutions, and private
9 entities.

10 B. The Board shall initially consist of ~~eight (8)~~ six (6)
11 members as follows:

12 1. One member, who shall serve as the chair of the Board, shall
13 be the Secretary of Energy and Environment or a member otherwise
14 appointed by the Governor;

15 ~~2. One member of the Senate shall be appointed by the President~~
16 ~~Pro Tempore of the Senate;~~

17 ~~3. One member of the House of Representatives shall be~~
18 ~~appointed by the Speaker of the House of Representatives;~~

19 ~~4.~~ One member shall be the Vice President of Research from the
20 University of Oklahoma or a member otherwise appointed by the
21 President of the University of Oklahoma;

22 ~~5.~~ 3. One member shall be the Vice President of Research from
23 Oklahoma State University or a member otherwise appointed by the
24 President of Oklahoma State University;

1 ~~6.~~ 4. One member shall be the Vice President of Research from
2 the University of Tulsa or a member otherwise appointed by the
3 Governor;

4 ~~7.~~ 5. One member shall be the Vice President of Research from
5 Oklahoma City University or a member otherwise appointed by the
6 Speaker of the House of Representatives; and

7 ~~8.~~ 6. One member who shall represent the Samuel Roberts Noble
8 Foundation appointed by the President Pro Tempore of the Senate.

9 C. Board members shall serve for a term of four (4) years,
10 which shall begin on January 1 of the first year of the appointment
11 and end on December 31 of the fourth year. There shall be no limit
12 to the number of consecutive terms served. If a vacancy should
13 occur during a member's term, the appointing authority for the
14 vacant position shall appoint a new member to fill the remainder of
15 the unexpired term. Board members shall serve without compensation
16 but may be eligible for necessary travel expenses pursuant to the
17 State Travel Reimbursement Act. ~~Legislators appointed to the Board~~
18 ~~shall be eligible to receive reimbursement pursuant to Section 456.3~~
19 ~~of Title 74 of the Oklahoma Statutes.~~

20 D. The Board shall be responsible for establishing procedures
21 for the Initiative and operations of the Board. The rules may
22 provide for protection from public disclosure of trade secrets and
23 proprietary information of any kind, including, but not limited to,
24 data, processes and technology, as the Board determines necessary.

1 E. The Board shall undertake activities and commission
2 programs, through the contributing institutions, to achieve the
3 purpose and satisfy the objectives of the Initiative as provided in
4 the Oklahoma Energy Initiative Act. The Board shall have authority
5 to distribute funding for such activities and programs. The Board
6 may employ staff as it deems necessary.

7 F. The Board shall prepare an annual, written report to
8 summarize the annual progress of the Initiative, including summaries
9 of its programs and their progress and outcomes. The report shall
10 be made available to the public and shall be distributed to the
11 Governor, the President Pro Tempore of the Senate, and the Speaker
12 of the House of Representatives.

13 G. The provisions of The Oklahoma Central Purchasing Act shall
14 not apply to any project, activity or contract of the Initiative or
15 the Board.

16 H. No Board member or any person acting on behalf of the Board
17 or Initiative executing any contracts, commitments or agreements
18 issued by or on behalf of the Oklahoma Energy Initiative shall be
19 personally liable for the contracts, commitments, or agreements or
20 be subject to any personal liability or accountability by reason
21 thereof. No director or any person acting on behalf of the Board
22 or Initiative shall be personally liable for damage or injury
23 resulting from the performance of duties hereunder.

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1 SECTION 2. AMENDATORY Section 4, Chapter 247, O.S.L.
2 2012 (17 O.S. Supp. 2013, Section 802.4), is amended to read as
3 follows:

4 Section 802.4 A. There is hereby created in the State Treasury
5 a revolving fund for the Oklahoma Energy Initiative to be designated
6 as the "Oklahoma Energy Initiative Revolving Fund". The fund shall
7 be a continuing fund, not subject to fiscal year limitations, and
8 shall consist of all monies received by the Secretary of Energy and
9 Environment or any other entity authorized to accept or expend funds
10 on behalf of the Oklahoma Energy Initiative from any authorized
11 source. All monies accruing to the credit of the fund are hereby
12 appropriated and may be budgeted and expended by the Oklahoma Energy
13 Initiative for the purpose of satisfying the objectives of the
14 Oklahoma Energy Initiative Act.

15 B. State appropriations for the Initiative shall be made as
16 otherwise provided by law and shall be directed to the Secretary of
17 Energy, or to an agency otherwise directed by the Governor, which
18 shall directly allocate the appropriations to the Initiative.

19 C. The Initiative is authorized to accept donations, grants or
20 endowments from any person, corporation or entity to achieve the
21 purpose and satisfy the objectives of the Initiative as provided by
22 this act.

23 SECTION 3. It being immediately necessary for the preservation
24 of the public peace, health and safety, an emergency is hereby

1 declared to exist, by reason whereof this act shall take effect and
2 be in full force from and after its passage and approval.

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4 COMMITTEE REPORT BY: COMMITTEE ON ENERGY AND AEROSPACE, dated
5 03/27/2014 - DO PASS, As Amended.

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