STATE OF OKLAHOMA

1st Session of the 46th Legislature (1997)

CONFERENCE COMMITTEE
SUBSTITUTE FOR ENGROSSED
HOUSE BILL NO. 1889

By: Hamilton and Settle of the House

and

Haney and Hobson of the Senate

CONFERENCE COMMITTEE SUBSTITUTE

An Act relating to the Rural Economic Action Plan Act; amending Sections 3, 4, 6, 8, 10 and 13, Chapter 193, O.S.L. 1996 (62 O.S. Supp. 1996, Sections 2003, 2004, 2006, 2008, 2010 and 2013), which relate to Rural Economic Action Plan provisions; modifying references to sources of funding; modifying certain dollar amounts related to accounts; modifying references; providing an effective date; and declaring an emergency.

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

SECTION 1. AMENDATORY Section 3, Chapter 193, O.S.L. 1996 (62 O.S. Supp. 1996, Section 2003), is amended to read as follows:

Section 2003. A. Except as otherwise provided by this section, the monies appropriated by Section ~~1~~ 104 of Enrolled ~~House~~ Senate Bill No. ~~2830~~ 160 of the ~~2nd~~ 1st Session of the ~~45th~~ 46th Oklahoma Legislature shall be administered by the Oklahoma Water Resources Board in the same manner as provided by law for the grant of other funds for water related projects subject to the provisions contained herein.

B. The monies referred to in subsection A of this section shall be distributed to eligible cities and towns, unincorporated areas or other qualified entities located within the areas represented by the following organizations:

1. Association of Central Oklahoma Governments (ACOG);
2. Association of South Central Oklahoma Governments (ASCOG);
3. Central Oklahoma Economic Development District (COEDD);
4. Eastern Oklahoma Economic Development District (EOEDD);
5. Grand Gateway Economic Development Association (GGEDA);
6. Indian Nations Council of Governments (INCOG);
7. Kiamichi Economic Development District (KEDDO);
8. Northern Oklahoma Development Association (NODA);
9. Oklahoma Economic Development Association (OEDA);
10. Southern Oklahoma Development Association (SODA); and
11. South Western Oklahoma Development Authority (SWODA).

C. The monies referred to in subsection A of this section shall not be expended for the benefit of cities or towns with a population in excess of seven thousand (7,000) persons according to the latest Federal Decennial Census. Any municipality may enter into an agreement with an entity described in subsection B of this section to apply for available funds described by this section if the municipality is located within the area served by the entity. Upon approval of the application, funds shall be paid to the municipality requesting the funds.

D. An entity described in subsection B of this section may apply for a grant to be used for the benefit of an unincorporated area within a county served by that entity. Any county may enter into an agreement with an entity described in subsection B of this section if the county is located within the area served by the entity. Upon approval of the application, funds shall be paid to the county requesting the funds.

E. The monies referred to in subsection A of this section may be expended for water quality projects, including but not limited to sewer line construction or repair and related storm or sanitary sewer projects, water line construction or repair, water treatment, water acquisition, distribution or recovery and related projects.

F. Any city or town with a population less than one thousand five hundred (1,500) persons according to the latest Federal Decennial Census shall have a higher priority for funds allocated by the Oklahoma Water Resources Board from the amount referred to in subsection A of this section than jurisdictions of greater size. Among such cities or towns, those municipalities having relatively weaker fiscal capacity shall have a priority for project funding in preference to other municipalities.

G. The Oklahoma Water Resources Board shall establish ten separate accounts containing Four Hundred Fifty Thousand Dollars ($450,000.00) per account. Each account shall be available for distribution to qualified entities located within the area served by entities described in subsection A of Section ~~7~~ 2007 of this ~~act~~ title or for distribution to benefit unincorporated areas with the exception of one account which shall be divided equally into two subaccounts containing Two Hundred Twenty-five Thousand Dollars ($225,000.00) each. Each one of the two subaccounts shall be available for distribution to qualified entities located within the respective jurisdiction of one of the entities described by subsection B of Section ~~7~~ 2007 of this ~~act~~ title or for distribution

to benefit unincorporated areas. No funds deposited into one account or subaccount shall be transferred to any other account. The total expenditure from any one account or subaccount for each fiscal year may not exceed the amount of funds available to each account as may be provided by law.

H. No city, town or other entity to which funds shall be awarded pursuant to this section shall be required to provide any form of match to obtain the funds, whether through cash, services or any other method.

I. The Oklahoma Water Resources Board shall not be allowed to retain any of the funds referred to in subsection A of this section for administration. All such funds shall be distributed to eligible entities as authorized by law.

J. In order to permit equal access to the funds referred to in subsection A of this section, the Oklahoma Water Resources Board shall not act upon an application for such funds until the expiration of six (6) months from the effective date of this act. Applications may be submitted to the Oklahoma Water Resources Board on or after July 1, ~~1996~~ 1997.

