

STATE OF OKLAHOMA

1st Session of the 46th Legislature (1997)

CONFERENCE COMMITTEE SUBSTITUTE

FOR ENGROSSED

SENATE BILL NO. 103

By: Hamilton and Settle of
the House

and

Haney and Hobson of the
Senate

CONFERENCE COMMITTEE SUBSTITUTE

An Act relating to economic development; making appropriations to the Oklahoma Department of Commerce; stating purposes; authorizing transfer of certain funds; creating certain fund; providing for deposit of funds; providing for expenditure of funds; requiring certain expenditures and amounts; providing for expenditure for certain contract and responsibilities; specifying purposes; requiring audit; requiring certain cooperation by contractor; exempting certain contracts from Central Purchasing Act; providing for certain expenditure for contractual responsibilities of certain Authority; requiring expenditure for micro-loan program; exempting contracts from the Central Purchasing Act; providing for distribution of certain funds to certain agencies; stating purpose; providing guidelines; authorizing matching contributions; requiring certain expenditure for Head Start programs; stating purposes; providing for contracts with Community Action Agencies; providing for terms of contracts; requiring determination of formulas based on certain information; requiring expenditure for administration of contracts; defining duties; requiring contract with certain entity; defining purpose; exempting certain contracts from Central Purchasing Act; restricting execution of contracts; requiring audits; requiring expenditures for substate multicounty regional planning functions; requiring certain allocations; authorizing matching requirements; requiring establishment of eligibility criteria; defining purposes; providing for voting membership of certain boards; providing for expenditures for certain contractual responsibilities; specifying purposes; requiring reports, filings and audits; exempting certain contracts from Oklahoma Central Purchasing Act; designating the Oklahoma Department of Commerce as lead state agency for certain purposes; authorizing the establishment and administration of certain programs; providing for certain powers and duties related to such programs; requiring budgets, work plans and audits; providing for expenditures for contracts related to the aging and elderly; setting certain conditions; exempting certain expenditures from the Central Purchasing Act; authorizing

solicitation for donations and matching funds; authorizing establishment of certain institute; stating purpose; providing for expenditures for certain purposes; requiring assistance to certain Authority; exempting certain expenditures from the Central Purchasing Act; authorizing certain budgeting of certain funds; providing for duties and compensation of employees of Oklahoma Department of Commerce; limiting salary of the Executive Director; providing budgetary limits; authorizing receipt and disbursement of certain grants and reimbursements; requiring budgeting of funds; making an appropriation to the Oklahoma Center for the Advancement of Science and Technology; stating purpose; providing for duties and compensation of employees; limiting salary of President; providing budgetary limitations; authorizing budgeting of certain appropriations; providing lapse date; providing for codification; and providing an effective date.

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

DEPARTMENT OF COMMERCE

SECTION 1. 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, 1998, the sum of One Million Eight Hundred Six Thousand Three Hundred Ninety-five Dollars (\$1,806,395.00) or so much thereof as may be necessary to perform the duties imposed upon the Department of Commerce by law.

SECTION 2. There is hereby appropriated to the Oklahoma 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, 1998, the sum of Two Hundred Fifty Thousand Dollars (\$250,000.00) or so much thereof as may be necessary to accomplish the responsibilities of the Native American Cultural and Education Authority as required by Section 1226 et seq. of Title 74 of the Oklahoma Statutes. Said appropriation shall be transferred to the Native American Cultural and Educational Authority Fund.

SECTION 3. There is hereby appropriated to the Oklahoma 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, 1998, the sum of Two Hundred Sixty-five

Thousand Dollars (\$265,000.00) or so much thereof as may be necessary for contractual responsibilities with the Kiamichi Economic Development District for the purpose of promoting economic and community development, transportation services and quality of life in Oklahoma communities within its service area. Funds expended for the programs shall be exempt from the requirements of the Central Purchasing Act, Section 85.1 et seq. of Title 74 of the Oklahoma Statutes.

SECTION 4. TRANSFER The Director of State Finance, on the effective date of this act, shall transfer Five Hundred Thousand Dollars (\$500,000.00) of the funds appropriated to the Department of Commerce by Section 1 of this act to the Oklahoma Housing Trust Fund, created pursuant to Section 2901.2 of Title 74 of the Oklahoma Statutes.

