

*ENROLLED HOUSE
BILL NO. 1884

By: Hamilton and Settle of
the House

and

Haney and Hobson of the
Senate

An Act relating to expenditure of public funds; making an appropriation to the Department of Corrections; stating purpose; amending Sections 23, 24 and 25 of Enrolled House Bill No. 1854 of the 1st Session of the 46th Oklahoma Legislature, which relates to the Department of Mental Health and Substance Abuse Services; modifying appropriation; modifying fund from which certain appropriations are made; modifying amount which may be budgeted in certain categories; modifying certain dates; providing limitations for certain reimbursements; amending Section 3 of Enrolled House Bill No. 1869 of the 1st Session of the 46th Oklahoma Legislature, which relates to the Department of Corrections; modifying certain budgetary limitations; amending Section 11 of Enrolled Senate Bill No. 100 of the 1st Session of the 46th Oklahoma Legislature, which relates to the Oklahoma Liquefied Petroleum Gas Board; modifying amounts which may be budgeted in certain categories; amending Section 14 of Enrolled Senate Bill No. 100 of the 1st Session of the 46th Oklahoma Legislature, which relates to the regulation of energy production and distribution; modifying effective date; amending Section 30 of Enrolled House Bill No. 1848 of the 1st Session of the 46th Oklahoma Legislature, which relates to the Oklahoma Board of Private Vocational Schools; modifying amounts which may be budgeted in certain categories; amending Section 12 of Enrolled House Bill No. 1848 of the 1st Session of the 46th Oklahoma Legislature, which relates to rural fire departments; modifying limitations on certain expenditures; amending Section 3 of Enrolled House Bill No. 1861 of the 1st Session of the 46th Oklahoma Legislature, which relates to the Oklahoma Arts Council; modifying limitations on full-time-equivalent employees; amending Sections 3 and 5 of Enrolled Senate Bill No. 105 of the 1st Session of the 46th Oklahoma Legislature, which relate to the Oklahoma Tax Commission; modifying certain date; modifying amounts which may be budgeted in certain categories; amending Section 7 of Enrolled Senate Bill No. 105 of the 1st Session of the 46th Oklahoma Legislature, which relates to the Office of the State Treasurer; modifying amounts which may be budgeted in certain categories; amending Section

10 of Enrolled Senate Bill No. 105 of the 1st Session of the 46th Oklahoma Legislature, which relates to the Office of the State Auditor and Inspector; modifying amounts which may be budgeted in certain categories; amending Section 7 of Enrolled House Bill No. 1872 of the 1st Session of the 46th Oklahoma Legislature, which relates to the State Board of Education; modifying certain appropriation; modifying funding source for the appropriation; making appropriations to the State Board of Education; stating purposes; making certain appropriations contingent; providing for certain transfers; amending Section 13 of Enrolled Senate Bill No. 160 of the 1st Session of the 46th Oklahoma Legislature, which relates to the Oklahoma State Regents for Higher Education; modifying appropriation; making an appropriation to the Oklahoma State Regents for Higher Education; stating purpose; amending Section 6 of Enrolled Senate Bill No. 107 of the 1st Session of the 46th Oklahoma Legislature, which relates to the Oklahoma Conservation Commission; modifying amounts which may be budgeted in certain categories; amending Sections 20 and 21 of Enrolled Senate Bill No. 107 of the 1st Session of the 46th Oklahoma Legislature, which relate to the Oklahoma Water Resources Board; modifying amounts which may be budgeted in certain categories; modifying conditions for employee positions; making positions contingent; authorizing the Oklahoma Historical Society to enter into certain agreements; providing for the continued operation and management of certain museum; amending Sections 1 and 2 of Enrolled House Joint Resolution No. 1035 of the 1st Session of the 46th Oklahoma Legislature, which relate to racially motivated unlawful conduct; increasing membership of the 1921 Tulsa Race Riot Commission; providing for appointment procedure for certain resignations and openings on the Commission; removing certain authorized expenditure limitations; modifying applicability of certain statutory provisions; modifying exemption from certain statutory provisions; requiring compliance with certain state acts; stating legislative approval for the Oklahoma Military Department to acquire certain real property; stating restrictions of monies used for the acquisition of certain real property; providing description of certain real property; amending Sections 39 and 40 of Enrolled Senate Bill No. 160 of the 1st Session of the 46th Oklahoma Legislature, which relate to the Department of Central Services; modifying appropriations; amending Section 20 of Enrolled House Bill No. 1854 of the 1st Session of the 46th Oklahoma Legislature, which relates to the State Department of Health; modifying program contents; requiring implementation plan; amending Section 32 of Enrolled House Bill No. 1854 of the 1st Session of the 46th Oklahoma Legislature, which relates to the Oklahoma Department of Veteran's Affairs;

