

STATE OF OKLAHOMA

2nd Session of the 47th Legislature (2000)

COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 1717

By: Smith (Dale)

COMMITTEE SUBSTITUTE

(Wildlife funding - amending 29 O.S. 1991, Section 3-302, as amended by Section 55, chapter 382, O.S.L. 1994 (29 O.S. Supp. 1999, Section 3-302) - Wildlife Conservation Fund - amending 68 O.S. 1991, Section 1353, as last amended by Section 8, Chapter 254, O.S.L. 1999 (68 O.S. Supp. 1999, Section 1353) - sales tax collections - codification - effective date -

emergency)

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

SECTION 1. NEW LAW A new section of law not to be codified in the Oklahoma Statutes reads as follows:

The Legislature hereby finds that there exists the need for adequate funding of current programs and additional programs administered by the Wildlife Conservation Commission to enhance the wildlife resources of this state and that additional funding is necessary to provide that enhancement which consequently will improve the quality of life for all Oklahomans and create jobs and ancillary economic growth within the state.

SECTION 2. AMENDATORY 29 O.S. 1991, Section 3-302, as amended by Section 55, Chapter 382, O.S.L. 1994 (29 O.S. Supp. 1999, Section 3-302), is amended to read as follows:

Section 3-302. A. There is hereby created in the State Treasury a revolving fund to be known as the Wildlife Conservation Fund, which shall consist of all monies heretofore or hereafter appropriated to, on deposit in, or credited to the State Game and Fish Fund created by Section 115, Title 29 of the Oklahoma Statutes,

and, in addition thereto, all license fees, penalties, fines or forfeitures and bond forfeitures collected by the state, any subdivision thereof, any public official or any other person for the violation of the wildlife conservation laws of this state, all monies transferred as provided for in Section 4 of this act, and all donations for such purposes as well as all monies received by the Department and all interest accruing therefrom. All monies accruing to the fund shall be subject to the following budgetary limitations:

1. Full-time-equivalent employees;
2. Personal services expenditures;
3. Federal fund expenditures; and
4. Total expenditures.

B. The expenditures of the Wildlife Conservation Fund shall be under the control and supervision of the Commission, and all claims against said fund shall be paid on its itemized voucher form, prepared by said Commission and sworn to by the claimant, ~~and~~/or vendor's invoices as authorized under Section 86.1, of Title 74 of the Oklahoma Statutes. All such claims when duly signed and sworn to shall be audited by the Commission ~~and~~/or designated employees and, upon final approval, vouchers which are payable from said fund shall be forwarded to the Director of State Finance. Upon approval thereof, warrants shall issue according to law, and said warrants shall be paid by the State Treasurer from said fund. A reserve fund of not less than One Hundred Thousand Dollars (\$100,000.00) shall be maintained to be used in emergencies only, by and with the consent of the Governor, and an additional reserve fund of not less than Two Hundred Thousand Dollars (\$200,000.00) shall be maintained for the liquidation of unissued licenses purchased by authorized agents for sale which have remained unsold when such unissued licenses are returned for refunds as provided for by law.

C. All fees, monies or funds arising from the operation and transactions of the Commission and from the application and

administration of the laws and regulations pertaining to the wildlife resources of the state and from the sale of property used for said purposes shall be expended and used by said Commission for the control, management, restoration, conservation and regulation of the wildlife resources of the state, including the purchase or other acquisition of property for said purposes, and for the administration of the laws pertaining thereto and for no other purposes.

SECTION 3. AMENDATORY 68 O.S. 1991, Section 1353, as last amended by Section 8, Chapter 254, O.S.L. 1999 (68 O.S. Supp. 1999, Section 1353), is amended to read as follows:

Section 1353. Purpose of article - Apportionment of revenues.

It is hereby declared to be the purpose of the Oklahoma Sales Tax Code to provide funds for the financing of the program provided for by the Oklahoma Social Security Act and to provide revenues for the support of the functions of the state government of Oklahoma, and for this purpose it is hereby expressly provided that, for the fiscal year beginning July 1, 1999, and for each fiscal year thereafter, revenues derived pursuant to the provisions of the Oklahoma Sales Tax Code shall be apportioned as follows:

1. Eighty-six and four one-hundredths percent (86.04%) shall be paid to the State Treasurer to be placed to the credit of the General Revenue Fund to be paid out pursuant to direct appropriation by the Legislature, except as provided for in Section 4 of this act;

2. Ten and forty-two one-hundredths percent (10.42%) shall be paid to the State Treasurer to be placed to the credit of the Education Reform Revolving Fund of the State Department of Education; and

3. Three and fifty-four one-hundredths percent (3.54%) shall be paid to the State Treasurer to be placed to the credit of the Teachers' Retirement System Dedicated Revenue Revolving Fund; provided, when the total deposits to such Fund from all sources

exceed One Hundred Thirty-six Million Dollars (\$136,000,000.00) for the fiscal year beginning July 1, 1999, any funds received in the fiscal year beginning July 1, 1999, in excess of such amount shall be paid to the State Treasurer to be placed to the credit of the General Revenue Fund.

SECTION 4. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1353.1 of Title 68, unless there is created a duplication in numbering, reads as follows:

Beginning July 1, 2000, the Oklahoma Tax Commission shall transfer, on a quarterly basis, to the Wildlife Conservation Fund created in Section 3-302 of Title 29 of the Oklahoma Statutes, five percent (5%) of the total amount of annual receipts of Oklahoma sales tax, levied pursuant to Section 1354 of Title 68 of the Oklahoma Statutes, from collections on hunting equipment, auxiliary hunting equipment, fishing equipment, auxiliary fishing equipment, wildlife watching equipment and auxiliary wildlife watching equipment as estimated by the most recent United States Department of the Interior, United States Fish and Wildlife Service, and United States Department of Commerce Bureau of the Census "National Survey of Fishing, Hunting, and Wildlife Associated Recreation".

SECTION 5. This act shall become effective July 1, 2000.

SECTION 6. 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.

47-2-15359 JB 6/11/15