STATE OF OKLAHOMA

1st Session of the 47th Legislature (1999)

CONFERENCE COMMITTEE SUBSTITUTE
FOR ENGROSSED
SENATE BILL 121

By: Haney and Hobson of the Senate

and

Settle and Begley of the House

CONFERENCE COMMITTEE SUBSTITUTE

An Act relating to economic development; making an appropriation to the Oklahoma Department of Commerce; stating purposes; reappropriating funds; stating purpose; requiring a transfer of funds; requiring budgeting in certain categories and amounts; requiring performance measures for budget categories; providing for the duties and compensation of employees; limiting salary of the Executive Director; providing budgetary limitations; specifying amounts and categories of expenditures; providing for distribution of certain funds to certain agencies; stating purpose; providing for formula; providing guidelines; authorizing matching contributions; requiring certain expenditure for Head Start programs; stating purposes; providing for contracts with Community Action Agencies; providing for terms of contracts; specifying certain allocations; requiring determination of formulas based on certain information; requiring expenditure for administration of contracts; defining duties; requiring contract with certain entity; defining purpose; exempting certain contracts from Central Purchasing Act; restricting execution of contracts; requiring audits; requiring expenditure for substate multicounty regional planning functions; requiring certain allocations; authorizing matching requirements; requiring establishment of eligibility criteria; defining purposes; providing for voting membership of certain boards; providing for expenditures for certain contractual responsibilities; providing duties of network; authorizing certain expenditures; requiring budget work program; specifying purposes; requiring reports, filings and audits; exempting certain contracts from Oklahoma Central Purchasing Act; providing for certain expenditure for contractual responsibilities of certain Authority; specifying purpose; requiring expenditure for micro-loan program; exempting contracts form the Central Purchasing Act; providing for expenditure for certain contract and responsibilities; specifying purposes; requiring certain audit; requiring certain cooperation by contractor; exempting certain contracts from the Central Purchasing Act;

authorizing establishment of certain institute; stating purpose; requiring transfer of certain funds; authorizing certain contracts; specifying conditions; authorizing solicitation for donations and matching funds; designating the Oklahoma Department of Commerce as lead state agency for certain purposes; authorizing the establishment and administration of certain programs; providing for certain powers and duties related to such programs; requiring budgets, work plans and audits; providing for expenditures for contracts related to the aging and elderly; setting certain conditions; exempting certain expenditures from the Central Purchasing Act; requiring certain expenditures for economic and community development and transportation services with certain designated entities; exempting certain programs from the Central Purchasing Act; authorizing certain budgeting of certain funds; authorizing receipt and disbursal of certain grants and reimbursements; making an appropriation to the Oklahoma Center for the Advancement of Science and Technology; stating purpose; redesignating certain funds; requiring transfer of certain funds; stating purpose; authorizing the contracting of a study for special purposes; setting a reporting date to specific entities; requiring budgeting in certain categories and amounts; requiring performance measures for budget categories; providing for duties and compensation of employees; limiting salary of the Executive Director; providing budgetary limitations; requiring certain deposits; making certain appropriations nonfiscal; providing lapse dates; requiring certain budget procedures; prohibiting certain budget procedures; providing for codification; providing effective dates; and declaring an emergency.

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

OKLAHOMA DEPARTMENT OF COMMERCE

SECTION 1. There is hereby appropriated to the Oklahoma Department of Commerce from any monies not otherwise appropriated from the Special Cash Fund of the State Treasury, the sum of Two Million Six Hundred Sixty-eight Thousand Nine Hundred Two Dollars ($2,668,902.00) or so much thereof as may be necessary to perform the duties imposed upon the Oklahoma Department of Commerce by law.

SECTION 2. REAPPROPRIATION The amount of Fifty Thousand Dollars ($50,000.00) appropriated to the Oklahoma Department of Commerce by Section 9, Chapter 418, O.S.L. 1998, from the Special

Cash Fund of the State Treasury for the International Division is hereby continued and reappropriated in the original amount and for the original purpose, as adjusted by transfer, less the amounts that have been expended on the effective date of this act.

SECTION 3. TRANSFER The Department of Commerce, on the effective date of this act, shall transfer the sum of Five Hundred Thousand Dollars ($500,000.00) of the funds appropriated to the Department of Commerce by Section 41 of Enrolled Senate Bill No. 161 of the 1st Session of the 47th Oklahoma Legislature, to the Native American Cultural and Educational Authority Fund.

