

ENROLLED SENATE
BILL NO. 109

BY: TAYLOR and HANEY of the
SENATE

and

HAMILTON (James) and
STEIDLEY of the HOUSE

AN ACT RELATING TO THE OKLAHOMA CENTER FOR THE
ADVANCEMENT OF SCIENCE AND TECHNOLOGY; AMENDING 74
O.S. 1981, SECTION 500.2, AS LAST AMENDED BY
SECTION 17 OF ENROLLED SENATE BILL NO. 416 OF THE
1ST SESSION OF THE 43RD OKLAHOMA LEGISLATURE, WHICH
RELATES TO TRAVEL EXPENSE REIMBURSEMENT; MAKING
APPROPRIATIONS TO THE OKLAHOMA CENTER FOR THE
ADVANCEMENT OF SCIENCE AND TECHNOLOGY; STATING
PURPOSES; REQUIRING DEPOSIT OF CERTAIN MONIES INTO
CERTAIN FUNDS; STATING PURPOSES FOR EXPENDITURE OF
CERTAIN FUNDS; PROVIDING BUDGETARY LIMITATIONS;
REQUIRING CERTAIN INFORMATION IN BUDGET WORK
PROGRAM; PROVIDING FOR THE DUTIES AND COMPENSATION
OF EMPLOYEES; LIMITING THE SALARY OF THE PRESIDENT
OR ACTING PRESIDENT; AUTHORIZING CERTAIN CONTRACTS
TO BE AWARDED ON A COMPETITIVE BASIS; REQUIRING
CERTAIN REPORT; PROVIDING LAPSE DATE; PROVIDING AN
OPERATIVE DATE; AND DECLARING AN EMERGENCY.

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

SECTION 1. There is hereby appropriated to the Oklahoma Center for the Advancement of Science and Technology from any monies not otherwise appropriated from the General Revenue Fund of the State Treasury for the fiscal year ending June 30, 1992, the sum of Fourteen Thousand Three Hundred Ninety-two Dollars (\$14,392.00) or

so much thereof as may be required to perform the duties imposed upon the Oklahoma Center for the Advancement of Science and Technology by law.

SECTION 2. From the monies appropriated to the Oklahoma Center for the Advancement of Science and Technology by Section 1 of Enrolled Senate Bill No. 414 of the 1st Session of the 43rd Oklahoma Legislature and Section 1 of this act, the following amounts shall be deposited into the Research Support Revolving Fund created pursuant to Section 5060.11 of Title 74 of the Oklahoma Statutes or so much thereof as may be necessary for the following purposes:

Applied Research	\$3,100,000.00
Health Research	2,670,724.00
Technology Transfer	60,000.00

Total	\$5,830,724.00
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None of the monies specified in this section may be used for salary or fringe benefits for employees of the Oklahoma Center for the Advancement of Science and Technology included in the budgetary limitation provided in Section 5 of this act. Any monies appropriated in this section which are to be used to pay agency costs of program development, solicitation, processing and review of proposals, providing educational and technical assistance services, awarding of funds, contract performance evaluation or other expenses or services directly related to the implementation of programs shall be clearly indicated in the budget work program of the agency.

SECTION 3. From the monies appropriated to the Oklahoma Center for the Advancement of Science and Technology by Section 1 of Enrolled Senate Bill No. 414 of the 1st Session of the 43rd Oklahoma Legislature and Section 1 of this act, the following amounts shall be deposited into the Administration and Data Processing Revolving Fund created pursuant to Section 5060.11 of Title 74 of the Oklahoma Statutes or so much thereof as may be necessary for the following purposes:

Personal Services Costs and Administrative and Data Processing Functions	\$861,218.00
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Purchase, Maintenance and Programming of Data Processing Equipment and Software	49,730.00
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Salary and Fringe Benefits for the President or Acting President	71,186.00
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Total	\$982,134.00
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SECTION 4. There is hereby appropriated to the Oklahoma Center for the Advancement of Science and Technology from any monies not otherwise appropriated from the General Revenue Fund of the State of Oklahoma for the fiscal year ending June 30, 1992, the sum of One Million Three Hundred Thousand Dollars (\$1,300,000.00) to be transferred to the Research Support Revolving Fund created pursuant to Section 5060.11 of Title 74 of the Oklahoma Statutes. Said appropriation shall be used to replace monies transferred from the Research Support Revolving Fund by Section 6 of Enrolled Senate Bill No. 770 of the 2nd Regular Session of the 42nd Oklahoma Legislature.

