

ENROLLED HOUSE
BILL NO. 1565

By: Settle and Begley of the
House

and

Haney and Hobson of the
Senate

An Act relating to the Constitutional Reserve Fund; making appropriations to the Oklahoma Department of Transportation; stating purposes; making an appropriation to the State Emergency Fund; stating purpose; setting forth certain requirements for the expenditure of certain funds received by the Governor; making an appropriation to the State Department of Vocational and Technical Education; stating purpose; making an appropriation to the Oklahoma State Regents for Higher Education; stating purpose; making an appropriation to the State Board of Education; stating purpose; making an appropriation to the State Department of Agriculture; stating purpose; making an appropriation to the Oklahoma Employment Security Commission; stating purpose; making an appropriation to the Department of Mental Health and Substance Abuse Services; stating purpose; making an appropriation to the Board of Medicolegal Investigations; stating purpose; making an appropriation to the Historical Society; stating purpose; making an appropriation to the Department of Public Safety; 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 appropriated from the Constitutional Reserve Fund of the State Treasury the sum of Eighty-two Million One Hundred Seventy Thousand

Nine Hundred Twenty-five Dollars (\$82,170,925.00) or so much thereof as may be necessary to fund the purposes set forth in Section 2002 of Title 69 of the Oklahoma Statutes. The appropriation set forth in this section shall be transferred to the State Highway Construction and Maintenance Fund.

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

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

SECTION 4. It is the intent of the Legislature that up to Two Million Dollars (\$2,000,000.00) of the funds appropriated pursuant to Section 3 of this act may be subject to the following requirements related directly to remediation of damage caused by the recent tornadoes:

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

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

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

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

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

SECTION 5. There is hereby appropriated to the State Department of Vocational and Technical Education from any monies not otherwise appropriated from the Constitutional Reserve Fund of the State

Treasury the sum of One Million Dollars (\$1,000,000.00) or so much thereof as may be necessary to provide rapid response disaster training programs.

SECTION 6. There is hereby appropriated to the Oklahoma State Regents for Higher Education from the Constitutional Reserve Fund of the State Treasury the sum of Twenty-three Million Five Hundred Thousand Dollars (\$23,500,000.00) or so much thereof as may be necessary for allocation by the Oklahoma State Regents for Higher Education pursuant to the provisions of Article XIII-A of the Constitution of the State of Oklahoma for the education and general operating budgets of the institutions and for other programs, construction, renovations or repairs administered by the Oklahoma State Regents for Higher Education.

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

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

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

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

SECTION 11. There is hereby appropriated to the Board of Medicolegal Investigations from any monies not otherwise appropriated from the Constitutional Reserve Fund of the State Treasury the sum of Five Hundred Thousand Dollars (\$500,000.00) or so much thereof as may be necessary for construction, furnishing, and equipping of facilities at Tulsa.

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

SECTION 13. There is hereby appropriated to the Department of Public Safety from any monies not otherwise appropriated from the

Constitutional Reserve Fund of the State Treasury the sum of Five Hundred Thousand Dollars (\$500,000.00) or so much thereof as may be necessary for the funding of regional headquarters.

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

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

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

A. There is hereby created in the State Treasury a fund to be designated the "Charter Schools Incentive Fund". The fund shall be a continuing fund, not subject to fiscal year limitations, and shall consist of all monies appropriated by the Legislature, gifts, grants, devises and donations from any public or private source. The State Department of Education shall administer the fund for the purpose of providing financial support to charter school applicants and charter schools for start-up costs and costs associated with renovating or remodeling existing buildings and structures for use by a charter school.

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

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

SECTION 18. The appropriations made by this act shall not be subject to fiscal year limitations and shall be available for encumbrance and expenditure purposes for a period of thirty (30) months from the date this act is approved.

SECTION 19. 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.

Passed the House of Representatives the 28th day of May, 1999.

Speaker of the House of
Representatives

Passed the Senate the 28th day of May, 1999.

President of the Senate