SECTION 5. TRANSFER The Director of State Finance, on the effective date of this act, may transfer an amount not to exceed Five Hundred Thousand Dollars (\$500,000.00) of the funds appropriated to the Department of Commerce by Section 57, Chapter 9, O.S.L. 1996, and by Section 1, Chapter 272, O.S.L. 1996, in an amount determined by the Executive Director of the Department of Commerce, to the Oklahoma Housing Trust Fund, created pursuant to Section 2901.2 of Title 74 of the Oklahoma Statutes.

SECTION 6. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1226.17 of Title 74, unless there is created a duplication in numbering, reads as follows:

There is hereby created in the State Treasury a revolving fund for the Oklahoma Department of Commerce to be designated the "Native American Cultural and Educational Authority Fund." The fund shall be a continuing fund, not subject to fiscal year limitations. The fund shall consist of all monies authorized by law for deposit in such fund including but not limited to appropriations, gifts, grants, private donations, fee revenues and funds by governmental or tribal government entities. Monies deposited or apportioned to the credit of the fund may be expended for the purposes authorized by law. All monies accruing to the credit of said fund are hereby appropriated and may be budgeted

and expended by the Oklahoma Department of Commerce. Expenditures from said fund shall be made upon warrants issued by the State Treasurer against claims submitted to the Director of State Finance.

SECTION 7. TRANSFER The Director of State Finance, on the effective date of this act, shall transfer the sum of Two Hundred and Fifty Thousand Dollars (\$250,000.00) of the funds appropriated to the Department of Commerce by Section 57 of Enrolled Senate Bill No. 160 of the 1st Session of the 46th Oklahoma Legislature, to the Native American Cultural and Educational Authority Fund.

SECTION 8. TRANSFER The Director of State Finance, on the effective date of this act, shall transfer the sum of Two Hundred and Fifty Thousand Dollars (\$250,000.00) of the funds appropriated to the Department of Commerce by Section 2, Chapter 272, O.S.L. 1996, less the amounts that have been expended on the effective date of this act, to the Native American Cultural and Educational Authority Fund.

SECTION 9. From all appropriations to the Department of Commerce for the fiscal year ending June 30, 1998, the following amounts shall be expended, subject to availability of funds, in the following categories:

Community Action Agencies: \$4,067,078.00

Action, Inc.

Big Five Community Services, Inc.

Community Action Agency of Oklahoma

City and Oklahoma/Canadian

Counties, Inc.

Community Development Support

Association

Cookson Hills Community Action

Foundation

Deep Fork Community Action

Foundation

Delta Community Action Foundation

Great Plains Improvement Foundation

INCA Community Services, Inc.
 KiBois Community Action Foundation
 Little Dixie Community Action
 Agency
 Muskogee County Community Services
 Program
 Northeast Oklahoma Community Action
 Agency
 Opportunities, Inc.
 Rural Enterprises Community Action
 Program
 Southwest Oklahoma Community Action
 Group
 Tulsa Community Action Agency
 United Community Action Program
 Wa-Ro-Ma Tri-County Community
 Action Foundation, Inc.
 Washington/Nowata Counties
 Community Action Foundation, Inc.
 Washita Valley Community Action
 Council
 Minority Business Development
 Program Revolving Fund \$219,011.00
 Capital Improvement Program Revolving Fund \$145,000.00
 Rural Enterprise Inc. \$182,230.00
 Oklahoma Development Finance Authority/
 Rural Enterprises Inc. Micro-loan Program \$150,000.00
 Substate Planning Districts: \$470,258.00
 Association of Central Oklahoma
 Governments
 Association of South Central
 Oklahoma Governments
 Central Oklahoma Economic
 Development District
 Eastern Oklahoma Economic
 Development District

Grand Gateway Economic Development Association	
Indian Nation Council of Governments	
Kiamichi Economic Development District of Oklahoma	
Northern Oklahoma Development Association	
Oklahoma Economic Development Association	
Southern Oklahoma Development Association	
Southwestern Oklahoma Development Authority	
Little Dixie Community Action Agency for the Statewide Youth Restitution Program	\$30,662.00
Community Development Centers Program Fund	\$131,406.00
Southeastern Oklahoma State University for the Statewide Small Business Development Centers Program	\$622,030.00
Rural Economic and Community Development Programs-Kiamichi Economic Development District of Oklahoma	\$473,670.00
Native American Cultural and Educational Authority Fund	\$500,000.00
Vocational-Technical Education Dual Use Training Center	\$262,976.00
Central Oklahoma Economic Development District	\$121,500.00
Eastern Oklahoma Economic Development District	\$280,947.00
Association of South Central Oklahoma Governments	\$90,000.00
Grand Gateway Economic Development Association	\$30,000.00
Southern Oklahoma Development Association	\$85,000.00
Indian Nations Council of Governments	\$112,000.00