SECTION 2. AMENDATORY Section 4, Chapter 193, O.S.L. 1996 (62 O.S. Supp. 1996, Section 2004), is amended to read as follows:

Section 2004. The monies appropriated by Section ~~2~~ 26 of Enrolled ~~House~~ Senate Bill No. ~~2830~~ 160 of the ~~2nd~~ 1st Session of the ~~45th~~ 46th Oklahoma Legislature and by Section 61 of Enrolled Senate Bill No. 160 of the 1st Session of the 46th Oklahoma Legislature as amended by Section 5 of Enrolled House Bill No. 1075 of the 1st Session of the 46th Oklahoma Legislature shall be subject to all of the requirements of Sections ~~6~~ 2006 through ~~13~~ 2013 of this ~~act~~ title. There shall be deposited into each of the accounts provided by Section ~~6~~ 2006 of this act the sum of ~~Five Hundred Thousand Dollars ($500,000.00)~~ One Million Two Hundred Fifty

Thousand Dollars ($1,250,000.00) with the exception of one account which shall be divided equally into two subaccounts containing ~~Two Hundred Fifty Thousand Dollars ($250,000.00)~~ Six Hundred Twenty-five Thousand Dollars ($625,000.00) each. One of the two subaccounts shall be available to one and only one of the entities described by subsection B of Section ~~7~~ 2007 of this ~~act~~ title for distribution to cities or towns within the respective jurisdiction of the entity if the population of such city or town does not exceed seven thousand (7,000) persons according to the latest Federal Decennial Census or for the benefit of an unincorporated area.

SECTION 3. AMENDATORY Section 6, Chapter 193, O.S.L. 1996 (62 O.S. Supp. 1996, Section 2006), is amended to read as follows:

Section 2006. A. There is hereby established a fund within the State Treasury to be known as the Rural Economic Action Plan Fund. The fund shall be a continuing fund not subject to fiscal year limitations. Within the Rural Economic Action Plan Fund there shall be established ten separate accounts into which shall be deposited such funds as may be provided by law.

B. One of nine accounts shall be available to each entity described in subsection A of Section ~~7~~ 2007 of this ~~act~~ title.

C. One account shall be divided equally into two subaccounts containing ~~Two Hundred Fifty Thousand Dollars ($250,000.00)~~ Six Hundred Twenty-five Thousand Dollars ($625,000.00) each. One of the two subaccounts shall be available to each of the entities described by subsection B of Section ~~7~~ 2007 of this ~~act~~ title for distribution to cities or towns within the respective jurisdiction of the entity if the population of such city or town does not exceed seven thousand (7,000) persons according to the latest Federal Decennial Census or for the benefit of an unincorporated area.

D. No funds deposited into one account or subaccount shall be transferred to any other account. No entity may access any more

than one account per fiscal year and the total expenditure from any one account for each fiscal year may not exceed the amount of funds available to each account as may be provided by law.

SECTION 4. AMENDATORY Section 8, Chapter 193, O.S.L. 1996 (62 O.S. Supp. 1996, Section 2008), is amended to read as follows:

Section 2008. The governing board of an entity described by subsection A or B of Section ~~7~~ 2007 of this ~~act~~ title shall develop a plan for the use of available funds for the economic development of areas included within its respective jurisdiction. For purposes of this act, "economic development" shall include, but shall not be limited to, the following purposes:

1. Rural water quality projects, including acquisition, treatment, distribution and recovery of water for consumption by humans or animals or both;

2. Rural solid waste disposal, treatment or similar projects;

3. Rural sanitary sewer construction or improvement projects;

4. Rural road or street construction or improvement projects;

5. Provision of health care services, including emergency medical care, in rural areas;

6. Construction or improvement of telecommunication facilities or systems;

7. Improvement of municipal energy distribution systems;

8. Expenditures designed to increase the employment level within the jurisdiction of the entity; and

9. Such other purposes as may be certified pursuant to an affirmative vote of two-thirds (2/3) of the governing board of an entity described by subsection A or B of Section ~~7~~ 2007 of this ~~act~~ title.

SECTION 5. AMENDATORY Section 10, Chapter 193, O.S.L. 1996 (62 O.S. Supp. 1996, Section 2010), is amended to read as follows:

Section 2010. No entity which qualifies for funds pursuant to Section ~~6~~ 2006 of this ~~act~~ title shall be required to provide matching funds or to provide equivalent value in order to obtain available funds or funds for planning expenditures.

SECTION 6. AMENDATORY Section 13, Chapter 193, O.S.L. 1996 (62 O.S. Supp. 1996, Section 2013), is amended to read as follows:

Section 2013. The expenditures from the Rural Economic Action Plan Fund and other expenditures governed by this act, if made in accordance with the requirements of this act, shall be construed as an expenditure of public funds in furtherance of governmental functions and for the purpose of conferring general and uniform benefits resulting from the expenditures upon the residents and other legal entities located in areas subject to the jurisdiction of the entities described in subsection A or B of Section ~~7~~ 2007 of this ~~act~~ title.

SECTION 7. This act shall become effective July 1, 1997.

SECTION 8. 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."

46-1-10200 MAH