modifying amounts which may be budgeted in certain categories; amending Sections 7 and 8 of Enrolled Senate Bill No. 109 of the 1st Session of the 46th Oklahoma Legislature, which relate to the Department of Human Services; modifying certain budgetary limitations; modifying amounts which may be budgeted in certain categories; authorizing transfer of certain monies; providing transfer procedure; specifying purpose; requiring maintenance of certain records; modifying date references; amending Section 12 of Enrolled Senate Bill No. 109 of the 1st Session of the 46th Oklahoma Legislature, which relates to the Department of Rehabilitation Services; modifying the salary of the Director; modifying certain budgetary limitations; providing exemptions to full-time-equivalent employee limitations; authorizing transfer of certain monies; providing transfer procedure; requiring certain allotment limitations; specifying purpose; requiring records; amending Sections 10, 15 and 17 of Enrolled House Bill No. 1854 of the 1st Session of the 46th Oklahoma Legislature, which relate to the State Department of Health; modifying amounts which may be budgeted in certain categories; modifying transfer; authorizing certain contracts; modifying amounts which may be expended for certain services; amending Section 1 of Enrolled Senate Bill No. 103 of the 1st Session of the 46th Oklahoma Legislature, which relates to the Department of Commerce; modifying appropriation; directing positions for certain full-time-equivalent employees; amending Section 27 of Enrolled House Bill No. 1837 of the 1st Session of the 46th Oklahoma Legislature, which relates to the Board of Medicolegal Investigations; modifying certain salary limitation; making an appropriation to the Department of Agriculture; stating purpose; making an appropriation to the Department of Transportation; stating purpose; authorizing transfer; making an appropriation to the Oklahoma State Regents for Higher Education; stating purpose; making an appropriation to the State Board of Education; stating purpose; authorizing transfer; making an appropriation to the Oklahoma Department of Commerce; stating purpose; making certain expenditures exempt from certain requirements; adding full-time-equivalent employees to the Commission on Marginally Producing Oil and Gas Wells; providing for appropriation carryover and expenditure; providing lapse dates; providing for codification; providing an effective date; and declaring an emergency.

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

SECTION 1. There is hereby appropriated to the Department of Corrections 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 Thousand Dollars (\$200,000.00) or so much as may be necessary for asbestos abatement training.

SECTION 2. AMENDATORY Section 23 of Enrolled House Bill No. 1854 of the 1st Session of the 46th Oklahoma Legislature, is amended to read as follows:

Section 23. There is hereby appropriated to the Department of Mental Health and Substance Abuse Services from any monies not otherwise appropriated from the General Revenue Fund of the State Treasury for the fiscal year ending June 30, ~~1997~~ 1998, the sum of ~~Two Million One Hundred Thirty-five Thousand Five Hundred Dollars (\$2,135,500.00)~~ Two Million Three Hundred Sixty Thousand Five Hundred Dollars (\$2,360,500.00) or so much thereof as may be necessary to perform the duties imposed upon the Department of Mental Health and Substance Abuse Services by law.

SECTION 3. AMENDATORY Section 24 of Enrolled House Bill No. 1854 of the 1st Session of the 46th Oklahoma Legislature, is amended to read as follows:

Section 24. For the fiscal year ending June 30, ~~1997~~ 1998, the Department of Mental Health and Substance Abuse Services shall budget all funds in the following categories and amounts:

<u>Category</u>	<u>Appropriation</u>	<u>Total</u>
Central Administration	\$ 5,967,127.00	\$ 10,482,219.00
Inpatient Hospital	41,971,733.00	57,471,940.00
Community-based Programs	57,375,213.00 <u>57,500,213.00</u>	81,928,953.00 <u>82,053,953.00</u>
Substance Abuse Programs	10,113,197.00	31,128,200.00
Domestic Violence Programs	3,165,556.00 <u>3,265,556.00</u>	4,026,999.00 <u>4,126,999.00</u>
Residential Care Programs	<u>2,540,252.00</u>	<u>2,984,292.00</u>
TOTAL	\$121,133,078.00 <u>\$121,358,078.00</u>	\$188,022,603.00 <u>\$188,247,603.00</u>

SECTION 4. AMENDATORY Section 25 of Enrolled House Bill No. 1854 of the 1st Session of the 46th Oklahoma Legislature, is amended to read as follows:

Section 25. The duties and compensation of employees, not otherwise prescribed by law, necessary to perform the duties imposed upon the Department of Mental Health and Substance Abuse Services by law shall be set by the Commissioner. The salary of the Commissioner shall not exceed Ninety-two Thousand Nine Hundred Twenty-six Dollars (\$92,926.00) per annum, payable biweekly for the fiscal year ending June 30, ~~1997~~ 1998. The Department of Mental Health and Substance Abuse Services for the fiscal year ending June 30, ~~1997~~ 1998, shall be subject to the following budgetary limitations, 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	2,651.00
Lease-Purchase Agreements	\$1,418,429.00
<u>The Department of Mental Health and Substance Abuse Services for the fiscal year ending June 30, 1998, shall set the reimbursement</u>	

rate for residential care facilities at a level not to exceed Six Dollars and thirty-one cents (\$6.31) per mental health resident per day.

SECTION 5. AMENDATORY Section 3 of 2nd Enrolled House Bill No. 1869 of the 1st Session of the 46th Oklahoma Legislature, is amended to read as follows:

Section 3. The duties and compensation of employees, not otherwise prescribed by law, necessary to perform the duties imposed upon the Department of Corrections by law shall be set by the Director. The salary of the Director shall not exceed Seventy-four Thousand ~~one~~ One Hundred Eighty Dollars (\$74,180.00) per annum, payable monthly for the fiscal year ending June 30, 1998. The Department of Corrections for the fiscal year ending June 30, 1998, 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:

<u>Budgetary Limitation</u>	<u>Amount</u>
Full-time-equivalent Employees	<u>5,566.0</u> <u>5,577.0</u>
Lease-Purchase Agreements	<u>\$2,200,000.00</u> <u>\$2,300,000.00</u>

SECTION 6. AMENDATORY Section 11 of Enrolled Senate Bill No. 100 of the 1st Session of the 46th Oklahoma Legislature, is amended to read as follows:

Section 11. For the fiscal year ending June 30, 1998, the Oklahoma Liquefied Petroleum Gas Board shall budget all funds in the following categories and amounts:

<u>Category</u>	<u>Appropriation</u>	<u>Total</u>
Administration	\$161,076.00	\$161,076.00
	<u>\$201,076.00</u>	
Inspections	<u>244,514.00</u>	<u>244,514.00</u>
TOTAL	\$405,590.00	\$405,590.00
	<u>\$445,590.00</u>	

SECTION 7. AMENDATORY Section 14 of Enrolled Senate Bill No. 100 of the 1st Session of the 46th Oklahoma Legislature, is amended to read as follows:

Section 14. This act shall become effective ~~September~~ July 1, 1997.

