

STATE OF OKLAHOMA

2nd Session of the 46th Legislature (1998)

CONFERENCE COMMITTEE SUBSTITUTE

FOR ENGROSSED

HOUSE BILL NO. 3065

By: Hamilton and Settle of
the House

and

Haney and Hobson of the
Senate

CONFERENCE COMMITTEE SUBSTITUTE

An Act relating to appropriations; making appropriation to the Oklahoma State Regents for Higher Education; stating purposes; making appropriations to the State Board of Vocational and Technical Education; stating purposes; making appropriation to the Office of the State Auditor and Inspector; stating purpose; amending Section 72 of Enrolled House Bill No. 3050 of the 2nd Session of the 46th Oklahoma Legislature, which relates to the Welfare Reform Initiative Fund; modifying authorized programs for expenditures; making appropriation to the Children First Fund; modifying budgetary limitations; making appropriation to the State Department of Health; stating purpose; making appropriations to the Office of Juvenile Affairs; stating purposes; making appropriation to the Department of Human Services; stating purposes; making appropriation to the Oklahoma Health Care Authority; stating purposes; making appropriations to the Oklahoma Department of Commerce; stating purposes; making appropriation to the Oklahoma Tourism and Recreation Department; stating purposes; making appropriation to the Military Department of the State of Oklahoma; requiring and prohibiting certain budgetary procedures; exempting expenditures from certain budgetary limits; and providing an effective date.

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

SECTION 1. There is hereby appropriated to the Oklahoma State Regents for Higher Education from any monies not otherwise appropriated from the Special Cash Fund of the State Treasury the sum of Nine Million Three Hundred Sixty-two Thousand Seven Hundred Twenty-nine Dollars (\$9,362,729.00) or so much thereof as may be necessary for allocation by the Oklahoma State Regents for Higher Education pursuant to the provisions of Article XIII-A of the

Oklahoma Constitution to the institutions of The Oklahoma State System of Higher Education for the education and general operating budgets of the institutions and for other programs, construction, renovation or repairs administered by the Oklahoma State Regents for Higher Education.

SECTION 2. From the funds appropriated to the Welfare Reform Initiative Fund in Section 72 of Enrolled House Bill No. 3050 of the 2nd Session of the 46th Oklahoma Legislature, as amended by Section 5 of this act, there is hereby appropriated to the State Board of Vocational and Technical Education from any monies not otherwise appropriated from the General Revenue Fund of the State Treasury for the fiscal year ending June 30, 1999, the sum of Fifteen Thousand Dollars (\$15,000.00) or so much thereof as may be necessary to establish a Future Farmers of America Chapter to be selected by the Agricultural Education Division of the Oklahoma State Department of Vocational and Technical Education.

SECTION 3. From the funds appropriated to the Welfare Reform Initiative Fund in Section 72 of Enrolled House Bill No. 3050 of the 2nd Session of the 46th Oklahoma Legislature, as amended by Section 5 of this act, there is hereby appropriated to the State Board of Vocational and Technical Education from any monies not otherwise appropriated from the General Revenue Fund of the State Treasury for the fiscal year ending June 30, 1999, the sum of Seventy-five Thousand Dollars (\$75,000.00) or so much thereof as may be necessary to provide rural business pilot programs pursuant to Enrolled House Bill No. 3170 of the 2nd Session of the 46th Oklahoma Legislature.

SECTION 4. There is hereby appropriated to the Office of the State Auditor and Inspector from any monies not otherwise appropriated from the Special Cash Fund of the State Treasury the sum of Sixty-five Thousand Dollars (\$65,000.00) or so much thereof as may be necessary to perform the duties imposed upon the Commission on County Government Personnel Education and Training. The appropriation made in this section shall be expended exclusively for the purpose so stated and shall not be transferable.

