

STATE OF OKLAHOMA

2nd Session of the 46th Legislature (1998)

HOUSE BILL NO. 3284

By: Leist

AS INTRODUCED

An Act relating to economic development; creating the Brownfields Economic Development Incentives Council; providing purpose and membership requirements of Council; creating the Brownfields Redevelopment Fund; providing for codification; and providing an effective date.

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

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 2-15-111 of Title 27A, unless there is created a duplication in numbering, reads as follows:

A. There is hereby created the Brownfields Economic Development Incentives Council which shall operate as a Council until its termination on December 31, 2000. The Council is established for the purpose of exploring funding strategies and financial incentives that are in existence or that may be established to facilitate the use of the Oklahoma Brownfields Voluntary Redevelopment Act. The Council may make recommendations on any issue which is of significance to the redevelopment of brownfields within the State of Oklahoma.

B. 1. The Brownfields Economic Development Incentives Council shall consist of nine (9) members as specified by this section.

2. Members of the Council shall be as follows:

- a. the Director of the Department of Environmental Quality, or designee, who shall serve as chair of the Council,
- b. the Director of the Department of Commerce, or designee,
- c. the Secretary of the Environment, or designee,
- d. the Speaker of the Oklahoma House of Representatives shall appoint:
 - (1) one member representing the field of engineering,
 - (2) one member representing a statewide nonprofit environmental organization, and
 - (3) one member representing land developers.
- e. the President Pro Tempore of the Senate shall appoint:
 - (1) one member representing the general public,
 - (2) one member representing a political subdivision of this state who shall be a member of the local government body of a city or town, and
 - (3) one member representing the faculty of an institution of higher learning of university status and shall be experienced in matters of scientific knowledge in matters of pollution control and evaluation.

C. All members of the Council shall serve until such time as they resign from the Council or their position is declared vacant by the chair of the Council pursuant to the provisions of this act. If any position on the Council should become vacant prior to the termination of the Council, such position shall be filled by the original appointing authority who shall appoint a qualified

representative of the group the original member was appointed to represent.

D. Members shall be reimbursed for all necessary and actual travel expenses by their respective appointing bodies in accordance with the State Travel Reimbursement Act.

E. Staffing for the Council shall be provided by the Oklahoma Department of Commerce.

F. Unless otherwise provided by this section, no member of the Council may vote by proxy or designate any other person to participate in Council meetings on his or her behalf.

G. The Brownfields Economic Development Incentives Council may at any time it deems necessary and appropriate make any report or recommendations to the Legislature and the Governor.

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 2-15-112 of Title 27A, unless there is created a duplication in numbering, reads as follows:

A. There is hereby created in the State Treasury the "Brownfields Redevelopment Fund" for the purpose of providing demonstration grants to municipalities for the development of infrastructure on brownfield sites. The fund shall be under the control and supervision of the Oklahoma Department of Commerce, and subject to the recommendations of the Brownfields Economic Development Incentives Council. Said fund shall consist of monies appropriated by the Legislature or from any other source that may be available. Monies deposited in the fund may be expended by the Department of Commerce for providing grants to qualifying municipalities to assist with the placement of infrastructure services on brownfield sites for which plans have been approved by the Department of Environmental Quality, pursuant to Section 2-15-104 of Title 27A of the Oklahoma Statutes.

B. The monies deposited in the Fund shall at no time become part of the general budget of the Department of Commerce or any

other state agency. No monies from the Fund shall be transferred for any purpose to any other state agency or any account of the Department or be used for the purpose of contracting with any other state agency or reimbursing any other state agency for any expense.

SECTION 3. This act shall become effective November 1, 1998.

46-2-8212

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