

ENROLLED HOUSE
BILL NO. 1571

By: Settle, Begley and Beutler
of the House

and

Haney and Hobson of the
Senate

An Act relating to various agencies; amending Section 9, Chapter 313, O.S.L. 1998, as amended by Section 37, Chapter 418, O.S.L. 1998, which relates to the budget of the State Department of Health; modifying the amounts budgeted in certain categories; amending Section 33, Chapter 313, O.S.L. 1998, as amended by Section 44, Chapter 418, O.S.L. 1998, which relates to the budget of the Oklahoma Department of Veterans Affairs; modifying the amounts budgeted in certain categories; amending Section 3, Chapter 336, O.S.L. 1992, as amended by Section 2, Chapter 375, O.S.L. 1997 (63 O.S. Supp. 1998, Section 1-107.1), which relates to the Eldercare Revolving Fund; requiring the State Department of Health to recognize and reimburse certain indirect costs for Eldercare under certain conditions related to a certain federally approved indirect cost allocation plan; amending Section 9 of Enrolled House Bill No. 1523 of the 1st Session of the 47th Oklahoma Legislature, as amended by Section 28 of Enrolled Senate Bill No. 146 of the 1st Session of the 47th Oklahoma Legislature, which relates to budgetary limitations for the State Department of Health; requiring transfer of certain monies for the Department of Rehabilitation Services; specifying amounts and ratios; requiring transfer of certain monies for the Department of Human Services; specifying amounts and ratios; providing exceptions; requiring certain procedures; amending Section 18 of Enrolled Senate Bill No. 146 of the 1st Session of the 47th Oklahoma Legislature, which relates to the Office of Juvenile Affairs; modifying appropriation to the Office of Juvenile Affairs; amending Section 20 of Enrolled Senate Bill No. 146 of the 1st Session of the 47th Oklahoma Legislature, which relates to budgeting in certain categories and amounts; modifying budget limits; amending Section 22 of Enrolled Senate Bill No. 146 of the 1st Session of the 47th Oklahoma Legislature, which relates to the Office of Juvenile Affairs; modifying certain expenditures; amending Section 13 of Enrolled House Bill No. 1534 of the 1st Session of the 47th Oklahoma Legislature, which relates to the State Department of Agriculture; modifying the salary of the Commissioner; amending Section 23 of Enrolled House Bill No. 1534 of the 1st Session of the 47th Oklahoma Legislature, which relates to the Department of Labor; modifying certain budgetary limitations;

amending Section 11 of Enrolled House Bill No. 1554 of the 1st Session of the 47th Oklahoma Legislature, which relates to budgetary limitations for the Oklahoma State Bureau of Investigation; modifying certain budgetary limits; amending Section 3 of Enrolled House Bill No. 1550 of the 1st Session of the 47th Oklahoma Legislature, which relates to budgetary limitations for the Office of the Attorney General; modifying certain budgetary limits; amending Section 19 of Enrolled House Bill No. 1544 of the 1st Session of the 47th Oklahoma Legislature, which relates to budgetary limitations; modifying limits; amending Section 10, Chapter 400, O.S.L. 1992, as last amended by Section 3, Chapter 257, O.S.L. 1998 (74 O.S. Supp. 1998, Section 1370), which relates to the Oklahoma State Employees Benefit Council benefits plan; authorizing benefit allowance to be as stated each fiscal year; modifying stated amounts of such benefits; amending Section 3, Chapter 282, O.S.L. 1993, as last amended by Section 3, Chapter 315, O.S.L. 1998 (25 O.S. Supp. 1998, Section 307.1), which relates to teleconferences; amending exceptions; amending 61 O.S. 1991, Section 103.3, which relates to the Public Competitive Bidding Act; adding to certain exceptions; requiring certain report; providing for appointment of members to certain selection committee; making an appropriation to the Oklahoma Education Television Authority; stating purpose; making appropriations to the Oklahoma State Regents for Higher Education; stating purpose; making appropriations to the State Board of Vocational and Technical Education; stating purposes; making an appropriation to the Office of Auditor and Inspector; stating purpose; making an appropriation to the Department of Central Services; stating purpose; making appropriations to the Oklahoma Department of Commerce; stating purpose; making an appropriation to the Office of the Lieutenant Governor; stating purpose; making an appropriation to the Department of Human Services; stating purpose; making an appropriation to the Oklahoma Commission on Children and Youth; stating purpose; making an appropriation to the Department of Mental Health and Substance Abuse Services; stating purpose; making an appropriation to the State Department of Agriculture; stating purpose; making appropriations to the Oklahoma Tourism and Recreation Department; stating purpose; amending Section 1, Chapter 372, O.S.L. 1998 (73 O.S. Supp. 1998, Section 301), as last amended by Section 1 of Enrolled Senate Bill No. 115 of the 1st Session of the 47th Oklahoma Legislature, which relates to the Oklahoma Capital Improvement Authority; requiring transfer of certain funds for certain reimbursements; making an appropriation to the Oklahoma Historical Society; stating purpose; making an appropriation to the Department of Public Safety; stating purpose; making appropriations to the Supreme Court; stating purpose; making an appropriation to the Oklahoma Water Resources Board; stating purpose; authorizing the Office of Juvenile