SECTION 5. AMENDATORY Section 72 of Enrolled House Bill No. 3050 of the 2nd Session of the 46th Oklahoma Legislature, is amended to read as follows:

Section 72. There is hereby appropriated to the Welfare Reform Initiative Fund from any monies not otherwise appropriated from the General Revenue Fund of the State Treasury for the fiscal year ending June 30, 1999, the sum of Eleven Million One Hundred Thousand Dollars (\$11,100,000.00) or so much thereof as may be necessary for the purposes of this section. Monies in the Welfare Reform Initiative Fund shall be expended exclusively for initiatives designed to promote work and self-sufficiency and reduce dependency on government programs. Programs for which monies from said fund can be spent shall include juvenile services programs, home visitation programs for pregnant women, food stamp distribution, community revitalization, the extension of health insurance coverage, the expansion or restructuring of child care services, including but not limited to after school programs, assistance directly related to acquiring employment, education and job skills training, and for meeting potential future obligations related to Medicaid and Temporary Assistance for Needy Families caseload growth. Funds may not be expended from the Welfare Reform Initiative Fund until appropriated by the Legislature.

SECTION 6. From the funds appropriated to the Welfare Reform Initiative Fund in Section 72 of Enrolled House Bill No. 3050 of the 2nd Session of the 46th Oklahoma Legislature, as amended by Section 5 of this act, there is hereby appropriated to the Children First Fund established pursuant to Section 1-110.1 of Title 63 of the Oklahoma Statutes, the sum of Two Million Seven Hundred Seventy-five Thousand Dollars (\$2,775,000.00) to be expended only for home visitation programs for pregnant women. The budgetary limitations of the State Department of Health shall be increased by 70 full-time-equivalent employees in addition to other full-time-equivalent employees authorized by law.

SECTION 7. From funds appropriated to the Welfare Reform Initiative Fund in Section 72 of Enrolled House Bill No. 3050 of the 2nd Session of the 46th Oklahoma Legislature, as amended by Req. No. 10401Page 3

Section 5 of this act, there is hereby appropriated to the State Department of Health the sum of Two Million Seven Hundred Seventy-five Thousand Dollars (\$2,775,000.00) or so much thereof as may be necessary to provide grants to communities to establish after school programs for school age youth.

SECTION 8. From the funds appropriated to the Welfare Reform Initiative Fund in Section 72 of Enrolled House Bill No. 3050 of the 2nd Session of the 46th Oklahoma Legislature, as amended by Section 5 of this act, there is hereby appropriated to the Office of Juvenile Affairs the sum of Five Hundred Fourteen Thousand Three Hundred Fifteen Dollars (\$514,315.00) or so much thereof as may be necessary for contracted detention bed rate increases.

SECTION 9. From the funds appropriated to the Welfare Reform Initiative Fund in Section 72 of Enrolled House Bill No. 3050 of the 2nd Session of the 46th Oklahoma Legislature, as amended by Section 5 of this act, there is hereby appropriated to the Office of Juvenile Affairs the sum of One Million Two Hundred Thousand Dollars (\$1,200,000.00) or so much thereof as may be necessary for youth service agency programs.

SECTION 10. From the funds appropriated to the Welfare Reform Initiative Fund in Section 72 of Enrolled House Bill No. 3050 of the 2nd Session of the 46th Oklahoma Legislature, as amended by Section 5 of this act, there is hereby appropriated to the Office of Juvenile Affairs the sum of Three Hundred Seventeen Thousand Six Hundred Forty-two Dollars (\$317,642.00) or so much thereof as may be necessary for Community Intervention Centers.

SECTION 11. From the funds appropriated to the Welfare Reform Initiative Fund in Section 72 of Enrolled House Bill No. 3050 of the 2nd Session of the 46th Oklahoma Legislature, as amended by Section 5 of this act, there is hereby appropriated to the Department of Human Services the sum of Two Million Four Hundred Three Thousand Forty-three Dollars (\$2,403,043.00) or so much thereof as may be necessary to operate the food stamp program under the Food Stamp Act of 1977.

SECTION 12. There is hereby appropriated to the Oklahoma Health Care Authority from any monies not otherwise appropriated

from the Special Cash Fund of the State Treasury the sum of One Million Five Hundred Thousand Dollars (\$1,500,000.00) or so much thereof as may be necessary to provide for a nursing facility rate increase.