SECTION 4. For the fiscal year ending June 30, 2000, the Oklahoma Department of Commerce shall budget all funds in the following categories and amounts:

Category	Appropriation	Total
Develop and Improve Capacity of Local Economies	$ 2,072,829.00	$65,944,439.00
Fueling Business Growth and Development	2,910,330.00	3,165,768.00
Operational Support	3,800,655.00	4,786,726.00
Pass-Through Funds	10,796,353.00	14,471,449.00
Recruiting and Expanding Investments and Jobs	2,363,735.00	2,398,435.00
TOTAL	$21,943,902.00	$90,766,817.00

The agency shall develop outcome based performance measures for each budget category.

SECTION 5. The duties and compensation of employees, not otherwise prescribed by law, necessary to perform the duties imposed upon the Oklahoma Department of Commerce by law shall be set by the Executive Director. The salary of the Executive Director of the Oklahoma Department of Commerce shall not exceed One Hundred Three Thousand Six Hundred Sixty Dollars ($103,660.00) per annum, payable monthly for the fiscal year ending June 30, 2000. The Oklahoma

Department of Commerce for the fiscal year ending June 30, 2000, 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:

Budgetary Limitation	Amount
Full-Time-Equivalent Employees	185.0
Lease-Purchase Agreements	$0.00

SECTION 6. From all appropriations to the Department of Commerce for the fiscal year ending June 30, 2000, the following amounts shall be expended, subject to the availability of funds in the following categories:

Community Action Agencies $757,164.00

Action Inc.

Big Five Community Services, Inc.

Community Action Agency of Oklahoma City and Oklahoma/Canadian

Counties, Inc.

Community Action Project of Tulsa County, Inc.

Community Development Support Association

Cookson Hills Community Action Foundation

Deep Fork Community Action Foundation

Delta Community Action Foundation

Great Plains Improvement Foundation

INCA Community Services, Inc.

KiBois Community Action Foundation

Little Dixie Community Action Agency

Muskogee County Community Services Program

Northeast Oklahoma Community Action Agency

Opportunities, Inc.

Rural Enterprises Community Action Program	
Southwest Oklahoma Community Action Group	
United Community Action Program	
Wa-Ro-Ma Tri-County Community Action Foundation, Inc.	
Washington/Nowata Counties Community Action Foundation, Inc.	
Washita Valley Community Action Council	
Community Action Agencies Head Start Program	$3,559,914.00
Self Employment Entrepreneurial Development System (SEEDS)	$212,225.00
Minority Business Development Program Revolving Fund	$219,011.00
Capital Improvement Program Revolving Fund	$145,000.00
Rural Enterprises Inc.	$276,282.00
Oklahoma Development Finance Authority/ Rural Enterprises Inc. Business Revolving Loan Fund	$150,000.00
Rural Enterprises Inc./VANSAT Pilot Program	$40,000.00
Substate Planning Districts:	$470,258.00
Association of Central Oklahoma Governments	
Association of South Central Oklahoma Governments	
Central Oklahoma Economic Development District	
Eastern Oklahoma Development District	
Grand Gateway Economic Development Association	
Indian Nation Council of Governments	
Kiamichi Economic Development District of Oklahoma	
Northern Oklahoma Development Association	
Oklahoma Economic Development Association	

Southern Oklahoma Development Association	
South Western Oklahoma Development Authority	
Little Dixie Community Action Agency for the Statewide Youth Restitution Program	$30,662.00
Community Development Centers Program Revolving Fund	$131,406.00
Southeastern Oklahoma State University for the Statewide Small Business Development Centers Program	$762,030.00
Oklahoma Community Institute	$95,000.00
Native American Cultural and Educational Authority Fund	$500,000.00
Vocational-Technical Education Dual Use Training Center	$172,976.00
Bid Assistance Program Oklahoma State University/CATT	$150,000.00
Oklahoma Housing Trust Fund	$1,000,000.00
Home-based Business Association	$40,000.00
Association of Central Oklahoma Governments	$100,000.00
Association of South Central Oklahoma Governments	$65,000.00
Central Oklahoma Economic Development District	$232,000.00
Eastern Oklahoma Development District	$411,324.00
Grand Gateway Economic Development Association	$110,000.00
Indian Nation Council of Governments	$280,000.00
Kiamichi Economic Development District of Oklahoma	$433,670.00
Northern Oklahoma Development Association	$164,000.00
Oklahoma Economic Development Association	$50,000.00
Southern Oklahoma Development Association	$203,431.00

