

1 STATE OF OKLAHOMA

2 1st Session of the 47th Legislature (1999)

3 2ND CONFERENCE COMMITTEE SUBSTITUTE  
4 FOR ENGROSSED

5 HOUSE BILL NO. 1565

6 By: Settle and Begley of the  
7 House

8 and

9 Haney and Hobson of the  
10 Senate

11 2ND CONFERENCE COMMITTEE SUBSTITUTE

12 An Act relating to the Constitutional Reserve Fund;  
13 making appropriations to the Oklahoma Department of  
14 Transportation; stating purposes; making an  
15 appropriation to the State Emergency Fund; stating  
16 purpose; setting forth certain requirements for the  
17 expenditure of certain funds received by the  
18 Governor; making an appropriation to the State  
19 Department of Vocational and Technical Education;  
20 stating purpose; making an appropriation to the  
21 Oklahoma State Regents for Higher Education; stating  
22 purpose; making an appropriation to the State Board  
23 of Education; stating purpose; making an  
24 appropriation to the State Department of Agriculture;  
25 stating purpose; making an appropriation to the  
26 Oklahoma Employment Security Commission; stating  
27 purpose; making an appropriation to the Department of  
28 Mental Health and Substance Abuse Services; stating  
29 purpose; making an appropriation to the Board of  
30 Medicolegal Investigations; stating purpose; making  
31 an appropriation to the Department of Public Safety;  
32 stating purpose; making an appropriation to the  
Oklahoma Tourism and Recreation Department; stating  
purpose; making an appropriation to the Charter  
Schools Incentive Fund; stating purpose; creating the  
Charter Schools Incentive Fund; setting forth certain  
monies to be deposited into fund; authorizing  
Department of Education to administer fund for  
certain purposes; requiring State Board of Education  
to adopt certain rules; reappropriating and  
redesignating funds to the Oklahoma Water Resources  
Board; reappropriating and redesignating funds to the  
Oklahoma Conservation Commission; making  
appropriations nonfiscal; providing for codification;  
and declaring an emergency.

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

SECTION 1. There is hereby appropriated to the Oklahoma  
Department of Transportation from any monies not otherwise

1 appropriated from the Constitutional Reserve Fund of the State  
2 Treasury the sum of Eighty-two Million One Hundred Seventy Thousand  
3 Nine Hundred Twenty-five Dollars (\$82,170,925.00) or so much thereof  
4 as may be necessary to fund the purposes set forth in Section 2002  
5 of Title 69 of the Oklahoma Statutes. The appropriation set forth  
6 in this section shall be transferred to the State Highway  
7 Construction and Maintenance Fund.

8 SECTION 2. There is hereby appropriated to the Oklahoma  
9 Department of Transportation from any monies not otherwise  
10 appropriated from the Constitutional Reserve Fund of the State  
11 Treasury the sum of Ten Million Three Hundred Seventy-nine Thousand  
12 Seventy-five Dollars (\$10,379,075.00) or so much thereof as may be  
13 necessary to perform the duties imposed upon the Department of  
14 Transportation by law. The appropriation set forth in this section  
15 shall be transferred to the State Highway Construction and  
16 Maintenance Fund and shall be expended in the same manner and for  
17 the same purpose provided by law for other monies accruing to the  
18 credit of the State Highway Construction and Maintenance Fund.

19 SECTION 3. There is hereby appropriated to the State Emergency  
20 Fund created pursuant to Section 139.42 of Title 62 of the Oklahoma  
21 Statutes from any monies not otherwise appropriated from the  
22 Constitutional Reserve Fund of the State Treasury the sum of Four  
23 Million Dollars (\$4,000,000.00) or so much thereof as may be  
24 necessary for state emergencies.