SECTION 13. There is hereby appropriated to the Department of Commerce from any monies not otherwise appropriated from the Special Cash Fund of the State Treasury the sum of One Hundred Fifty Thousand Dollars (\$150,000.00) or so much thereof as may be necessary for contractual responsibilities with the Southwestern Oklahoma Development Authority for the purpose of promoting economic and community development, transportation services and quality of life in Oklahoma communities. Funds expended for the programs shall be exempt from the requirements of the Central Purchasing Act.

SECTION 14. There is hereby appropriated to the Department of Commerce from any monies not otherwise appropriated from the Special Cash Fund of the State Treasury the sum of Two Hundred Fifty Thousand Dollars (\$250,000.00) or so much thereof as may be necessary for contractual responsibilities with the Southern Oklahoma Development Association for the purpose of promoting economic and community development, transportation services and quality of life in Oklahoma communities. Funds expended for the programs shall be exempt from the requirements of the Central Purchasing Act.

SECTION 15. From the funds appropriated to the Welfare Reform Initiative Fund in Section 72 of Enrolled House Bill No. 3050 of the 2nd Session of the 46th Oklahoma Legislature, as amended by Section 5 of this act, there is hereby appropriated to the Department of Commerce from any monies not otherwise appropriated from the General Revenue Fund of the State Treasury the sum of Twenty-five Thousand Dollars (\$25,000.00) or so much thereof as may be necessary for the purpose of providing funds to the Oklahoma County Sheriff's Office to assist the Office with the purchase of emergency medical equipment. Funds expended for the programs and purposes of this section shall be exempt from the requirements of the Central Purchasing Act.

SECTION 16. From the funds appropriated to the Welfare Reform Initiative Fund in Section 72 of Enrolled House Bill No. 3050 of the 2nd Session of the 46th Oklahoma Legislature, as amended by Section 5 of this act, there is hereby appropriated to the Department of Commerce from any monies not otherwise appropriated from the General Revenue Fund of the State Treasury for the fiscal year ending June 30, 1999, the sum of One Million Dollars (\$1,000,000.00) or so much thereof as may be necessary for the Oklahoma Housing Trust Fund. The Director of State Finance, on the effective date of this act, shall transfer the appropriations made by this section to the Oklahoma Housing Trust Fund, created pursuant to Section 2901.2 of Title 74 of the Oklahoma Statutes.

SECTION 17. There is hereby appropriated to the Oklahoma Tourism and Recreation Department from any monies not otherwise appropriated from the Special Cash Fund of the State Treasury the sum of Fifty Thousand Dollars (\$50,000.00) or so much thereof as may be necessary for the operation and maintenance of the Greenwood Cultural Center.

SECTION 18. There is hereby appropriated to the Military Department of the State of Oklahoma from any monies not otherwise appropriated from the Special Cash Fund of the State Treasury for the fiscal year ending June 30, 1999, the sum of Two Hundred Twenty-five Thousand Dollars (\$225,000.00) or so much thereof as may be necessary for the purpose of purchasing a computer switch.

SECTION 19. AMENDATORY Section 1 of Enrolled House Bill No. 3066 of the 2nd Session of the 46th Oklahoma Legislature, is amended to read as follows:

Section 1. A. The Oklahoma Capitol Improvement Authority is authorized to acquire real property, together with improvements located thereon, and personal property, to construct buildings and other improvements to real property and to provide funding for repairs, refurbishments and improvements to real and personal property and for funding for the following capital projects in the following amounts:

1. Capital projects at institutions of higher education which are part of The Oklahoma State System of Higher Education in a

total amount not to exceed Forty-five Million Dollars (\$45,000,000.00) with debt retirement payments to be made by the Oklahoma State Regents for Higher Education;

2. Construction of a History Center for the Oklahoma Historical Society in a total amount not to exceed Thirty-two Million Dollars (\$32,000,000.00) with debt retirement payments to be made by the Oklahoma Historical Society;