SECTION 5. The duties and compensation of employees, not otherwise prescribed by law, necessary to perform the duties imposed upon the Oklahoma Center for the Advancement of Science and Technology by law shall be set by the President. The salary of the

President or Acting President shall not exceed Fifty-eight Thousand Five Hundred Twenty Dollars (\$58,520.00) per annum, payable monthly for the fiscal year ending June 30, 1992. The Oklahoma Center for the Advancement of Science and Technology for the fiscal year ending June 30, 1992, shall be subject to the following budgetary limitations on full-time-equivalent employees and expenditures excluding expenditures for capital and special projects, except as may be authorized pursuant to the provisions of Section 3603 of Title 74 of the Oklahoma Statutes:

Budgetary Limitation	Amount
Full-time-equivalent Employees	20.0
Payroll, Salaries or Wages, Including Tax-sheltered Deferment Contracts and Longevity Payments Authorized by State Statutes	\$650,274.00
Professional and Personal Services Contracts	\$30,000,000.00
Lease-Purchase Agreements	\$0.00
Purchase of Equipment	\$60,000.00
Total Expenditures for Operations	\$31,012,070.00

SECTION 6. Pursuant to the provisions of Section 41.7 of Title 62 of the Oklahoma Statutes, the Oklahoma Center for the Advancement of Science and Technology shall file its budget work program with the Director of State Finance and the Legislative Service Bureau for the fiscal year ending June 30, 1992, to include the following budget entities and activities:

- Administration
- Centers of Excellence
- Applied Research
- MOST Eminent Scholars and Research Equipment
- Health Research
- Technology Transfer
- Seed-Capital Financing

SECTION 7. AMENDATORY 74 O.S. 1981, Section 500.2, as last amended by Section 17 of Enrolled Senate Bill No. 416 of the 1st Session of the 43rd Oklahoma Legislature, is amended to read as follows:

Section 500.2 A. Officials and employees of the state, traveling on authorized state business, may be reimbursed for expenses incurred in such travel in accordance with the provisions of this act and existing statutes relating to state travel. Persons who are not state employees, but who are performing substantial and necessary services to the state which have been directed or approved by the appropriate department official shall enjoy the protection of the sovereign immunity of the state to the same extent as a paid employee. Such persons may be reimbursed for expenses incurred during authorized official travel under these same statutory provisions, provided it is indicated on the claim the person is not a state employee, a description of services performed is entered, and the agency head by his approval of the claim certifies such services were substantial and necessary, and germane to the duties and functions of the reimbursing agency. Travel expenses incurred by a person during the course of seeking employment with a state agency, unless such travel is performed at the request of the employing agency, shall not be considered expenses incurred in performing substantial and necessary services to the state and shall not be reimbursed under the provisions of this act.

B. The chief administrative officer of the Department of Public Safety, the Oklahoma State Bureau of Investigation, the Bureau of Narcotics and Dangerous Drugs Control, the Oklahoma Military Department, the Department of Corrections, the Office of Public Affairs and the Department of Civil Defense and the State Fire Marshal may arrange for and charge meals and lodging for a

contingent of state personnel moved into an area for the purpose of preserving the public health, safety or welfare or for the protection of life or property. The cost for meals or lodging so charged shall not exceed the amount authorized in this act.

The chief administrative officer of each agency involved in an operation as provided for above shall require the vendor furnishing meals, lodging or both meals and lodging to submit an itemized statement for payment.