South Western Oklahoma Development

Authority $35,000.00

SECTION 7. The Oklahoma Department of Commerce shall enter into contracts to distribute Seven Hundred Fifty-seven Thousand One Hundred Sixty-four Dollars ($757,164.00) of the amount allocated to all Community Action Agencies listed in this act for the purpose of general missions of the agencies. Such distribution shall be based on a formula developed from historical data such as poverty population, number of elderly poor and size of geographic service area.

The Department may require the agencies which receive said funds to provide a thirty percent (30%) matching share in cash or in-kind contributions, or both such cash and in-kind contributions.

SECTION 8. The Oklahoma Department of Commerce shall expend Three Million Five Hundred Fifty-nine Thousand Nine Hundred Fourteen Dollars ($3,559,914.00) of the amount allocated to Community Action Agencies in this act, or so much thereof as may be necessary, for the purpose of improving Head Start programs and expanding Head Start enrollment. Of said amount:

1. Three Million Three Hundred Sixteen Thousand Nine Hundred Eighteen Dollars ($3,316,918.00) shall be distributed through contracts with Community Action Agencies that operated or sponsor federally funded Head Start programs. Contracts shall require eligible Community Action Agencies to expand Head Start services and enrollment, offer family services and develop early intervention strategies for juvenile delinquency prevention. Distribution of funds shall be based on a formula developed from historical data on poverty population and criteria used by the U.S. Department of Health and Human Services in the distribution of federal funds appropriated for the Head Start Program;

2. Five percent (5%) of the total Head Start allocation, or so much thereof as may be necessary, shall be expended by the Oklahoma

Department of Commerce for the purpose of administering Head Start contracts provided herein. Such duties of the Department shall include establishing performance criteria, reviewing programs for effectiveness in accomplishing objectives of the federal Head Start Program, and monitoring compliance with contractual provisions; and

3. Sixty-five Thousand Dollars ($65,000.00) shall be distributed through contract to the Oklahoma Association of Community Action Agencies, Inc., for the purpose of the Head Start Coordination Program and providing assessment, training and technical assistance to Head Start programs.

SECTION 9. For the fiscal year ending June 30, 2000, contracts with Community Action Agencies authorized by this act shall be exempt from the Central Purchasing Act. The Department shall not execute a contract with a Community Action Agency until the applicant submits, and the Department approves, a budget work program for expenditure of funds. Each contract shall require audits of expenditures, as provided in rules promulgated by the Department of Commerce.

SECTION 10. For the fiscal year ending June 30, 2000, the Oklahoma Department of Commerce shall expend the amount allocated in this act, or so much thereof as may be necessary, to perform the substate multicounty regional planning functions and responsibilities imposed upon the Department by law. Existing substate planning districts presently meeting requirements of the Oklahoma Department of Commerce pursuant to the provisions of this section shall be allocated the following amounts:

DISTRICT NUMBERS	AMOUNT
1 - Grand Gateway Economic Development Association (Craig, Delaware, Mayes, Nowata, Ottawa, Rogers and Washington Counties)	$42,000.00

2 - Eastern Oklahoma Development District (Adair, Cherokee, McIntosh, Muskogee, Okmulgee, Sequoyah, and Wagoner Counties)	$42,290.00
3 - Kiamichi Economic Development District of Oklahoma (Choctaw, Haskell, Haskell, Latimer, LeFlore, McCurtain, Pittsburg, and Pushmataha Counties)	$41,750.00
4 - Southern Oklahoma Development Association (Atoka, Bryan, Carter, Coal, Garvin, Johnston, Love, Marshall, Murray and Ponotoc Counties)	$42,000.00
5 - Central Oklahoma Economic Development District (Hughes, Lincoln, Okfuskee, Pawnee, Payne, Pottawatomie and Seminole Counties)	$42,083.00
6 - Indian Nations Council of Governments (Creek, Osage, and Tulsa Counties)	$45,446.00
7 - Northern Oklahoma Development Association (Alfalfa, Blaine, Garfield, Grant, Kay, Kingfisher, Major and Noble Counties)	$42,083.00
8 - Association of Central Oklahoma Governments (Canadian, Cleveland, Logan and Oklahoma Counties)	$47,522.00