Northern Oklahoma Development Association	\$41,000.00
Big Five Community Services, Inc.	\$20,000.00
Association of Central Oklahoma Governments	\$140,000.00

SECTION 10. The Oklahoma Department of Commerce shall expend the amount allocated in this act, or so much thereof as may be necessary, to accomplish contractual responsibilities with Rural Enterprises, Inc. for the purpose of providing financial and technical assistance for economic development to area businesses. Contractor shall cooperate with the Oklahoma Department of Commerce to assist in business financing, assist expansions of existing industry and home-based businesses. Contractor shall submit an annual audit as required by the Oklahoma Department of Commerce. For the fiscal year ending June 30, 1998, any contracts authorized under this appropriation shall be exempt from the Central Purchasing Act.

SECTION 11. The Oklahoma Department of Commerce shall expend the amount allocated in this act, or so much thereof as may be necessary, to accomplish contractual responsibilities with the Oklahoma Development Finance Authority. The Oklahoma Development Finance Authority shall expend the funds to accomplish contractual responsibilities with Rural Enterprises, Inc., for the purpose of matching federal funds available through the United States Small Business Administration for micro-loans to Oklahoma small businesses. For the fiscal year ending June 30, 1998, any contracts authorized under this section shall be exempt from the requirements of the Central Purchasing Act, Section 85.1 et seq. of Title 74 of the Oklahoma Statutes.

SECTION 12. The Oklahoma Department of Commerce shall enter into contracts to distribute Seven Hundred Fifty-seven Thousand One Hundred Sixty-four Dollars (\$757,164.00) of the amount allocated to all Community Action Agencies listed in this act for the purpose of general missions of the agencies. Such distribution shall be based on a formula developed from historical data such as poverty population, number of elderly poor and size of geographic service area.

The Department may require the agencies which receive said funds to provide a thirty percent (30%) matching share in cash or in-kind contributions, or both such cash and in-kind contributions.

SECTION 13. The Oklahoma Department of Commerce shall expend Three Million Three Hundred Nine Thousand Nine Hundred Fourteen Dollars (\$3,309,914.00) of the amount allocated to Community Action Agencies in this act, or so much thereof as may be necessary, for the purpose of improving Head Start programs and expanding Head Start enrollment. Of said amount:

1. Three Million Seventy-nine Thousand Four Hundred Nineteen Dollars (\$3,079,419.00) shall be distributed through contracts with Community Action Agencies that operate or sponsor federally funded Head Start programs. Contracts shall require eligible Community Action Agencies to expand Head Start services and enrollment, offer family services and develop early intervention strategies for juvenile delinquency prevention. Distribution of funds shall be based on a formula developed from historical data on poverty population and criteria used by the U.S. Department of Health and Human Services in the distribution of federal funds appropriated for the Head Start Program;

2. Five percent (5%) of the total Head Start allocation, or so much thereof as may be necessary, shall be expended by the Oklahoma Department of Commerce for the purpose of administering Head Start contracts provided herein. Such duties of the Department shall include establishing performance criteria, reviewing programs for effectiveness in accomplishing objectives of the federal Head Start Program, and monitoring compliance with contractual provisions; and

3. Sixty Five Thousand Dollars (\$65,000.00) shall be distributed through contract to the Oklahoma Association of Community Action Agencies, Inc., for the purpose of the Head Start Coordination Program and providing assessment, training and technical assistance to Head Start programs.

SECTION 14. For the fiscal year ending June 30, 1998, contracts with Community Action Agencies authorized by this act

shall be exempt from the Central Purchasing Act, Section 85.1 et seq. of Title 74 of the Oklahoma Statutes. The Department shall not execute a contract with a Community Action Agency until the applicant submits, and the Department approves, a budget work program for expenditure of funds. Each contract shall require audits of expenditures, as provided in rules promulgated by the Department of Commerce.