affairs to provide certain services; repealing Section 1, Chapter 406, O.S.L. 1998 (36 O.S. Supp. 1998, Section 353), which relates to health benefits; repealing Section 24 of Enrolled House Bill No. 1534 of the 1st Session of the 47th Oklahoma Legislature, which relates to certain salary limits; making appropriations exempt from certain budget limits; providing an effective date; and declaring an emergency.

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

SECTION 1. AMENDATORY Section 9, Chapter 313, O.S.L. 1998, as amended by Section 37, Chapter 418, O.S.L. 1998, is amended to read as follows:

Section 9. For the fiscal year ending June 30, 1999, the State Department of Health shall budget all funds in the following categories and amounts:

<u>Category</u>	<u>Appropriation</u>	<u>Total</u>
Support	2,901,785.00	15,431,753.00
Family Health	31,698,959.00 <u>31,914,786.00</u>	110,671,883.00 <u>110,887,710.00</u>
Communicable Disease	4,147,751.00	<u>15,364,612.00</u>
Chronic Disease	687,129.00	4,195,111.00
Local Health	12,557,843.00	26,806,707.00
Consumer Protection	1,809,853.00	13,507,997.00
Eldercare	6,897,475.00	7,200,361.00
Health Promotion and Policy Analysis	<u>3,267,715.00</u>	<u>5,393,696.00</u>
TOTAL	\$63,968,510.00 <u>\$64,184,337.00</u>	\$198,572,120.00 <u>\$198,787,947.00</u>

SECTION 2. AMENDATORY Section 33, Chapter 313, O.S.L. 1998, as amended by Section 41, Chapter 418, O.S.L. 1998, is amended to read as follows:

Section 33. For the fiscal year ending June 30, 1999, the Oklahoma Department of Veterans Affairs shall budget all funds in the following categories and amounts:

<u>Category</u>	<u>Appropriation</u>	<u>Total</u>
Central Administration	\$ 248,315.00	\$ 2,225,440.00
Nursing Care	19,540,058.00 <u>19,405,028.00</u>	51,889,576.00

George Nigh Rehabilitation Institute	603,302.00 <u>738,332.00</u>	5,635,232.00
Claims and Benefits	248,315.00 <u>262,520.00</u>	1,333,287.00 <u>1,433,287.00</u>
State Accrediting Agency	<u>0.00</u>	<u>274,638.00</u>
TOTAL	\$20,654,195.00	\$61,358,173.00 <u>\$61,458,173.00</u>

SECTION 3. AMENDATORY Section 3, Chapter 336, O.S.L. 1992, as amended by Section 2, Chapter 375, O.S.L. 1997 (63 O.S. Supp. 1998, Section 1-107.1), is amended to read as follows:

Section 1-107.1 A. There is hereby created in the State Treasury a Revolving Fund for the State Department of Health to be designated the "Eldercare Revolving Fund". The fund shall be a continuing fund, not subject to fiscal year limitations, and shall consist of all monies deposited to the credit of the fund by law.

B. All monies accruing to the credit of the fund are hereby appropriated and may be budgeted and expended by the State Department of Health for operation of local Eldercare case management programs. A full accounting of the expenditures of the program shall be sent to the Speaker of the House of Representatives, the President Pro Tempore of the Senate, and the Governor by January 15 of each year. Expenditures from the fund shall be made upon warrants issued by the State Treasurer against claims filed as prescribed by law with the Director of State Finance for approval and payment.

C. The Eldercare Revolving Fund shall not be used for the costs the State Department of Health incurs in administering the local programs.

D. The State Department of Health shall recognize and reimburse indirect costs for Eldercare Programs, administered by contractors, if the costs are charged in accordance with a federally approved indirect cost allocation plan developed in accordance with federal guidelines established by the United States Office of Management and Budget Circular A-87. In no case shall the State Department of Health reimburse indirect costs in excess of twenty percent (20%) of total program costs.