9 - Association of South Central Oklahoma Governments (Caddo, Comanche, Cotton, Grady, Jefferson, McClain, Stephens and Tillman Counties)	$42,871.00
10 - South Western Oklahoma Development Authority Beckham, Custer, Greer, Harmon, Jackson, Kiowa, Roger Mills and Washita Counties)	$41,418.00
11 - Oklahoma Economic Development Association (Beaver, Cimarron, Dewey, Ellis, Harper Texas, Woods and Woodward Counties)	$40,795.00
TOTAL	$470,258.00

The Department may require the agencies to which the Department grants appropriated funds to provide a thirty percent (30%) matching share in cash or in-kind contribution, or both such cash and in-kind contribution.

The Oklahoma Department of Commerce shall establish eligibility requirements for substate multicounty planning districts to receive grants from appropriations to the Oklahoma Department of Commerce. The primary purpose of the substate multicounty planning districts shall include but not be limited to the enhancement of planning and technical assistance to local governments in the areas of community development, infrastructure and environmental needs.

At least two-thirds (2/3) of the voting membership of the board of each substate planning district shall be composed of the elected officials of conservation districts, incorporated towns, cities, or counties within the planning jurisdiction, or the designees of said officials.

SECTION 11. The Oklahoma Department of Commerce may expend the amount allocated in this act, or so much thereof as may be necessary, to accomplish contractual responsibilities with Southeastern Oklahoma State University for its statewide Small Business Development Centers Network, to be used in conjunction with receipted federal funds for the network. The network shall serve as a resource and advisor to the Department in its efforts to provide business counseling, more fully developed managerial skills, technology transfer, business-related educational materials and training services. The contractor shall submit an annual work budget program and quarterly expenditure reports. The contractor shall submit an annual audit as required by the Department of Commerce. Audit costs may be paid from allocated, appropriated funds.

SECTION 12. The Oklahoma Department of Commerce may expend the amount allocated in this act, or so much thereof as may be necessary, to accomplish contractual responsibilities with Little Dixie Community Action Agency, contractor, for the purpose of coordinating and operating a statewide juvenile restitution program and in order to provide state supplement to federal funds received to operate the program. The contractor shall submit an annual budget work program which must receive prior approval of the Department. The contractor shall submit monthly expenditures reports. The Department may disallow expenditures and withhold funds accordingly, if expenditure reports reflect noncompliance with the approved work budget program. The contractor must provide an annual audit, as directed by the Oklahoma Department of Commerce. Audit costs may be paid from allocated, appropriated funds. For the fiscal year ending June 30, 1999, any contracts authorized under this section shall be exempt from the Central Purchasing Act.

SECTION 13. The Oklahoma Department of Commerce shall expend the amount allocated in this act, or so much thereof as may be

necessary, to accomplish contractual responsibilities with the Oklahoma Development Finance Authority. The Oklahoma Development Finance Authority shall expend the funds to accomplish contractual responsibilities with Rural Enterprises, Inc., for the purpose of matching federal funds available through the United States Small Business Administration for business revolving loans to Oklahoma small businesses. For the fiscal year ending June 30, 2000, any contracts authorized under this section shall be exempt from the requirements of the Central Purchasing Act.

SECTION 14. The Oklahoma Department of Commerce shall expend the amount allocated in this act, or so much thereof as may be necessary, to accomplish contractual responsibilities with Rural Enterprises, Inc. for the purpose of providing financial and technical assistance for economic development to area businesses, to establish a VANSAT pilot project, and to promote international trade. The contractor shall cooperate with the Oklahoma Department of Commerce to assist in business financing, assist expansions of existing industry and home-based businesses. The contractor shall submit an annual audit as required by the Oklahoma Department of Commerce. For the fiscal year ending June 30, 2000, any contracts authorized under this appropriation shall be exempt for the Central Purchasing Act.

SECTION 15. The Oklahoma Department of Commerce is authorized to establish the Oklahoma Community Institute for Community Development. The purpose of the institute will be to: provide a one-stop resource/referral center for communities needing assistance; develop public policy recommendations that affect Oklahoma communities; and provide training and technical assistance for people who work in communities with an emphasis on local leadership development.

SECTION 16. The Oklahoma Department of Commerce shall transfer the amount allocated in this act to the Community Development Centers Program Fund.