SECTION 15. For the fiscal year ending June 30, 1998, the Oklahoma Department of Commerce shall expend the amount allocated in this act, or so much thereof as may be necessary, to perform the substate multicounty regional planning functions and responsibilities imposed upon the Department by law. Existing substate planning districts presently meeting requirements of the Oklahoma Department of Commerce pursuant to the provisions of this section shall be allocated the following amounts:

DISTRICT NUMBERS	AMOUNT
1 - Grand Gateway Economic Development Association (Craig, Delaware, Mayes, Nowata, Ottawa, Rogers and Washington Counties) \$ 42,000.00	
2 - Eastern Oklahoma Development District (Adair, Cherokee, McIntosh, Muskogee, Okmulgee, Sequoyah and Wagoner Counties) \$ 42,290.00	
3 - Kiamichi Economic Development District of Oklahoma (Choctaw, Haskell, Latimer, LeFlore, McCurtain, Pittsburg and Pushmataha Counties) \$ 41,750.00	
4 - Southern Oklahoma Development Association (Atoka, Bryan, Carter, Coal, Garvin, Johnston, Love, Marshall, Murray and Pontotoc Counties) \$ 42,000.00	
5 - Central Oklahoma Economic Development District (Hughes, Lincoln, Okfuskee, Pawnee, Payne, Pottawatomie and Seminole Counties) \$ 42,083.00	
6 - Indian Nations Council of Governments (Creek, Osage and Tulsa Counties) \$ 45,446.00	
7 - Northern Oklahoma Development Association (Alfalfa, Blaine, Garfield, Grant, Kay, Kingfisher, Major and Noble Counties) \$ 42,083.00	

- 8 - Association of Central Oklahoma Governments (Canadian, Cleveland, Logan and Oklahoma Counties) \$ 47,522.00
 - 9 - Association of South Central Oklahoma Governments (Caddo, Comanche, Cotton, Grady, Jefferson, McClain, Stephens and Tillman Counties) \$ 42,871.00
 - 10 - South Western Oklahoma Development Authority (Beckham, Custer, Greer, Harmon, Jackson, Kiowa, Roger Mills and Washita Counties) \$ 41,418.00
 - 11 - Oklahoma Economic Development Association (Beaver, Cimarron, Dewey, Ellis, Harper, Texas, Woods and Woodward Counties) \$ 40,795.00
- TOTAL \$470,258.00

The Department may require the agencies to which the Department grants appropriated funds to provide a thirty percent (30%) matching share in cash or in an in-kind contribution, or both such cash and in-kind contribution.

The Oklahoma Department of Commerce shall establish eligibility requirements for substate multicounty planning districts to receive grants from appropriations to the Oklahoma Department of Commerce. The primary purpose of the substate multicounty planning districts shall include but not be limited to the enhancement of planning and technical assistance to local governments in the areas of community development, infrastructure and environmental needs.

At least two-thirds (2/3) of the voting membership of the board of each substate planning district shall be composed of the elected officials of conservation districts, incorporated towns, cities, or counties within the planning jurisdiction, or the designees of said officials.

SECTION 16. The Oklahoma Department of Commerce may expend the amount allocated in this act, or so much thereof as may be necessary, to accomplish contractual responsibilities with Southeastern Oklahoma State University for its statewide Small Business Development Centers Network, to be used in conjunction with receipted federal funds for the network. The network shall serve as a resource and advisor to the Department in its efforts

to provide business counseling, more fully developed managerial skills, technology transfer, business-related educational materials and training services. The contractor shall submit an annual work budget program and quarterly expenditure reports. The contractor shall submit an annual audit as required by the Department of Commerce. Audit costs may be paid from allocated, appropriated funds.

SECTION 17. The Oklahoma Department of Commerce may expend the amount allocated in this act, or so much thereof as may be necessary, to accomplish contractual responsibilities with Little Dixie Community Action Agency, contractor, for the purpose of coordinating and operating a statewide juvenile restitution program and in order to provide state supplement to federal funds received to operate the program. The contractor shall submit an annual budget work program which must receive prior approval of the Department. The contractor shall submit monthly expenditures reports. The Department may disallow expenditures and withhold funds accordingly, if expenditure reports reflect noncompliance with the approved work budget program. The contractor must provide an annual audit, as directed by the Oklahoma Department of Commerce. Audit costs may be paid from allocated, appropriated funds. For the fiscal year ending June 30, 1998, any contracts authorized under this section shall be exempt from the Central Purchasing Act.