SECTION 4. AMENDATORY Section 9 of Enrolled House Bill No. 1523 of the 1st Session of the 47th Oklahoma Legislature, as amended by Section 28 of Enrolled Senate Bill No. 146 of the 1st Session of the 47th Oklahoma Legislature, is amended to read as follows:

Section 9. For the fiscal year ending June 30, 2000, the State Department of Health shall budget all funds in the following categories and amounts:

<u>Category</u>	<u>Appropriation</u>	<u>Total</u>
Support	\$1,911,009.00	\$15,440,351.00
Family Health	33,960,057.00 <u>33,970,057.00</u>	114,372,717.00 <u>114,382,717.00</u>
Communicable Disease	4,245,689.00	15,414,028.00
Chronic Disease	689,785.00	4,279,706.00
Local Health	12,570,855.00 <u>12,720,855.00</u>	27,937,353.00 <u>28,087,353.00</u>
Consumer Protection	2,053,671.00	13,813,903.00
Eldercare	6,911,700.00	8,196,669.00
Health Promotion and Policy Analysis	3,261,037.00 <u>3,286,037.00</u>	7,485,265.00 <u>7,520,265.00</u>
TOTAL	\$65,603,803.00 <u>\$65,788,803.00</u>	\$206,939,992.00 <u>\$207,134,992.00</u>

SECTION 5. The Director of State Finance shall transfer monies apportioned from the General Revenue Fund to the Department of Rehabilitation Services' disbursing funds in the amounts and ratios requested by the agency except that the cumulative amounts transferred shall not exceed the cumulative amounts of equal monthly allotments of the appropriations from the General Revenue Fund.

SECTION 6. The Director of State Finance shall transfer monies apportioned from the General Revenue Fund to the Department of Human Services' disbursing funds in the amounts and ratios requested by the agency except that the cumulative amounts transferred shall not exceed the cumulative amounts of equal monthly allotments of the appropriations from the General Revenue Fund.

Monies appropriated or collected from the fiscal year ending June 30, 2000, may be transferred to these disbursing funds for the fiscal year ending June 30, 1999, to satisfy encumbrances and obligations of said fiscal year; provided, that monies equal in amount are transferred from appropriations or collections for the fiscal year ending June 30, 1999, to the disbursing funds for the fiscal year ending June 30, 2000, to satisfy encumbrances and obligations of said fiscal year. All transfer requests shall be in writing to the Director of State Finance. The Department of Human Services shall maintain records of the interyear transfers.

SECTION 7. AMENDATORY Section 18 of Enrolled Senate Bill No. 146 of the 1st Session of the 47th Oklahoma Legislature, is amended to read as follows:

Section 18. There is hereby appropriated to the Office of Juvenile Affairs from any monies not otherwise appropriated from the Special Cash Fund of the State Treasury the sum of ~~One Million Eight Hundred Ninety-seven Thousand One Hundred Forty-one Dollars (\$1,897,141.00)~~ One Million Nine Hundred Sixty Thousand Six Hundred Forty-one Dollars (\$1,960,641.00) or so much thereof as may be

necessary to perform the duties imposed upon the Office of Juvenile Affairs by law.

SECTION 8. AMENDATORY Section 20 of Enrolled Senate Bill No. 146 of the 1st Session of the 47th Oklahoma Legislature, is amended to read as follows:

Section 20. For the fiscal year ending June 30, 2000, the Office of Juvenile Affairs shall budget all funds in the following categories and amounts:

<u>Category</u>	<u>Appropriation</u>	<u>Total</u>
Administration	\$5,593,685.00	\$5,793,685.00
Santa Claus	0.00	16,252.00
OJJD	86,301.00	1,691,549.00
Residential Services	40,738,099.00 <u>40,801,599.00</u>	50,489,002.00 <u>51,358,873.00</u>
Nonresidential Services	34,485,440.00	39,724,353.00
Juvenile Accountability Incentive Block Grant	0.00	3,317,749.00
Welfare to Work	0.00	1,011,228.00
Community Youth Service Agencies	<u>17,643,822.00</u>	<u>17,643,822.00</u>
TOTAL	\$98,547,347.00 <u>\$98,610,847.00</u>	\$119,687,640.00 <u>\$120,557,511.00</u>

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

SECTION 9. AMENDATORY Section 22 of Enrolled Senate Bill No. 146 of the 1st Session of the 47th Oklahoma Legislature, is amended to read as follows:

Section 22. Of the funds appropriated in Section 18 of ~~this act~~ Enrolled Senate Bill No. 146 of the 1st Session of the 47th Oklahoma Legislature and Section 78 of Enrolled Senate Bill No. 161 of the 1st Session of the 47th Oklahoma Legislature, the Office of Juvenile Affairs shall expend ~~Four Hundred Thirty-one Thousand Six Hundred Sixty-six Dollars (\$431,666.00)~~ Five Hundred Twenty-one Thousand Two Hundred Sixty-three Dollars (\$521,263.00) for the state match for the federal Violent Offender and Truth in Sentencing Act.