The Department may contract with communities or organizations for Community Development Centers activities only after:

1. An applicant has submitted an approved application;

2. An applicant has demonstrated through experience and managerial expertise capabilities of constructing or causing construction or renovation of facilities and management of community development facilities;

3. An applicant has demonstrated that it can provide financial management capacity and responsibility to manage a program for community development centers for the aging or elderly; and

4. An applicant has demonstrated experience in establishing and managing programs to enhance the quality of life of the aging and elderly;

SECTION 17. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 5003.11 of Title 74, unless there is created a duplication in numbering, reads as follows:

The Oklahoma Department of Commerce shall serve as the lead state agency in establishing a community development strategy and plan for the state. The Department shall have the authority to establish and administer community development programs such as certified community programs which enhance the quality of life in Oklahoma communities; the Department has the authority to administer such programs directly or by contract with qualified community development entities.

In establishing such programs, the Department shall determine needs, priorities or funding limits within the limits for such programs imposed by the Legislature. The Department may promulgate rules in accordance with the Administrative Procedures Act to clarify such programs.

The Department shall establish and develop or cause to be developed individual program budgets, work plans, and audits of each community development program established and administered. Any contract under this section shall be exempt from the Central Purchasing Act.

SECTION 18. The Oklahoma Department of Commerce shall expend the amount allocated in this act, or so much thereof as may be necessary, to assist the Native American Cultural and Educational Authority as required by Section 5017 of Title 74 of the Oklahoma Statutes. The Oklahoma Department of Commerce shall assist the Native American Cultural and Educational Authority in fulfilling the responsibilities of the act. For fiscal year ending June 30, 2000, any contracts authorized under Section 1226 et seq. of Title 74 of the Oklahoma Statutes shall be exempt from the Central Purchasing Act.

SECTION 19. The Oklahoma Department of Commerce may expend the amount allocated in this act, or so much thereof as may be necessary, to accomplish contractual responsibilities with the Vocational-Technical Education Dual Use Training Center for the purpose of establishing a training center. Funds expended for the program shall be exempt from the requirements of the Central Purchasing Act.

SECTION 20. The Oklahoma Department of Commerce shall expend the sum of One Million Dollars ($1,000,000.00) for the purpose of providing monies to the Oklahoma Housing Finance Authority to be deposited in the Oklahoma Housing Trust Fund, created pursuant to Section 2901.2 of Title 74 of the Oklahoma Statutes. Funds expended for programs authorized by Sections 2901.1 through 2901.4 of Title 74 of the Oklahoma Statutes shall be exempt from the requirements of the Central Purchasing Act.

SECTION 21. The Oklahoma Department of Commerce shall expend the amount allocated in this act, or so much thereof as may be

necessary, for the purpose of the Bid Assistance Program/Computer-Assisted Technology Transfer program at Oklahoma State University-Okmulgee. Funds expended for the programs shall be exempt from the requirements of the Central Purchasing Act.

SECTION 22. The Oklahoma Department of Commerce shall expend the amount allocated in this act, or so much thereof as may be necessary, for the purpose of the Self-Employment and Entrepreneurial Development System (SEEDS) program. The SEEDS program promotes self-employment by assisting low-income individuals in securing business training and financial assistance to develop and start their own businesses. Funds expended for the programs shall be exempt from the requirements of the Central Purchasing Act.

SECTION 23. The Oklahoma Department of Commerce may expend funds from any available source to accomplish contractual responsibilities with the Oklahoma Quality Awards Foundation for the purpose of promoting performance excellence criteria throughout the Oklahoma business, education, government and healthcare sectors. Funds expended for the program shall be exempt for the requirements of the Central Purchasing Act.

SECTION 24. The Oklahoma Department of Commerce shall expend the amount allocated in this act, or so much thereof as may be necessary, to accomplish contractual responsibilities with the Association of Central Oklahoma Governments for the purpose of promoting economic and community development in Oklahoma communities within its service area. Funds expended for the programs shall be exempt from the requirements of the Central Purchasing Act.

SECTION 25. The Oklahoma Department of Commerce shall expend the amount allocated in this act, or so much thereof as may be necessary, to accomplish contractual responsibilities with the Association of South Central Oklahoma Governments for the purpose of promoting economic and community development in Oklahoma communities

within its service area. Funds expended for the programs shall be exempt from the requirements of the Central Purchasing Act.