25 SECTION 4. NEW LAW A new section of law to be codified  
26 in the Oklahoma Statutes as Section 139.50 of Title 62, unless there  
27 is created a duplication in numbering, reads as follows:

28 It is the intent of the Legislature that up to Two Million  
29 Dollars (\$2,000,000.00) of the funds appropriated pursuant to  
30 Section 3 of this act may be subject to the following requirements  
31 related directly to remediation of damage caused by the recent  
32 tornadoes:

1 1. The funds may be expended only for the repair or replacement  
2 of public structures damaged or destroyed by tornadic winds or for  
3 the removal and disposal of debris, wherever located;

4 2. The funds may be expended for the repair or replacement of  
5 public structures located or previously located in unincorporated  
6 areas of counties which have been included in a determination of  
7 disaster by the Federal Emergency Management Agency;

8 3. The funds may be expended for the repair or replacement of  
9 public structures located or previously located in incorporated  
10 cities or towns with a population which is not in excess of seven  
11 thousand (7,000) persons which have been included in a determination  
12 of disaster by the Federal Emergency Management Agency;

13 4. Any funds expended pursuant to this section shall be  
14 expended in a manner approximately proportionate to the extent of  
15 damages sustained to the structures being repaired or replaced or to  
16 the extent of debris removal required; and

17 5. The funds may only be expended after the Governor determines  
18 that federal funds, other available state funds and local funds  
19 required for the repairs or replacements have been committed to the  
20 project and either encumbered for expenditure or actually expended  
21 on the project.

22 SECTION 5. There is hereby appropriated to the State Department  
23 of Vocational and Technical Education from any monies not otherwise  
24 appropriated from the Constitutional Reserve Fund of the State  
25 Treasury the sum of One Million Dollars (\$1,000,000.00) or so much  
26 thereof as may be necessary to provide rapid response disaster  
27 training programs.

28 SECTION 6. There is hereby appropriated to the Oklahoma State  
29 Regents for Higher Education from the Constitutional Reserve Fund of  
30 the State Treasury the sum of Twenty-three Million Five Hundred  
31 Thousand Dollars (\$23,500,000.00) or so much thereof as may be  
32 necessary for allocation by the Oklahoma State Regents for Higher

1 Education pursuant to the provisions of Article XIII-A of the  
2 Constitution of the State of Oklahoma for the education and general  
3 operating budgets of the institutions and for other programs,  
4 construction, renovations or repairs administered by the Oklahoma  
5 State Regents for Higher Education.

6 SECTION 7. There is hereby appropriated to the State Board of  
7 Education from any monies not otherwise appropriated from the  
8 Constitutional Reserve Fund of the State Treasury the sum of  
9 Seventeen Million Five Hundred Thousand Dollars (\$17,500,000.00) or  
10 so much thereof as may be necessary for financial support of public  
11 schools.

12 SECTION 8. There is hereby appropriated to the State Department  
13 of Agriculture from any monies not otherwise appropriated from the  
14 Constitutional Reserve Fund of the State Treasury the sum of Five  
15 Hundred Seventy-one Thousand Dollars (\$571,000.00) or so much  
16 thereof as may be necessary for repayment to the United States  
17 Forestry Service for emergency fire suppression.

18 SECTION 9. There is hereby appropriated to the Oklahoma  
19 Employment Security Commission from any monies not otherwise  
20 appropriated from the Constitutional Reserve Fund of the State  
21 Treasury the sum of Five Million Six Hundred Sixty-five Thousand  
22 Four Hundred Ten Dollars (\$5,665,410.00) or so much thereof as may  
23 be necessary to match the Welfare-To-Work Block Grant.

24 SECTION 10. There is hereby appropriated to the Department of  
25 Mental Health and Substance Abuse Services from any monies not  
26 otherwise appropriated from the Constitutional Reserve Fund of the  
27 State Treasury the sum of One Million Four Hundred Thousand Dollars  
28 (\$1,400,000.00) or so much thereof as may be necessary for  
29 transition costs associated with the restructuring of Eastern State  
30 Hospital.

31 SECTION 11. There is hereby appropriated to the Board of  
32 Medicolegal Investigations from any monies not otherwise

1 appropriated from the Constitutional Reserve Fund of the State  
2 Treasury the sum of Five Hundred Thousand Dollars (\$500,000.00) or  
3 so much thereof as may be necessary for construction, furnishing,  
4 and equipping of facilities at Tulsa.

