

SHORT TITLE: State government; asbestos abatement; fees; effective date; emergency.

STATE OF OKLAHOMA

1st Session of the 46th Legislature (1997)

SENATE BILL NO. 38

By: Dickerson

AS INTRODUCED

An Act relating to state government; amending 74 O.S. 1991, Section 61.6, which relates to asbestos abatement; updating nomenclature; deleting obsolete language; changing certain title; authorizing levy and collection of fees; providing for payment and deposit of fees; authorizing Office of State Finance to transfer certain monies; providing for submission of certain claims; providing an effective date; and declaring an emergency.

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

SECTION 1. AMENDATORY 74 O.S. 1991, Section 61.6, is amended to read as follows:

Section 61.6 A. There is hereby created the Asbestos Abatement Division within the ~~Office of Public Affairs~~ Department of Central Services. The purpose of the division shall be to remove or otherwise abate asbestos in public schools and state-owned buildings ~~according to priorities established by the State Department of Health or the State Department of Labor.~~

B. The Director of the ~~Office of Public Affairs~~ Department of Central Services shall promulgate such rules ~~and regulations~~ as may be necessary to carry out the duties of the Asbestos Abatement Division and shall appoint ~~a Director~~ an Administrator of Asbestos

Abatement who shall administer the activities of the Asbestos Abatement Division.

C. The Department of Central Services may levy and collect a reasonable fee from state agencies and other entities for services provided by the Asbestos Abatement Division. All fees shall be promptly paid when due. Fees collected pursuant to this section shall be deposited in the Asbestos Abatement Revolving Fund of the State Treasury. If state agencies fail to pay the fees within forty-five (45) days of the due date, the Department of Central Services shall consider the invoice delinquent. The Department may submit a claim to the Office of State Finance for payment of the delinquent invoice from funds available to the delinquent agency. The Office of State Finance is authorized to transfer monies to the Department of Central Services to pay the invoice from funds available to the delinquent agency for the general operations of the agency unless such payment is specifically prohibited by federal or state law. If monies of the delinquent agency are not available to pay the invoice in full, the Department of Central Services shall submit claims as necessary to pay the invoice as soon as monies are available from the funds of the delinquent agency.

SECTION 2. This act shall become effective July 1, 1997.

SECTION 3. It being immediately necessary for the preservation of the public peace, health, and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

46-1-0104

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