SECTION 8. AMENDATORY Section 30 of Enrolled House Bill No. 1848 of the 1st Session of the 46th Oklahoma Legislature, is amended to read as follows:

Section 30. For the fiscal year ending June 30, 1998, the Oklahoma Board of Private Vocational Schools shall budget all funds in the following categories and amounts:

<u>Category</u>	<u>Appropriation</u>	<u>Total</u>
Licensing/Investigative Operations	<u>\$140,817.00</u>	\$140,817.00
		<u>\$145,817.00</u>
TOTAL	\$140,817.00	\$140,817.00
		<u>\$145,817.00</u>

SECTION 9. AMENDATORY Section 12 of Enrolled House Bill No. 1848 of the 1st Session of the 46th Oklahoma Legislature, is amended to read as follows:

Section 12. The funds designated for Operation Grants to Rural Fire Departments shall be expended to provide operational grants to rural fire departments and shall be limited to ~~One Thousand Five Hundred Dollars (\$1,500.00)~~ not more than Two Thousand Five Hundred Dollars (\$2,500.00) per municipality.

SECTION 10. AMENDATORY Section 3 of Enrolled House Bill No. 1861 of the 1st Session of the 46th Oklahoma Legislature, is amended to read as follows:

Section 3. The duties and compensation of employees, not otherwise prescribed by law, necessary to perform the duties imposed upon the Oklahoma Arts Council by law shall be set by the Council. The salary of the Chief Administrative Officer shall not exceed Forty-eight Thousand Two Hundred Seven Dollars (\$48,207.00) per annum, payable monthly for the fiscal year ending June 30, 1998. The Oklahoma Arts Council 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 the Oklahoma Statutes:

<u>Budgetary Limitation</u>	<u>Amount</u>
Full-time-equivalent Employees	16.0 <u>17.0</u>
Lease-Purchase Agreements	\$4,000.00

SECTION 11. AMENDATORY Section 3 of Enrolled Senate Bill No. 105 of the 1st Session of the 46th Oklahoma Legislature, is amended to read as follows:

Section 3. In the event monies apportioned to the Ad Valorem Reimbursement Fund exceed the amount necessary to pay all claims approved for reimbursement, the Director of State Finance shall transfer from monies remaining in the Ad Valorem Reimbursement Fund after such reimbursements have been approved to the Fund for the Reimbursement of Counties, the amount necessary for payment of claims approved on or before June 15, ~~1996~~ 1997, pursuant to Section 192.1 of Title 62 of the Oklahoma Statutes, to pay claims for the fiscal year ending June 30, ~~1996~~ 1997. The amount transferred pursuant to the provisions of this section shall not exceed Five Million Dollars (\$5,000,000.00).

SECTION 12. AMENDATORY Section 5 of Enrolled Senate Bill No. 105 of the 1st Session of the 46th Oklahoma Legislature, is amended to read as follows:

Section 5. For the fiscal year ending June 30, 1998, the Oklahoma Tax Commission shall budget all funds in the following categories and amounts:

<u>Category</u>	<u>Appropriation</u>	<u>Total</u>
Headquarters/Administration	\$ 1,700,000.00	\$ 2,310,000.00
Central Processing	5,200,000.00	7,600,000.00
Taxpayer Services	4,950,000.00	7,500,000.00
Tax Administration	900,000.00	1,400,000.00
Audit Services	6,950,000.00	14,300,000.00
Collections	4,200,000.00	7,200,000.00
Legal Services	2,100,000.00	2,600,000.00
Motor Vehicle	7,600,000.00	9,000,000.00
Ad Valorem Programs	2,600,000.00	22,200,000.00
Management Services	<u>9,285,062.00</u>	<u>13,400,000.00</u>
TOTAL	<u>\$45,485,065.00</u>	
	<u>\$45,485,062.00</u>	\$87,510,000.00

SECTION 13. AMENDATORY Section 7 of Enrolled Senate Bill No. 105 of the 1st Session of the 46th Oklahoma Legislature, is amended to read as follows:

Section 7. For the fiscal year ending June 30, 1998, the Office of the State Treasurer shall budget all funds in the following categories and amounts:

<u>Category</u>	<u>Appropriation</u>	<u>Total</u>
Administration	\$ 769,142.00	\$ 950,292.00
Data Processing	1,040,084.00	1,227,824.00
Banking Services	1,755,339.00	
	<u>1,755,339.00</u>	1,775,339.00
Comptroller/Investment Services	735,368.00	737,368.00
State Land Reimbursements	<u>97,500.00</u>	<u>97,500.00</u>
TOTAL	\$4,397,433.00	\$4,788,323.00

SECTION 14. AMENDATORY Section 10 of Enrolled Senate Bill No. 105 of the 1st Session of the 46th Oklahoma Legislature, is amended to read as follows:

Section 10. For the fiscal year ending June 30, 1998, the Office of the State Auditor and Inspector shall budget all funds in the following categories and amounts:

<u>Category</u>	<u>Appropriation</u>	<u>Total</u>
Administration/Data Processing	\$2,259,219.00	\$2,659,219.00
Abstractor Registration	100,000.00	200,000.00
Commission on County Government	383,591.00	383,591.00
County Audits	1,100,000.00	2,100,000.00
State Audits	600,000.00	3,000,000.00
Special Audits	200,000.00	800,000.00
Pension Commission	<u>0.00</u>	<u>170,000.00</u>
TOTAL	\$4,624,810.00	
	<u>\$4,642,810.00</u>	\$9,312,810.00

SECTION 15. AMENDATORY Section 7 of Enrolled House Bill No. 1872 of the 1st Session of the 46th Oklahoma Legislature, is amended to read as follows:

Section 7. Contingent upon the enactment of Enrolled House Bill No. 1873 of the 1st Session of the 46th Oklahoma Legislature, there is hereby appropriated to the State Board of Education from any monies not otherwise appropriated from the ~~General Revenue Fund of proceeds of the sale of the bonds deposited in the Oklahoma Building Bonds of 1992 Fund A in the State Treasury for the fiscal year ending June 30, 1998,~~ the sum of ~~Thirty-one Three~~ Three Million Six Hundred Thousand Dollars ~~(\$31,600,000.00)~~ (\$3,600,000.00) or so much thereof as may be necessary to meet the employee contributions requirements set forth in Section 1 of Enrolled House Bill No. 1873 of the 1st Session of the 46th Oklahoma Legislature, which amount shall be transferred to the Teachers' Retirement System of Oklahoma.

SECTION 16. Contingent upon the enactment of Enrolled House Bill No. 1873 of the 1st Session of the 46th Oklahoma Legislature, there is hereby appropriated to the State Board of Education from any monies not otherwise appropriated from the Special Cash Fund of the State Treasury, the sum of Four Million Dollars (\$4,000,000.00) or so much thereof as may be necessary to meet the employee

contributions requirements set forth in Section 1 of Enrolled House Bill No. 1873 of the 1st Session of the 46th Oklahoma Legislature, which amount shall be transferred to the Teachers' Retirement System of Oklahoma.

SECTION 17. Contingent upon the enactment of Enrolled House Bill No. 1873 of the 1st Session of the 46th Oklahoma Legislature, there is hereby appropriated to the State Board of Education from any monies not otherwise appropriated from the Cash-flow Reserve Fund, designated by the Office of State Finance as the "096" Fund, the sum of Eight Million Dollars (\$8,000,000.00) or so much thereof as may be necessary to meet the employee contributions requirements set forth in Section 1 of Enrolled House Bill No. 1873 of the 1st Session of the 46th Oklahoma Legislature, which amount shall be transferred to the Teachers' Retirement System of Oklahoma.

SECTION 18. AMENDATORY Section 13 of Enrolled Senate Bill No. 160 of the 1st Session of the 46th Oklahoma Legislature, is amended to read as follows:

Section 13. There is hereby appropriated to the Oklahoma State Regents for Higher Education from any monies not otherwise appropriated from the Cash-flow Reserve Fund, designated by the Office of State Finance as the "096" Fund, the sum of ~~Fifty Million Dollars (\$50,000,000.00)~~ Forty-two Million Dollars (\$42,000,000.00) 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 for the education and general operating budgets of the institutions and for other programs, construction, renovations or repairs administered by the Oklahoma State Regents for Higher Education.

SECTION 19. There is hereby appropriated to the Oklahoma State Regents for Higher Education 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 Eight Million Dollars (\$8,000,000.00) 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 for the education and general operating budgets of the institutions and for other programs, construction, renovations or repairs administered by the Oklahoma State Regents for Higher Education.

SECTION 20. AMENDATORY Section 6 of Enrolled Senate Bill No. 107 of the 1st Session of the 46th Oklahoma Legislature, is amended to read as follows:

Section 6. For the fiscal year ending June 30, 1998, the Oklahoma Conservation Commission shall budget all funds in the following categories and amounts:

<u>Category</u>	<u>Appropriation</u>	<u>Total</u>
Administration	\$ 622,180.00	\$ 772,130.00
Watershed Operation and Maintenance	680,000.00	1,380,000.00
Field Service	4,902,056.00	5,641,870.00
Abandoned Mine Land Reclamation	0.00	2,246,000.00
Water Quality/Wetlands	<u>115,000.00</u>	<u>2,765,000.00</u>
TOTAL	\$6,319,236.00	\$13,075,000.00
		<u>\$12,805,000.00</u>

SECTION 21. AMENDATORY Section 20 of Enrolled Senate Bill No. 107 of the 1st Session of the 46th Oklahoma Legislature, is amended to read as follows:

Section 20. For the fiscal year ending June 30, 1998, the Oklahoma Water Resources Board shall budget all funds in the following categories and amounts:

<u>Category</u>	<u>Appropriation</u>	<u>Total</u>
Administrative Services	\$1,405,428.00	\$ 2,800,000.00
Water Quality Programs	477,282.00	950,000.00
Planning and Management	1,452,462.00	3,700,000.00
	<u>1,352,462.00</u>	<u>3,600,000.00</u>
Financial Assistance Programs	123,656.00	1,050,000.00
Rural Economic Action Plans	4,500,000.00	4,500,000.00
Office of the Secretary of Environment	164,172.00	5,164,172.00
	<u>264,172.00</u>	<u>5,264,172.00</u>
TOTAL	\$8,123,000.00	\$18,164,172.00

SECTION 22. AMENDATORY Section 21 of Enrolled Senate Bill No. 107 of the 1st Session of the 46th Oklahoma Legislature, is amended to read as follows:

Section 21. Of the eighty-seven (87.0) full-time-equivalent employee positions authorized in Section 19 of ~~this act~~ Enrolled Senate Bill No. 107 of the 1st Session of the 46th Oklahoma Legislature, three (3.0) full-time-equivalent employee positions shall be filled contingent upon receipt of federal funds as authorized in ~~Section 314 of~~ the Federal Clean Water Act.

SECTION 23. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 4.12 of Title 53, unless there is created a duplication in numbering, reads as follows:

The Oklahoma Historical Society has entered into a permanent agreement to operate and manage the Robert S. Kerr Museum on the grounds of the Kerr Conference Center. The Oklahoma Historical Society is authorized, as part of their agency operations, to continue to operate and manage said museum as a tribute to Robert S. Kerr who was National Commander of the American Legion and provided leadership and service to the citizens of the State of Oklahoma as Governor and United States Senator.