When a claim for lodging is made for a contingent of state personnel, individual members of the contingent may not submit a claim for lodging. When a claim for meals is made for a contingent of state personnel, individual members of the contingent may not submit a claim for meals.

C. The Department of Public Safety is hereby authorized to enter into contracts and agreements for the payment of classroom space, food and lodging expenses as may be necessary for law enforcement officers attending any official course of instruction sponsored or conducted by the Department of Public Safety. Such expenses may be paid for directly to the contracting agency or business establishment. Provided, the cost for food and lodging for each law enforcement officer shall not exceed the total daily rate as provided in the State Travel Reimbursement Act.

D. The Oklahoma Tourism and Recreation Department is hereby authorized to enter into contracts and agreements for the payment of food and lodging expenses as may be necessary for employees attending an official course of instruction or training conducted or sponsored by the Oklahoma Tourism and Recreation Department. Such expenses may be paid for directly to the contracting agency or business establishment. Provided, the cost for food and lodging for each employee shall not exceed the total daily rate as provided in the State Travel Reimbursement Act.

E. The Oklahoma Department of Commerce is hereby authorized to enter into contracts and agreements for the payment of food, lodging, meeting facility and beverage expenses as may be necessary for sponsoring seminars and receptions relating to economic development and science and technology issues. Such expenses may be paid directly to the contracting agency or business establishment. The Director of the Oklahoma Department of Commerce shall provide a quarterly report of such expenditures to the Governor, the Speaker of the House of Representatives and the President Pro Tempore of the Senate.

F. The Oklahoma Center for the Advancement of Science and Technology is hereby authorized to enter into contracts and agreements for the payment of food, lodging, meeting facility and beverage expenses necessary for sponsoring meetings and conferences relating to economic development and science and technology issues. Such contracts or agreements shall be awarded on a competitive basis and expenses may be paid directly to the contracting agency or business establishment. The President of the Oklahoma Center for the Advancement of Science and Technology shall provide a quarterly report of such expenditures to the Governor, the Speaker of the House of Representatives and the President Pro Tempore of the Senate.

G. The State Fire Marshal is hereby authorized to enter into contracts and agreements for the payment of classroom space, food and lodging expenses as may be necessary for law enforcement officers attending any official course of instruction sponsored or conducted by the State Fire Marshal. Such expenses may be paid for directly to the contracting agency or business establishment. Provided, the cost for food and lodging for each law enforcement officer shall not exceed the total daily rate as provided in the State Travel Reimbursement Act.

H. State agencies are authorized to make direct purchases of commercial airline tickets for use by employees in approved out-of-state travel. Each claim or invoice submitted to the Director of State Finance for the payment of such purchase shall bear the airline identifying ticket number, the name of the airline, total cost of each ticket purchased, class of accommodation, social security number and name of the employee for whom the ticket was purchased, and shall be filed on claim forms as prescribed by the Director of State Finance. An affidavit shall state that said employee did use any direct purchase commercial airline ticket received for his or her approved out-of-state travel.

I. State agencies are authorized to make direct purchases of lodging at facilities operated by the Oklahoma Tourism and Recreation Department. Such lodging shall be at the rate authorized by Section 500.9 of this title. Claims for payment shall be filed on claim forms as prescribed by the Office of State Finance.

J. State agencies are authorized to enter into contracts and agreements with the Oklahoma Tourism and Recreation Department for the payment of food, lodging and other authorized expenses as may be necessary for employees attending conferences, meetings or training sessions conducted or sponsored by the contracting agencies. Provided the cost for food and lodging for each employee shall not exceed the total daily rate as provided in the State Travel Reimbursement Act, Section 500.1 et seq. of this title.

SECTION 8. The appropriations made by this act shall be subject to fiscal year limitations and may be encumbered through June 30, 1992. Any unexpended funds remaining after November 15, 1992, shall lapse and be transferred to the credit of the proper fund for the then current fiscal year.

SECTION 9. This act shall become operative July 1, 1991.

SECTION 10. 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.