5 SECTION 12. There is hereby appropriated to the Oklahoma  
6 Historical Society from any monies not otherwise appropriated from  
7 the Constitutional Reserve Fund of the State Treasury the sum of Two  
8 Hundred Eighty-five Thousand Dollars (\$285,000.00) or so much  
9 thereof as may be necessary for operation of the Oklahoma Capitol  
10 Complex and Centennial Commemoration Commission.

11 SECTION 13. There is hereby appropriated to the Department of  
12 Public Safety from any monies not otherwise appropriated from the  
13 Constitutional Reserve Fund of the State Treasury the sum of Five  
14 Hundred Thousand Dollars (\$500,000.00) or so much thereof as may be  
15 necessary for the funding of regional headquarters.

16 SECTION 14. There is hereby appropriated to the Oklahoma  
17 Tourism and Recreation Department from any monies not otherwise  
18 appropriated from the Constitutional Reserve Fund of the State  
19 Treasury the sum of One Hundred Fifty Thousand Dollars (\$150,000.00)  
20 or so much thereof as may be necessary to perform improvements at  
21 Foss Lake State Park.

22 SECTION 15. There is hereby appropriated to the Charter Schools  
23 Incentive Fund created by Section 16 of this act from any monies not  
24 otherwise appropriated from the Constitutional Reserve Fund of the  
25 State Treasury the sum of One Million Dollars (\$1,000,000.00) or so  
26 much thereof as may be necessary to provide financial support to  
27 charter school applicants and charter schools.

28 SECTION 16. NEW LAW A new section of law to be codified  
29 in the Oklahoma Statutes as Section 3-144 of Title 70, unless there  
30 is created a duplication in numbering, reads as follows:

31 A. There is hereby created in the State Treasury a fund to be  
32 designated the "Charter Schools Incentive Fund". The fund shall be

1 a continuing fund, not subject to fiscal year limitations, and shall  
2 consist of all monies appropriated by the Legislature, gifts,  
3 grants, devises and donations from any public or private source.  
4 The State Department of Education shall administer the fund for the  
5 purpose of providing financial support to charter school applicants  
6 and charter schools for start-up costs and costs associated with  
7 renovating or remodeling existing buildings and structures for use  
8 by a charter school.

9 B. The State Board of Education shall adopt rules to implement  
10 the provisions of this section, including application and  
11 notification requirements.

12 SECTION 17. REAPPROPRIATION AND REDESIGNATION The amount of  
13 Three Million Five Hundred Thousand Dollars (\$3,500,00.00)  
14 originally appropriated to the Oklahoma Water Resources Board by  
15 Section 17, Chapter 428, O.S.L. 1998, from any monies not otherwise  
16 appropriated from the Constitutional Reserve Fund of the State  
17 Treasury for loans to cities, towns, and rural water districts for  
18 non-point source pollution control, is hereby reappropriated and  
19 redesignated in the following amounts for the following purposes:  
20 Five Hundred Thousand Dollars (\$500,000.00) to the Oklahoma Water  
21 Resources Board for weather modification, Two Million Dollars  
22 (\$2,000,000.00) to the Oklahoma Water Resources Board for the  
23 Drinking Water Treatment Revolving Loan Account; Five Hundred  
24 Thousand Dollars (\$500,000.00) to the Oklahoma Water Resources Board  
25 for the Beneficial use Monitoring Program; and Five Hundred Thousand  
26 Dollars (\$500,000.00) to the Oklahoma Conservation Commission for  
27 the Cost Share Match Program, as adjusted by transfer, less the  
28 amounts that have been expended as of the effective date of this  
29 act.

30 SECTION 18. The appropriations made by this act shall not be  
31 subject to fiscal year limitations and shall be available for  
32

1 encumbrance and expenditure purposes for a period of thirty (30)  
2 months from the date this act is approved.

3 SECTION 19. It being immediately necessary for the preservation  
4 of the public peace, health and safety, an emergency is hereby  
5 declared to exist, by reason whereof this act shall take effect and  
6 be in full force from and after its passage and approval.

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