SECTION 24. AMENDATORY Section 1 of Enrolled House Joint Resolution No. 1035 of the 1st Session of the 46th Oklahoma Legislature, is amended to read as follows:

Section 1. A. There is hereby created the 1921 Tulsa Race Riot Commission. The Commission shall consist of ~~nine (9)~~ eleven (11) members as follows:

1. From a list of five nominees submitted by the Speaker of the House of Representatives, the Governor shall appoint three members. If a member appointed pursuant to this paragraph resigns or is otherwise unable to serve, the Speaker of the House of Representatives shall submit a list of an additional three nominees for the vacant position from which the Governor shall select a successor;

2. From a list of five nominees submitted by the President Pro Tempore of the Senate, the Governor shall appoint three members. If a member appointed pursuant to this paragraph resigns or is otherwise unable to serve, the President Pro Tempore of the Senate shall submit a list of an additional three nominees for the vacant position from which the Governor shall select a successor;

3. The Director of the Oklahoma Human Rights Commission shall serve ex officio, but shall be a voting member of the Commission. The Director shall be authorized to appoint a designee to attend meetings and to vote on matters considered by the Commission;

4. The Director of the Oklahoma Historical Society shall serve ex officio, but shall be a voting member of the Commission. The Director shall be authorized to appoint a designee to attend meetings and to vote on matters considered by the Commission; and

5. From a list of five nominees submitted by the City Council of the City of Tulsa, the Mayor of the City of Tulsa shall appoint three persons, one of whom must be a survivor of the Tulsa Race Riot incident, and two of whom must be residents in the area of the ward or equivalent political subdivision for the Tulsa City Council known as "Greenwood", also historically identified as "Black Wall Street of America".

B. Each person appointed to the Commission shall serve at the pleasure of the appointing authority. No person appointed to any of the positions constituting the Commission who is, at the time of appointment to the Commission or subsequent to the date of appointment, a public official or officer shall be deemed to be serving in a dual capacity and such person shall be specifically exempt from the provisions of Section 6 of Title 51 of the Oklahoma Statutes. The Commission shall conduct its initial meeting not later than ninety (90) days after the effective date of this act. ~~The Commission shall be authorized to expend a sum appropriated to it for purposes of hiring persons to assist the Commission in its functions, research expenses in conducting the historical study, or other costs related to the performance of its official duties.~~

C. The Commission shall be authorized to conduct its meetings as often as may be required in order to perform the duties imposed upon it by law. A quorum of the Commission shall be required in order for any official action of the Commission.

D. The Commission shall undertake a study to develop a historical record of the 1921 Tulsa Race Riot including the identification of persons who:

1. Can provide adequate proof to the Commission that the person was an actual resident of the Greenwood area or community of the City of Tulsa on or about May 31, 1921, or June 1, 1921; or

2. Can demonstrate to the satisfaction of the members of the Commission that the person sustained an identifiable loss to their person, personal relations, real property, personal property or other loss as a result of tortious or criminal conduct, whether or not the conduct was ever adjudicated, occurring during the period beginning on or about May 31, 1921, and ending not later than June 30, 1921, resulting from the activity commonly described as the 1921 Tulsa Race Riot.

E. The Commission shall be authorized to gather information, identify and interview witnesses or other persons with knowledge of relevant events and to preserve testimony and records obtained, to examine and copy documents, instruments and writings, to obtain or examine physical objects or to reproduce, to the extent practical, objects or devices relevant to the inquiry by the Commission, and to otherwise take such actions as may be necessary or proper in the

task of accurately identifying persons, places or objects having historical significance for Commission purposes.

F. The Commission shall produce a written report of its findings and recommendations and shall submit the report to the Governor, the Speaker of the House of Representatives, the President Pro Tempore of the Senate, the Mayor and each member of the City Council of the City of Tulsa not later than January 5, 1999. The report may contain specific recommendations regarding whether or not reparations can or should be made and the appropriate methods to achieve the recommendations made in the final report.

SECTION 25. AMENDATORY Section 2 of Enrolled House Joint Resolution No. 1035 of the 1st Session of the 46th Oklahoma Legislature, is amended to read as follows:

Section 2. A. The 1921 Tulsa Race Riot Commission shall be subject to the provisions of the:

1. Oklahoma Open Meeting Act; ~~and~~
2. Oklahoma Open Records Act; ~~and~~
3. State Travel Reimbursement Act. Travel reimbursement to members of the Commission shall be paid from funds of the Oklahoma Historical Society authorized for expenditure related to the 1921 Tulsa Race Riot.

B. The 1921 Tulsa Race Riot Commission shall not be subject to the provisions of:

1. The Oklahoma Central Purchasing Act;
2. The Oklahoma Sunset Law;
3. ~~The State Travel Reimbursement Act;~~
4. ~~The Governmental Tort Claims Act; or~~
5. ~~4.~~ The Oklahoma Administrative Procedures Act.

SECTION 26. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 236 of Title 44, unless there is created a duplication in numbering, reads as follows:

The Oklahoma State Legislature hereby approves the acquisition, using federal funds only and no state general revenue funding, by the Oklahoma Military Department of buildings, appurtenances and properties situated in the County of Pontotoc, State of Oklahoma, more particularly described as:

A tract of land in the NE/4 SE/4 of Section 20, Township 4 North, Range 6 East, more particularly described as follows, to-wit: Beginning at the Northeast corner of the SE/4 SE/4 of said Section 20; thence North a distance of 415 feet; thence West a distance of 210 feet; thence South a distance of 415 feet; thence East a distance of 210 feet to the point of beginning, containing 2 acres, more or less.

SUBSEQUENT TO July 20, 1984, 7:59 A.M.