SECTION 18. For the fiscal year ending June 30, 1998, the Oklahoma Department of Commerce shall serve as the lead state agency in establishing a community development strategy and plan for the state. The Department shall have the authority to establish and administer community development programs such as certified community programs and community programs which enhance the quality of life in Oklahoma communities; the Department has the authority to administer such programs directly or by contract with qualified community development entities.

In establishing such programs, the Department shall determine needs, priorities or funding limits within the limits for such programs imposed by the Legislature. The Department may

promulgate rules in accordance with the Administrative Procedures Act to clarify such programs.

The Department shall establish and develop or cause to be developed individual program budgets, work plans, and audits of each community development program established and administered. For the fiscal year ending June 30, 1998, any contract authorized under this section shall be exempt from the Central Purchasing Act, Section 85.1 et seq. of Title 74 of the Oklahoma Statutes.

SECTION 19. The Oklahoma Department of Commerce shall transfer the amount allocated in this act to the Community Development Centers Program Fund.

The Department may contract with communities or organizations for Community Development Centers activities only after:

1. An applicant has submitted an approved application;
2. An applicant has demonstrated through experience and managerial expertise capabilities of constructing or causing construction or renovation of facilities and management of community development facilities;
3. An applicant has demonstrated that it can provide financial management capacity and responsibility to manage a program for community development centers for the aging or elderly;
4. An applicant has demonstrated experience in establishing and managing programs to enhance the quality of life of the aging and elderly;
5. The Department of Commerce has developed, adopted and published additional criteria, ongoing programmatic guidance and definitions through rules;
6. A competitive bidding process has been conducted by the Department.

The Department may solicit donations, apply for federal grants or require matching funds to enhance the budget for the community development centers program. For the fiscal year ending June 30, 1997, funds expended for the program from the Community Development Centers Program Fund shall be exempt from the

requirements of the Central Purchasing Act, Section 85.1 et seq. of Title 74 of the Oklahoma Statutes.

SECTION 20. The Oklahoma Department of Commerce is authorized to establish the Oklahoma Community Institute for Community Development. The purpose of the institute will be to: provide a one-stop resource/referral center for communities needing assistance; develop public policy recommendations that affect Oklahoma communities; and provide training and technical assistance for people who work in communities with an emphasis on local leadership development.

SECTION 21. The Oklahoma Department of Commerce shall expend the amount allocated in this act, or so much thereof as may be necessary, to accomplish contractual responsibilities with the Kiamichi Economic Development District for the purposes of establishing and promoting economic and community development activities and improving transportation services in the geographic service area. Funds expended for the programs shall be exempt from the requirement of the Central Purchasing Act, Section 85.1 et seq. of Title 74 of the Oklahoma Statutes.

SECTION 22. The Oklahoma Department of Commerce shall expend the amount allocated in this act, or so much thereof as may be necessary, to assist the Native American Cultural and Educational Authority as required by Section 5017 of Title 74 of the Oklahoma Statutes. The Oklahoma Department of Commerce shall assist the Native American Cultural and Educational Authority in fulfilling the responsibilities of the act. For fiscal year ending June 30, 1998, any contracts authorized under Section 1226 et seq. of Title 74 of the Oklahoma Statutes shall be exempt from the Central Purchasing Act, Section 85.1 et seq. of Title 74 of the Oklahoma Statutes.

SECTION 23. The Oklahoma Department of Commerce may expend the amount allocated in this act, or so much thereof as may be necessary, to accomplish contractual responsibilities with the Vocational-Technical Education Dual Use Training Center for the purpose of establishing a training center. Funds expended for the program shall be exempt from the requirements of the Central

Purchasing Act, Section 85.1 et seq. of Title 74 of the Oklahoma Statutes.

SECTION 24. The Oklahoma Department of Commerce shall expend the amount allocated in this act, or so much thereof as may be necessary, to accomplish contractual responsibilities with the Central Oklahoma Economic Development District for the purposes of promoting economic and community development in Oklahoma communities within its service area. Funds expended for the programs shall be exempt from the requirements of the Central Purchasing Act, Section 85.1 et seq. of Title 74 of the Oklahoma Statutes.

