

ENROLLED HOUSE
BILL NO. 1799

By: Hamilton and Steidley of
the House

and

Haney and Hobson of the
Senate

An Act relating to the Department of Environmental Quality; amending Section 23, Chapter 145, O.S.L. 1993 and Section 35, Chapter 324, O.S.L. 1993 (27A O.S. Supp. 1995, Sections 2-3-401 and 2-3-403), which relate to the Department of Environmental Quality Revolving Fund and the Environmental Trust Revolving Fund; providing exception to specified use of monies in subaccounts; and providing an effective date.

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

SECTION 1. AMENDATORY Section 23, Chapter 145, O.S.L. 1993 (27A O.S. Supp. 1995, Section 2-3-401), is amended to read as follows:

Section 2-3-401. A. There is hereby created in the State Treasury a revolving fund for the Department of Environmental Quality to be designated the "Department of Environmental Quality Revolving Fund". The fund shall be a continuing fund, not subject to fiscal year limitations, and shall consist of all monies received by the Department from appropriations, administrative penalties, fees, charges, gifts and monies from any other source that are not designated for deposit to any other fund authorized by this Code. All monies accruing to the credit of said fund are hereby appropriated and may be budgeted and expended by the Department for the purpose of implementing and enforcing this Code. Expenditures from said fund shall be made upon warrants issued by the State Treasurer against claims filed as prescribed by law with the Director of State Finance for approval and payment.

B. Individual subaccounts shall be established in the Department of Environmental Quality Revolving Fund as necessary to maintain the tracking of monies collected and to support the programs and functions within the jurisdiction of the Department. Each subaccount shall consist of all monies collected pursuant to the program or function for which such subaccount has been established and all monies collected for such programs and functions, except as otherwise specifically provided by the Legislature, shall be expended only and solely in furtherance of the statutory objectives of such programs and functions. Provided, as otherwise authorized by law, the Department may transfer monies between subaccounts to meet cash flow needs of the Department so long as the monies are transferred back to the appropriate subaccount to be expended on the appropriate programs and functions.

C. All revolving fund monies belonging to, deposited in or payable to the State Department of Health or the Oklahoma Water Resources Board for the purpose of administering a program or function over which the Department of Environmental Quality has jurisdiction, are hereby transferred to the appropriate funds of the Department of Environmental Quality. All other monies belonging to, deposited in or payable to any other revolving fund under the jurisdiction of the Department are hereby transferred.

SECTION 2. AMENDATORY Section 35, Chapter 324, O.S.L. 1993 (27A O.S. Supp. 1995, Section 2-3-403), is amended to read as follows:

Section 2-3-403. A. There is hereby created in the State Treasury a revolving fund for the Department of Environmental Quality to be designated the "Environmental Trust Revolving Fund". The fund shall be a continuing fund, not subject to fiscal year limitations, and shall consist of monies collected pursuant to the provisions of Section 354 of Title 17 of the Oklahoma Statutes for deposit in the Environmental Trust Revolving Fund and monies received in the form of gifts, grants, reimbursements, and from any other source specified for the purposes specified by this section.

B. All monies accruing to the credit of said fund are hereby appropriated and may be budgeted and expended, except as otherwise specifically provided by the Legislature, by the Department of Environmental Quality for matching federal funds available for environmental remediation and cleanup. Expenditures from said fund shall be made upon warrants issued by the State Treasurer against claims filed as prescribed by law with the Director of State Finance for approval and payment.

SECTION 3. This act shall become effective September 1, 1996.

Passed the House of Representatives the 24th day of May, 1996.

Speaker of the House of
Representatives

Passed the Senate the 24th day of May, 1996.

President of the Senate