A part of the SE/4 SE/4 of Section 20, Township 4 North, Range 6 East, more particularly described as follows, to-wit: Beginning at the Northeast corner of said SE/4 SE/4 of said Section 20; thence South a distance of 276.86 feet; thence West a distance of 210 feet; thence North a distance of 276.86 feet; thence East a distance of 210 feet to the point of beginning.

SUBSEQUENT TO July 10, 1984, 7:59 A.M.

EXCEPT all mineral deeds and mineral grants, and all oil and gas leases, assignments and releases thereof, and all instruments of any kind or character relating or pertaining thereto, all of which instruments are omitted and excepted entirely from this Supplemental Abstract.

SECTION 27. AMENDATORY Section 39 of Enrolled Senate Bill No. 160 of the 1st Session of the 46th Oklahoma Legislature, is amended to read as follows:

Section 39. There is hereby appropriated to the Department of Central Services 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 ~~Seven Million One Hundred Seventy-four Thousand Two Hundred Forty Dollars (\$7,174,240.00)~~ Seven Million Forty-one Thousand Two Hundred Ninety-four Dollars (\$7,041,294.00) or so much thereof as may be necessary to perform the duties imposed upon the Department of Central Services by law.

SECTION 28. AMENDATORY Section 40 of Enrolled Senate Bill No. 160 of the 1st Session of the 46th Oklahoma Legislature, is amended to read as follows:

Section 40. There is hereby appropriated to the Department of Central Services 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 Eight Hundred Sixty-seven Thousand Six Hundred Thirty-six Dollars (\$3,867,636.00)~~ Four Million Five Hundred Eighty-two Dollars (\$4,000,582.00) to be transferred to the Building and Facility Revolving Fund created in Section 63.1 of Title 74 of the Oklahoma Statutes for the purpose of maintaining state buildings operated by the Department of Central Services.

SECTION 29. AMENDATORY Section 20 of Enrolled House Bill No. 1854 of the 1st Session of the 46th Oklahoma Legislature, is amended to read as follows:

Section 20. It is the intent of the Legislature that of the funds appropriated to the State Department of Health in Section 8 of this act, the amount of Five Million Three Hundred Twenty-six Thousand One Hundred Sixty-four Dollars (\$5,326,164.00) shall be used for the purpose of establishing family resource programs to be known as the Children First Program. The State Department of Health may employ and train staff as necessary to prepare for implementation.

Projects shall comply with the uniform components of the State Plan for the Prevention of Child Abuse. The State Department of Health shall contract with a university-related program for a performance-based evaluation of programs. Program sites shall fully cooperate and comply with the evaluation process and sites shall provide weekly caseload and referral information to the State Department of Health.

If approved for Medicaid reimbursement, the Department shall pursue such funding for Children First Programs.

The State Department of Health shall ~~promulgate rules regarding Children First Program design and the funding formula~~ develop and provide to the Speaker of the House, President Pro Tempore of the Senate and the Governor an implementation plan for the Children First program no later than October 1, 1997. The plan shall address criteria for site selection, funding formula, number of nurses and other staff, training and other funding issues, population target definition and evaluation methodology.

An annual progress and evaluation report on the Children First Program shall be delivered to the President Pro Tempore of the Senate, the Speaker of the House of Representatives and the Governor.

SECTION 30. AMENDATORY Section 32 of Enrolled House Bill No. 1854 of the 1st Session of the 46th Oklahoma Legislature, is amended to read as follows:

Section 32. For the fiscal year ending June 30, 1998, the Oklahoma Department of Veterans Affairs shall budget all funds in the following categories and amounts:

<u>Category</u>	<u>Appropriation</u>	<u>Total</u>
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Central Administration	\$ 161,427.00	\$ 1,827,538.00 <u>\$ 2,190,409.00</u>
Nursing Care	16,822,441.00	50,299,218.00 <u>49,787,755.00</u>
George Nigh Rehabilitation Institute	835,400.00	4,950,708.00 <u>5,339,186.00</u>
Claims and Benefits	150,535.00	1,319,448.00 <u>1,336,513.00</u>
State Accrediting Agency	<u>0.00</u>	
<u>250,283.00</u>		
TOTAL	\$17,969,803.00	\$58,632,520.00 <u>\$58,904,146.00</u>

SECTION 31. AMENDATORY Section 7 of Enrolled Senate Bill No. 109 of the 1st Session of the 46th Oklahoma Legislature, is amended to read as follows:

Section 7. The duties and compensation of employees, not otherwise prescribed by law, necessary to perform the duties imposed upon the Department of Human Services by law shall be set by the Director of Human Services. The Department of Human Services for the fiscal year ending June 30, 1998, shall be subject to the following budgetary limitations on full-time-equivalent employees and expenditures, 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>
Average Full-time-equivalent Employees	7,866.00
Lease-Purchase Agreements	\$0.00
	<u>\$8,000,000.00</u>

SECTION 32. AMENDATORY Section 8 of Enrolled Senate Bill No. 109 of the 1st Session of the 46th Oklahoma Legislature, is amended to read as follows:

Section 8. For the fiscal year ending June 30, 1998, the Department of Human Services shall budget all appropriated funds in the following categories and amounts:

<u>Category</u>	<u>Appropriation</u>
Child and Family Services	\$30,046,049.00
Developmental Disabilities Services	79,757,497.00
TANF and Cash Assistance	22,733,503.00
Work Activities	8,148,160.00
AABD State Supplemental Payments	32,370,872.00
Day Care Payments	22,118,374.00
Family Support Services	3,712,901.00
Field Operations	82,023,551.00 <u>76,830,305.00</u>
Child Support Enforcement	1,779,081.00 <u>6,972,328.00</u>
Aging Services	16,210,097.00
Administration and Data Services	35,025,698.00