SECTION 25. The Oklahoma Department of Commerce shall expend the amount allocated in this act, or so much thereof as may be necessary, to accomplish contractual responsibilities with the Eastern Oklahoma Development District for the purpose of promoting economic and community development and improving the transportation services in Oklahoma communities within its service area. Funds expended for the programs shall be exempt from the requirements of the Central Purchasing Act, Section 85.1 et seq. of Title 74 of the Oklahoma Statutes.

SECTION 26. The Oklahoma Department of Commerce shall expend the amount allocated in this act, or so much thereof as may be necessary, to accomplish contractual responsibilities with Grand Gateway Economic Development Association for the purpose of promoting economic and community development, enhancing the quality of life, and improving transportation services in Oklahoma communities within its service area. Funds expended for the programs shall be exempt from the requirements of the Central Purchasing Act, Section 85.1 et seq. of Title 74 of the Oklahoma Statutes.

SECTION 27. The Oklahoma Department of Commerce shall expend the amount allocated in this act, or so much thereof as may be necessary, to accomplish contractual responsibilities with the Association of South Central Oklahoma Governments for the purpose of promoting economic and community development in Oklahoma communities within its service area. Funds expended for the

programs shall be exempt from the requirements of the Central Purchasing Act, Section 85.1 et seq. of Title 74 of the Oklahoma Statutes.

SECTION 28. The Oklahoma Department of Commerce shall expend the amount allocated in this act, or so much thereof as may be necessary, to accomplish contractual responsibilities with the Southern Oklahoma Development Association for the purpose of promoting economic and community development and improving transportation services in Oklahoma communities within its service area. Funds expended for the programs shall be exempt from the requirements of the Central Purchasing Act, Section 85.1 et seq. of Title 74 of the Oklahoma Statutes.

SECTION 29. The Oklahoma Department of Commerce shall expend the amount allocated in this act, or so much thereof as may be necessary, to accomplish contractual responsibilities with the Indian Nations Council of Governments for the purpose of promoting economic and community development and improving transportation services in Oklahoma communities within its service area. Funds expended for the programs shall be exempt from the requirements of the Central Purchasing Act, Section 85.1 et seq. of Title 74 of the Oklahoma Statutes.

SECTION 30. The Oklahoma Department of Commerce shall expend the amount allocated in this act, or so much thereof as may be necessary, to accomplish contractual responsibilities with the Association of Central Oklahoma Governments for the purpose of promoting economic and community development in Oklahoma communities within its service area. Funds expended for the programs shall be exempt from the requirements of the Central Purchasing Act, Section 85.1 et seq. of Title 74 of the Oklahoma Statutes.

SECTION 31. The Oklahoma Department of Commerce shall expend the amount allocated in this act, or so much thereof as may be necessary, to accomplish contractual responsibilities with Big Five Community Services, Inc., for the purposes of improving Head Start services in Oklahoma communities within its service area. Funds expended for the programs shall be exempt from the

requirements of the Central Purchasing Act, Section 85.1 et seq. of Title 74 of the Oklahoma Statutes.

SECTION 32. The Oklahoma Department of Commerce shall expend the amount allocated in this act, or so much thereof as may be necessary, to accomplish contractual responsibilities with the Northern Oklahoma Development Association for the purpose of promoting economic and community development and improving transportation services in Oklahoma communities within its service area. Funds expended for the programs shall be exempt from the requirements of the Central Purchasing Act, Section 85.1 et seq. of Title 74 of the Oklahoma Statutes.

SECTION 33. Funds appropriated to the Oklahoma Department of Commerce by Section 57, Chapter 9, O.S.L. 1996, less the amounts transferred pursuant to this act, and by Section 1, Chapter 272, O.S.L. 1996, may be budgeted and expended for the fiscal year ending June 30, 1998, and may be budgeted and expended for the general operating expenses of the Oklahoma Department of Commerce regardless of the purpose for which the funds were appropriated and budgeted by the agency for the fiscal year ending June 30, 1997.