SECTION 26. The Oklahoma Department of Commerce shall expend the amount allocated in this act, or so much thereof as may be necessary, to accomplish contractual responsibilities with the Central Oklahoma Economic Development District for the purposes of promoting economic and community development in Oklahoma communities within its service area. Funds expended for the programs shall be exempt from the requirements of the Central Purchasing Act.

SECTION 27. The Oklahoma Department of Commerce shall expend the amount allocated in this act, or so much thereof as may be necessary, to accomplish contractual responsibilities with the Eastern Oklahoma Development District for the purpose of assisting with operations promoting economic and community development and improving the transportation services in Oklahoma communities within its service area. Funds expended for the programs shall be exempt from the requirements of the Central Purchasing Act.

SECTION 28. The Oklahoma Department of Commerce shall expend the amount allocated in this act, or so much thereof as may be necessary, to accomplish contractual responsibilities with Grand Gateway Economic Development Association for the purpose of promoting economic and community development, enhancing quality of life, and improving transportation services in Oklahoma communities within its service area. Funds expended for the programs shall be exempt from the requirements of the Central Purchasing Act.

SECTION 29. The Oklahoma Department of Commerce shall expend the amount allocated in this act, or so much thereof as may be necessary, to accomplish contractual responsibilities with the Indian Nations Council of Governments for the purpose of promoting economic and community development and improving transportation services in Oklahoma communities within its service area. Funds

expended for the programs shall be exempt from the requirements of the Central Purchasing Act.

SECTION 30. The Oklahoma Department of Commerce shall expend the amount allocated in this act, or so much thereof as may be necessary, to accomplish contractual responsibilities with the Kiamichi Economic Development District for the purposes of establishing and promoting economic and community development activities and improving transportation services in Oklahoma communities within its service area. Funds expended for the programs shall be exempt from the requirements of the Central Purchasing Act.

SECTION 31. The Oklahoma Department of Commerce shall expend the amount allocated in this act, or so much thereof as may be necessary, to accomplish contractual responsibilities with the Northern Oklahoma Development Association for the purpose of promoting economic and community development and improving transportation services in Oklahoma communities within its service area. Funds expended for the programs shall be exempt from the requirements of the Central Purchasing Act.

SECTION 32. The Oklahoma Department of Commerce shall expend the amount allocated in this act, or so much thereof as may be necessary, to accomplish contractual responsibilities with the Oklahoma Economic Development Association for the purpose of promoting economic and community development and improving transportation services in Oklahoma communities within its service area. Funds expended for the programs shall be exempt from the requirements of the Central Purchasing Act.

SECTION 33. The Oklahoma Department of Commerce shall expend the amount allocated in this act, or so much thereof as may be necessary, to accomplish contractual responsibilities with the Southern Oklahoma Development Association for the purpose of assisting with operations and promoting economic and community

development and improving transportation services in Oklahoma communities within its service area. Funds expended for the programs shall be exempt from the requirements of the Central Purchasing Act.

SECTION 34. The Oklahoma Department of Commerce shall expend the amount allocated in this act, or so much thereof as may be necessary, to accomplish contractual responsibilities with the South Western Oklahoma Development Authority for the purposes of promoting economic and community development in Oklahoma communities within its service area. Funds expended for the programs shall be exempt from the requirements of the Central Purchasing Act.

SECTION 35. All funds appropriated to the Oklahoma Department of Commerce for the fiscal year ending June 30, 2000, may be used and expended in conjunction or cooperation with any federal agency or instrumentality pursuant to such terms and conditions as may be necessary to obtain grants or federal aid assistance in accordance with state law. The Department is hereby authorized to collect, receive, and use any and all grants or reimbursements made available to it through any agency or instrumentality of the federal government. Such funds shall be deposited in the State Treasury and disbursed in accordance with agreements between the Department and applicable federal agencies or instrumentalities.

OKLAHOMA CENTER FOR THE ADVANCEMENT OF SCIENCE AND TECHNOLOGY

SECTION 36. There is hereby appropriated to the Oklahoma Center for the Advancement of Science and Technology from any monies not otherwise appropriated from the General Revenue Fund of the State Treasury for the fiscal year ending June 30, 2000, the sum of Sixteen Thousand Nine Hundred Sixty-three Dollars ($16,963.00) or so much thereof as may be necessary to perform the duties imposed upon the Oklahoma Center for the Advancement of Science and Technology by law.