~~Office of Child Care~~
TOTAL

\$333,925,784.00

For the fiscal year ending June 30, 1998, the Department of Human Services, excluding expenditures for capital and special projects, shall budget all funds in the following categories and amounts:

<u>Category</u>	<u>Total</u>
Child and Family Services	\$ 86,001,489.00
Developmental Disabilities Services	184,454,483.00
TANF Cash Assistance	109,563,178.00
<u>Work Activities</u>	<u>30,612,868.00</u>
AABD State Supplemental Payments	38,771,455.00
Day Care Payments	84,457,640.00
Family Support Services	21,756,497.00
Field Operations	178,751,600.00
Child Support Enforcement	17,192,525.00
Aging Services	46,756,746.00
Administration and Data Services	71,535,329.00 <u>77,035,329.00</u>
<u>Electronic Benefits Transfer</u>	<u>298,200,000.00</u>
Office of Child Care	
TOTAL	\$1,168,053,809.00 <u>\$1,177,553,810.00</u>

Receipt and expenditure of unanticipated federal funds awarded the Department of Human Services after July 1, 1997, shall be exempt from expenditure limitations, provided that any such funds used for operations shall be included in the agency's budget work program.

SECTION 33. The Director of State Finance shall transfer monies apportioned from the General Revenue Fund and the Welfare Reform Initiative Fund created in Section 67 of Enrolled Senate Bill 160 of the 1st Session of the 46th Oklahoma Legislature, to the Department of Human Services' disbursing funds in the amounts and ratios requested by the agency except that the cumulative amounts transferred shall not exceed the cumulative amounts of equal monthly allotments of the appropriations from the General Revenue Fund and the Welfare Reform Initiative Fund.

Monies appropriated or collected from the fiscal year ending June 30, 1998, may be transferred to these disbursing funds for the fiscal year ending June 30, 1997, to satisfy encumbrances and obligations of said fiscal year; provided, that monies equal in amount are transferred from appropriations or collections for the fiscal year ending June 30, 1997, to the disbursing funds for the fiscal year ending June 30, 1998, to satisfy encumbrances and obligations of said fiscal year. All transfer requests shall be in writing to the Director of State Finance. The Department of Human Services shall maintain records of the interyear transfers.

DEPARTMENT OF REHABILITATION SERVICES

SECTION 34. AMENDATORY Section 12 of Enrolled Senate Bill No. 109 of the 1st Session of the 46th Oklahoma Legislature, is amended to read as follows:

Section 12. The duties and compensation of employees, not otherwise prescribed by law, necessary to perform the duties imposed upon the Department of Rehabilitation Services by law shall be set by the Commission for Rehabilitation Services. The salary of the Director shall not exceed ~~Sixty-three Thousand Six Hundred Twenty-nine Dollars (\$63,629.00)~~ Sixty-three Thousand Two Hundred Sixty-

nine Dollars (\$63,269.00) per annum, payable monthly for the fiscal year ending June 30, 1998. The Department of Rehabilitation Services for the fiscal year ending June 30, 1998, shall be subject to the following budgetary limitations on full-time-equivalent employees and expenditures, 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	<u>960.0</u>
	<u>780.0</u>
	\$0.00
Lease-Purchase Agreements	<u>\$100,000.00</u>

SECTION 35. Any employees of the Disability Determination Unit in the Department of Rehabilitation Services whose salaries are funded in whole by federal funds shall be exempted from the agency F.T.E. limit.

SECTION 36. The Director of State Finance shall transfer monies apportioned from the General Revenue Fund to the Department of Human Services' and the Department of Rehabilitation Services' disbursing funds in the amounts and ratios requested by either agency except that the cumulative amounts transferred shall not exceed the cumulative amounts of equal monthly allotments of the appropriations from the General Revenue Fund.

Monies appropriated or collected from the fiscal year ending June 30, 1998, may be transferred to these disbursing funds for the fiscal year ending June 30, 1997, to satisfy encumbrances and obligations of said fiscal year; provided, that monies equal in amount are transferred from appropriations or collections for the fiscal year ending June 30, 1997, to the disbursing funds for the fiscal year ending June 30, 1998, to satisfy encumbrances and obligations of said fiscal year. All transfer requests shall be in writing to the Director of State Finance. The Department of Rehabilitation Services shall maintain records of the interyear transfers.

SECTION 37. AMENDATORY Section 10 of Enrolled House Bill No. 1854 of the 1st Session of the 46th Oklahoma Legislature, is amended to read as follow:

Section 10. For the fiscal year ending June 30, 1998, the State Department of Health shall budget all funds in the following categories and amounts:

<u>Category</u>	<u>Appropriation</u>	<u>Total</u>
Support	\$ 2,769,665.00	\$ 14,341,051.00
Family Health	26,024,876.00	99,753,416.00
	<u>25,927,376.00</u>	<u>99,656,416.00</u>
Communicable Disease	3,511,281.00	14,701,407.00
Chronic Disease	629,066.00	3,732,866.00
	<u>656,066.00</u>	<u>3,759,866.00</u>
Local Health	11,780,700.00	25,009,337.00
	<u>11,817,737.00</u>	<u>25,046,374.00</u>
Consumer Protection	1,648,827.00	10,844,390.00
Eldercare	6,496,639.00	7,194,950.00

Health Promotion and Policy Analysis	<u>2,167,769.00</u>	<u>4,380,903.00</u>
TOTAL	\$54,995,360.00	\$179,925,357.00

SECTION 38. AMENDATORY Section 15 of Enrolled House Bill No. 1854 of the 1st Session of the 46th Oklahoma Legislature, is amended to read as follow:

Section 15. The State Department of Health shall transfer the sum of Fifty Thousand Dollars (\$50,000.00) from the funds appropriated in Section 73 of Enrolled Senate Bill No. 160 of the 1st Session of the 46th Oklahoma Legislature and Section 9 of this act to the Kidney Health Revolving Fund established pursuant to Section 1-2603 of Title 63 of the Oklahoma Statutes, to be expended in accordance with law. The State Department of Health is authorized to contract with the National Kidney Foundation of Oklahoma, Inc. for these services.