3. Renovation of the Wiley Post Historical Building for occupancy by appellate courts in a total amount not to exceed Ten Million Dollars (\$10,000,000.00) with debt retirement payments to be made by the Oklahoma Supreme Court;

4. Land acquisition, demolition, landscaping, environmental remediation and other costs associated with the Lincoln Boulevard Renaissance Project in a total amount not to exceed Thirteen Million Eight Hundred Thousand Dollars (\$13,800,000.00) with debt retirement payments to be made by the Department of Central Services;

5. Construction of a new building for the J.D. McCarty Center for Children with Developmental Disabilities in a total amount not to exceed Ten Million Three Hundred Thousand Dollars (\$10,300,000.00) with debt retirement payments to be made by the J.D. McCarty Center for Children with Developmental Disabilities;

6. Funding for capital costs of a Technology Incubator Program for the University Hospitals Authority in a total amount not to exceed Two Million Dollars (\$2,000,000.00) with debt retirement payments to be made by the University Hospitals Authority;

7. Funding for capital costs for the Native American Cultural and Educational Authority of Oklahoma in a total amount not to exceed Five Million Dollars (\$5,000,000.00) with debt retirement payments to be made by the Native American Cultural and Educational Authority of Oklahoma;

8. Funding for capital costs for systemwide equipment for the Oklahoma Department of Vocational and Technical Education in a total amount not to exceed Five Million Dollars (\$5,000,000.00)

with debt retirement payments to be made by the Oklahoma Department of Vocational and Technical Education;

9. Capital projects for the Oklahoma School for the Deaf in a total amount not to exceed ~~Six Million Three Hundred Thousand Dollars (\$6,300,000.00)~~ Six Million Seven Hundred Fifty Thousand Dollars (\$6,750,000.00) with debt retirement payments to be made by the State Department of Rehabilitation Services;

10. Capital projects for the Oklahoma School for the Blind in a total amount not to exceed ~~Seven Million Two Hundred Thousand Dollars (\$7,200,000.00)~~ Six Million Seven Hundred Fifty Thousand Dollars (\$6,750,000.00) with debt retirement payments to be made by the State Department of Rehabilitation Services;

11. Construction of a new Veterans Center in Lawton, Oklahoma, in a total amount not to exceed Twelve Million Dollars (\$12,000,000.00) with debt retirement payments to be made by the Oklahoma Department of Veterans Affairs;

12. Capital costs for financial management information systems in a total amount not to exceed One Million Dollars (\$1,000,000.00) with debt retirement payments to be made by the Office of State Finance;

13. Funding for the purchase of computer hardware and software for the Central Purchasing Division of the Department of Central Services in a total amount not to exceed Two Million Dollars (\$2,000,000.00) with debt retirement payments to be made by the Department of Central Services;

14. Funding for implementation of the Boll Weevil Eradication Act in a total amount not to exceed Three Million Dollars (\$3,000,000.00) with debt retirement payments to be made by the State Department of Agriculture;

15. Funding for construction and other capital costs at Quartz Mountain Lodge and Arts and Conference Center in a total amount not to exceed Three Million Five Hundred Thousand Dollars (\$3,500,000.00) with debt retirement payments to be made by the Oklahoma Tourism and Recreation Department; and

16. Such other capital projects as may be specifically authorized by the Oklahoma Legislature to be funded by the obligations authorized herein.

The Authority may hold title to the real and personal property and improvements until such time as any obligations issued for this purpose are retired or defeated and may lease the real property and improvements to the agencies indicated herein. Upon final redemption or defeasance of the obligations created pursuant to this section, title to the real and personal property and improvements shall be transferred from the Oklahoma Capitol Improvement Authority, to the agencies indicated herein.