SECTION 37. REDESIGNATION AND TRANSFER The amount of One Hundred Thousand Dollars ($100,000.00) of the original appropriation of Nine Million Fifty-nine Thousand Two Hundred Seventy-two Dollars ($9,059,272.00), originally appropriated by Section 20, Chapter 105, O.S.L. 1998, to the Oklahoma Center for the Advancement of Science and Technology from any monies not otherwise appropriated from the General Revenue Fund of the State Treasury for the fiscal year ending June 30, 1999, for duties imposed upon the Oklahoma Center for the Advancement of Science and Technology by law, is hereby redesignated to be used for a study of the activities of the Oklahoma Center for the Advancement of Science and Technology.

The Director of State Finance, on July 1, 1999, shall transfer the sum of One Hundred Thousand Dollars ($100,000.00) originally appropriated to the Oklahoma Center for the Advancement of Science and Technology by Section 20, Chapter 105, O.S.L. 1998, to the Legislative Service Bureau for the purpose of contracting for a study of the Oklahoma Center for the Advancement of Science and Technology. The study shall include, but not be limited to, benchmarks for similar activities conducted by technology-based economic development organizations in other states, comparison of evaluation methods, comparison of Oklahoma Center for Advancement of Science and Technology's program activity levels with other states and the appropriateness and effectiveness of the Oklahoma Center for the Advancement of Science and Technology's activities. The results of the study shall be reported to the President Pro Tempore of the Senate, the Speaker of the House of Representatives, the Governor and the Executive Director of the Oklahoma Center for the Advancement of Science and Technology no later than January 1, 2000.

SECTION 38. For the fiscal year ending June 30, 2000, the Oklahoma Center for the Advancement of Science and Technology shall budget all funds in the following categories and amounts:

Category	Appropriation	Total

Research and Development	$ 6,704,999.00	$15,945,220.00
Technology Transfer	4,444,180.00	6,727,965.00
Administration	475,334.00	542,460.00
TOTAL	$11,624,513.00	$23,215,645.00

The Oklahoma Center for the Advancement of Science and Technology shall develop outcome based performance measures for each budget category.

SECTION 39. The duties and compensation of employees, not otherwise prescribed by law, necessary to perform the duties imposed upon the Oklahoma Center for the Advancement of Science and Technology by law shall be set by the Oklahoma Center for the Advancement of Science and Technology. The salary of the Executive Director of the Oklahoma Center for the Advancement of Science and Technology shall not exceed Seventy-three Thousand Three Hundred Eighty Dollars ($73,380.00) per annum, payable monthly for the fiscal year ending June 30, 2000. The Oklahoma Center for the Advancement of Science and Technology for the fiscal year ending June 30, 2000, 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:

Budgetary Limitation	Amount
Full-Time-Equivalent Employees	24.0
Lease-Purchase Agreements	$0.00

From the monies appropriated to the Oklahoma Center for the Advancement of Science and Technology by Section 25 of Enrolled Senate Bill No. 161 of the 1st Session of the 47th Oklahoma Legislature and by Section 36 of this act, the sum of Eleven Million One Hundred Forty-nine Thousand One Hundred Seventy-nine Dollars ($11,149,179.00) shall be deposited into the Research Support

Revolving Fund created pursuant to Section 5060.11 of Title 74 of the Oklahoma Statutes.

SECTION 40. Appropriations made by this act, not including appropriations made for capital outlay purposes, may be budgeted for the fiscal year ending June 30, 2000 (hereafter FY-00) or may be budgeted for the fiscal year ending June 30, 2001 (hereafter FY-01). Funds budgeted for FY-00 may be encumbered only through June 30, 2000, and must be expended by November 15, 2000. Any funds remaining after November 15, 2000, and not budgeted for FY-01, shall lapse to the credit of the proper fund for the then current fiscal year. Funds budgeted for FY-01 may be encumbered only through June 30, 2001. Any funds remaining after November 15, 2001, 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-00, and not required to pay obligations for that fiscal year, may be budgeted for FY-01, 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-00 budget work program and after such revision has been approved by the Office of State Finance.

SECTION 41. Section 37 of this act shall become effective July 1, 1999.

SECTION 42. Sections 1 through 36 and 38 through 40 of this act shall become effective September 1, 1999.

SECTION 43. 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.

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