SECTION 34. The duties and compensation of employees, not otherwise prescribed by law, necessary to perform the duties imposed upon the Oklahoma Department of Commerce by law shall be set by the Executive Director. The salary of the Executive Director shall not exceed One Hundred One Thousand Six Hundred Sixty Dollars (\$101,660.00) per annum, payable monthly for the fiscal year ending June 30, 1998. The Oklahoma Department of Commerce for the fiscal year ending June 30, 1998, shall be subject to the following budgetary limitations on full-time-equivalent employees, except as may be authorized pursuant to the provisions of Section 3603 of Title 74 of Oklahoma Statutes:

<u>Budgetary Limitation</u>	<u>Amount</u>
Full-time-equivalent Employees	185.0
Lease-Purchase Agreements	\$0.00

SECTION 35. All funds appropriated to the Oklahoma Department of Commerce for the fiscal year ending June 30, 1998, may be used

and expended in conjunction or cooperation with any federal agency or instrumentality pursuant to such terms and conditions as may be necessary to obtain grants or federal aid assistance in accordance with state law. The Department is hereby authorized to collect, receive, and use any and all grants or reimbursements made available to it through any agency or instrumentality of the federal government. Such funds shall be deposited in the State Treasury and disbursed in accordance with agreements between the Department and applicable federal agencies or instrumentalities.

SECTION 36. For the fiscal year ending June 30, 1998, the Department of Commerce shall budget all funds in the following categories and amounts:

<u>Category</u>	<u>Appropriation</u>	<u>Total</u>
Develop and Improve Capacity		
of Local Economies	\$7,103,325.00	\$52,122,631.00
Developing New Products		
and Services	372,418.00	372,418.00
Fueling Business Growth		
and Development	2,007,017.00	2,057,217.00
Operational Support	3,174,829.00	4,968,882.00
Pass-Through Funds	4,375,596.00	17,880,095.00
Planning, Securing and		
Disbursing a Budget	689,686.00	707,780.00
Recruiting and Expanding		
Investments and Jobs	<u>2,541,270.00</u>	<u>9,779,364.00</u>
TOTAL	\$20,264,141.00	\$87,888,387.00

OKLAHOMA CENTER FOR THE ADVANCEMENT OF SCIENCE AND TECHNOLOGY

SECTION 37. 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, 1998, the sum of Three Million Dollars (\$3,000,000.00) or so much thereof as may be necessary to perform the duties imposed upon the Oklahoma Center for the Advancement of Science and Technology by law.

SECTION 38. For the fiscal year ending June 30, 1998, the Oklahoma Center for the Advancement of Science and Technology shall budget all funds in the following categories and amounts:

<u>Category</u>	<u>Appropriation</u>	<u>Total</u>
Research and Development	\$6,073,130.00	\$12,953,130.00
Technology Transfer	2,553,464.00	5,207,336.00
Administration	424,257.00	474,257.00
Breast Cancer	<u>0.00</u>	<u>100,000.00</u>
TOTAL	\$9,050,851.00	\$18,684,723.00

SECTION 39. 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 Oklahoma Center for the Advancement of Science and Technology. The salary of the Director shall not exceed Sixty-nine Thousand Eight Hundred Eighty-six Dollars (\$69,886.00) per annum, payable monthly for the fiscal year ending June 30, 1998. The Oklahoma Center for the Advancement of Science and Technology for the fiscal year ending June 30, 1998, shall be subject to the following budgetary limitation on full-time-equivalent employees, except as may be authorized pursuant to the provisions of Section 3603 of Title 74 of the Oklahoma Statutes:

<u>Budgetary Limitation</u>	<u>Amount</u>
Full-time-equivalent Employees	20.0

SECTION 40. Appropriations made by this act may be budgeted for the fiscal year ending June 30, 1998 (hereafter FY-98) or may be budgeted for the fiscal year ending June 30, 1999 (hereafter FY-99). Funds budgeted for FY-98 may be encumbered only through June 30, 1998, and must be expended by November 15, 1998. Any funds remaining after November 15, 1998, and not budgeted for FY-99, shall lapse to the credit of the proper fund for the then current fiscal year. Funds budgeted for FY-99 may be encumbered only through June 30, 1999. Any funds remaining after November 15, 1999, 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-98, and not required to pay obligations for that fiscal year, may be budgeted for FY-99, after the agencies have prepared and submitted a budget work program revision removing these funds from the FY-98 budget work program and after such revision has been approved by the Office of State Finance.

SECTION 41. This act shall become effective September 1, 1997.

46-1-1659

KCM