B. For the purpose of paying the costs for acquisition and construction of the real property and improvements and personal property and making the repairs, refurbishments, and improvements to real and personal property, and providing funding for the projects authorized in subsection A of this section, and for the purpose authorized in subsection C of this section, the Authority is hereby authorized to borrow monies on the credit of the income and revenues to be derived from the leasing of such real and personal property and improvements and, in anticipation of the collection of such income and revenues, to issue negotiable obligations in a total amount not to exceed Three Hundred Twenty Million Dollars (\$320,000,000.00) whether issued in one or more series. The Department of Central Services is authorized and directed to expend funds from the Capital Improvement Revolving Fund in amounts sufficient to make required payments pursuant to such obligations during the fiscal year ending June 30, 1999. For subsequent fiscal years, it is the intent of the Legislature to appropriate to the indicated state agencies sufficient monies to make rental payments for the purposes of retiring the obligations created pursuant to this section. The costs for acquisition and construction of the real and personal property and improvements and repairs, refurbishments and funding for the projects authorized in subsection A of this section shall not exceed Three Hundred Fifteen Million Dollars (\$315,000,000.00).

C. To the extent funds are available from the proceeds of the borrowing authorized by subsection B of this section, the Oklahoma Capitol Improvement Authority shall provide for the payment of professional fees and associated costs related to the projects authorized in subsection A of this section.

D. The Authority may issue obligations in one or more series and in conjunction with other issues of the Authority. The Authority is authorized to hire bond counsel, financial consultants, and such other professionals as it may deem necessary to provide for the efficient sale of the obligations and may utilize a portion of the proceeds of any borrowing to create such reserves as may be deemed necessary and to pay costs associated with the issuance and administration of such obligations.

E. The obligations authorized under this section may be sold at either competitive or negotiated sale, as determined by the Authority, and in such form and at such prices as may be authorized by the Authority. The Authority may enter into agreements with such credit enhancers and liquidity providers as may be determined necessary to efficiently market the obligations. The obligations may mature and have such provisions for redemption as shall be determined by the Authority, but in no event shall the final maturity of such obligations occur later than thirty (30) years from the first principal maturity date.

F. Any interest earnings on funds or accounts created for the purposes of this section may be utilized as partial payment of the annual debt service or for the purposes directed by the Authority.

G. The obligations issued under this section, the transfer thereof and the interest earned on such obligations, including any profit derived from the sale thereof, shall not be subject to taxation of any kind by the State of Oklahoma, or by any county, municipality or political subdivision therein.

H. The Authority may direct the investment of all monies in any funds or accounts created in connection with the offering of the obligations authorized under this section. Such investments shall be made in a manner consistent with the investment guidelines of the State Treasurer. The Authority may place

additional restrictions on the investment of such monies if necessary to enhance the marketability of the obligations.

I. It is the intent of the Legislature to authorize specific capital projects in the 1st Session of the 47th Oklahoma Legislature to be funded by the negotiable obligations authorized in this section. Such capital projects shall not exceed One Hundred Fifty-six Million Nine Hundred Thousand Dollars (\$156,900,000.00).

SECTION 20. Appropriations made by this act, not including appropriations made for capital outlay purposes, may be budgeted for the fiscal year ending June 30, 1999 (hereafter FY-99) or may be budgeted for the fiscal year ending June 30, 2000 (hereafter FY-00). Funds budgeted for FY-99 may be encumbered only through June 30, 1999, and must be expended by November 15, 1999. Any funds remaining after November 15, 1999, and not budgeted for FY-00, shall lapse to the credit of the proper fund for the then current fiscal year. Funds budgeted for FY-00 may be encumbered only through June 30, 2000. Any funds remaining after November 15, 2000, shall lapse to the credit of the proper fund for the then current fiscal year. These appropriations may not be budgeted in both fiscal years simultaneously. Funds budgeted in FY-99, and not required to pay obligations for that fiscal year, may be budgeted for FY-00, after the agency to which the funds have been appropriated has prepared and submitted a budget work program revision removing these funds from the FY-99 budget work program and after such revision has been approved by the Office of State Finance.

SECTION 21. Budgetary limits otherwise imposed upon agencies by law shall not apply to expenditures by state agencies made from appropriations provided for in this act.

SECTION 22. This act shall become effective September 1, 1998.

46-2-10401 JB