SECTION 39. AMENDATORY Section 17 of Enrolled House Bill No. 1854 of the 1st Session of the 46th Oklahoma Legislature, is amended to read as follow:

Section 17. From the funds appropriated to the State Department of Health in Section 73 of Enrolled Senate Bill No. 160 of the 1st Session of the 46th Oklahoma Legislature and Section 9 of this act, the following categories and amounts shall be expended:

Contractual services of the Margaret Hudson Program for School Age Parents	\$ 42,977.00
Contractual services of Community Health Centers, Incorporated	172,910.00
Contractual services of the Southeast Area Health Center	172,910.00
Contractual services of the Morton Comprehensive Health Services, Incorporated	311,902.00
Contractual services of the Konawa Community Health Center	150,000.00
Contractual services of the Oklahoma City Indian Clinic	75,000.00
Contractual services of the Sickie Cell Research Foundation, Incorporated	131,000.00
Contractual services of the Emerson Teen Parent Program	135,360.00
Contractual services of the Alzheimer's Research Advisory Council	55,475.00
Contractual services of the Tolliver Alternative Care Center, Incorporated	46,599.00
Contractual services of Dental for the Disabled and Elderly in Need of Treatment (D-DENT)	150,000.00

Contractual Services of Care for
the Children Association, Inc. 5,000.00

~~Contractual Services of the
National Kidney Foundation
of Oklahoma, Inc.~~

TOTAL
~~\$1,499,133.00~~

\$1,449,133

.00

SECTION 40. AMENDATORY Section 1 of Enrolled Senate Bill No. 103 of the 1st Session of the 46th Oklahoma Legislature, is amended to read as follows:

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)~~ One Million Three Hundred Six Thousand Three Hundred Ninety-five Dollars (\$1,306,395.00) or so much thereof as may be necessary to perform the duties imposed upon the Department of Commerce by law.

SECTION 41. Of the Five Thousand Five Hundred Seventy-four full-time-equivalent employee positions authorized for the Oklahoma Department of Corrections in this act, eight shall provide staffing for presentence investigations conducted by the Department on convicted felony offenders.

SECTION 42. AMENDATORY Section 27 of Enrolled House Bill No. 1837 of the 1st Session of the 46th Oklahoma Legislature, is amended to read as follows:

Section 27. The duties and compensation of employees, not otherwise prescribed by law, necessary to perform the duties imposed upon the Board of Medicolegal Investigations by law shall be set by the Board. The salary of the Chief Medical Examiner shall not exceed ~~Ninety-five Thousand Six Hundred Ninety-six Dollars (\$95,696.00)~~ One Hundred Thousand Four Hundred Eighty-one Dollars (\$100,481.00) per annum, payable monthly for the fiscal year ending June 30, 1998. The Board of Medicolegal Investigations for the fiscal year ending June 30, 1998, shall be subject to the following budgetary limitations on full-time-equivalent employees and expenditures excluding expenditures for capital, intra-agency payments and special projects, except as 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	60.0

SECTION 43. There is hereby appropriated to the Department of Agriculture 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 Fifty Thousand Dollars (\$50,000.00) or so much thereof as may be necessary to perform the duties imposed upon the Department of Agriculture by law.

SECTION 44. There is hereby appropriated to the Department of Transportation 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 Hundred Thousand Dollars (\$100,000.00) or so much thereof as may be necessary to perform the duties imposed upon the Department of Transportation by law. The appropriation shall be transferred to the State Highway Construction and Maintenance Fund and shall be expended in the same manner and

for the same purposes as provided by law for other monies accruing to the credit of the State Highway Construction and Maintenance Fund.

SECTION 45. There is hereby appropriated to the Oklahoma State Regents for Higher Education 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 Hundred Fifty Thousand Dollars (\$150,000.00) or so much thereof as may be necessary for allocation by the Oklahoma State Regents for Higher Education pursuant to the provision of Article XIII-A of the Oklahoma Constitution for the education and general operating budgets of the institutions and for other programs, construction, renovations or repairs administered by the Oklahoma State Regents for Higher Education.

SECTION 46. There is hereby appropriated to the State Board of Education 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 Sixteen Million Dollars (\$16,000,000.00) or so much thereof as may be necessary to meet the employee contributions requirements set forth in Section 1 of Enrolled House Bill No. 1873 of the 1st Session of the 46th Oklahoma Legislature, which amount shall be transferred to the Teachers' Retirement System of Oklahoma.

SECTION 47. 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 Fifty Thousand Dollars (\$50,000.00) or so much thereof as may be necessary for the purpose of funding senior nutrition programs and other operating expenses as may be necessary within the Southern Oklahoma Development Association's geographic boundaries. Funds expended for the programs and purposes of this section shall be exempt from the requirements of the Central Purchasing Act.

SECTION 48. In addition to any other full-time-equivalent employees authorized by law, the Commission on Marginally Producing Oil and Gas Wells is hereby authorized one (1.0) full-time-equivalent employee.

SECTION 49. Appropriations made by this act, not including appropriations made for capital outlay purposes, 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 5, 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 agency to which the funds have been appropriated has prepared and submitted a budgeted 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 50. This act shall become effective July 1, 1997.

SECTION 51. 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.

Passed the House of Representatives the 30th day of May, 1997.

Speaker of the House of
Representatives

Passed the Senate the 30th day of May, 1997.

President of the Senate