SECTION 10. AMENDATORY Section 13 of Enrolled House Bill No. 1534 of the 1st Session of the 47th Oklahoma Legislature, is amended to read as follows:

Section 13. The duties and compensation of employees, not otherwise prescribed by law, necessary to perform the duties imposed upon the State Department of Agriculture by law shall be set by the Commissioner. The salary of the Commissioner shall not exceed ~~Seventy-two Thousand Dollars (\$72,000.00)~~ Seventy-four Thousand

Dollars (\$74,000.00) per annum, payable monthly for the fiscal year ending June 30, 2000. The State Department of Agriculture, 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:

<u>Budgetary Limitation</u>	<u>Amount</u>
Average Number of Full-time-equivalent Employees, Excluding Part-time Employees in the Forestry, Plant, and Animal Industry Divisions and Fruit and Vegetable Graders	521.0
Lease-Purchase Agreements	\$100,000.00

SECTION 11. AMENDATORY Section 23 of Enrolled House Bill No. 1534 of the 1st Session of the 47th Oklahoma Legislature, is amended to read as follows:

Section 23. The duties and compensation of employees, not otherwise prescribed by law, necessary to perform the duties imposed upon the Department of Labor by law shall be set by the Commissioner of Labor. The Department of Labor 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:

<u>Budgetary Limitation</u>	<u>Amount</u>
Full-time-equivalent Employees	138.0 <u>136.0</u>
Lease-Purchase Agreements	\$0.00

SECTION 12. AMENDATORY Section 11 of Enrolled House Bill No. 1554 of the 1st Session of the 47th Oklahoma Legislature, is amended to read as follows:

Section 11. The duties and compensation of employees, not otherwise prescribed by law, necessary to perform the duties imposed upon the Oklahoma State Bureau of Investigation by law shall be set by the Director. The salary of the Director shall not exceed Seventy-two Thousand Dollars (\$72,000.00) per annum, payable monthly for the fiscal year ending June 30, 2000. The Oklahoma State Bureau of Investigation 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:

<u>Budgetary Limitation</u>	<u>Amount</u>
Full-time-equivalent Employees	269.0 <u>271.0</u>

Lease-Purchase Agreements \$405,000.00

SECTION 13. AMENDATORY Section 3 of Enrolled House Bill No. 1550 of the 1st Session of the 47th Oklahoma Legislature, is amended to read as follows:

Section 3. The duties and compensation of employees, not otherwise prescribed by law, necessary to perform the duties imposed upon the Office of the Attorney General by law shall be set by the Attorney General. The Office of the Attorney General for the fiscal year ending June 30, 2000, shall be subject to the following budgetary limitations on full-time-equivalent employees, except as may be authorized pursuant to the provisions of Section 3603 of Title 74 of the Oklahoma Statutes:

<u>Budgetary Limitation</u>	<u>Amount</u>
Full-time-equivalent Employees	163.0 <u>166.0</u>
Lease-Purchase Agreements	\$0.00

SECTION 14. AMENDATORY Section 19 of Enrolled House Bill No. 1544 of the 1st Session of the 47th Oklahoma Legislature, is amended to read as follows:

Section 19. The Supreme Court and the Court of Civil Appeals for the fiscal year ending June 30, 2000, shall be subject to the following budgetary limitations on full-time-equivalent employees, excluding active retired judges, and expenditures, excluding expenditures for capital and special projects and excluding lawful expenditures from the State Judicial Fund, except as may be authorized pursuant to the provisions of Section 3603 of Title 74 of the Oklahoma Statutes:

<u>Budgetary Limitation</u>	<u>Amount</u>
Full-time-equivalent Employees	156.0 <u>162.0</u>
Lease-Purchase Agreements	\$50,000.00

SECTION 15. AMENDATORY Section 10, Chapter 400, O.S.L. 1992, as last amended by Section 3, Chapter 257, O.S.L. 1998 (74 O.S. Supp. 1998, Section 1370), is amended to read as follows:

Section 1370. A. Subject to the requirement that a participant must elect at least the default benefits, or the basic plan, flexible benefit dollars may be used to purchase any of the benefits offered by the Oklahoma State Employees Benefits Council under the flexible benefits plan. A participant's flexible benefit dollars for a plan year shall consist of the sum of (1) flexible benefit allowance credited to a participant by the participating employer, and (2) pay conversion dollars elected by a participant.

B. Except as otherwise provided by Section 12, Chapter 384, O.S.L. 1997, each participant shall be credited annually with a specified amount as a flexible benefit allowance which shall be available for the purchase of benefits. The amount of the flexible

benefit allowance credited to each participant shall be communicated to him or her prior to the enrollment period for each plan year.

C. For the fiscal year ending June 30, 1998, the amount of a participant's benefit allowance, which shall be the total amount the employer contributes for the payment of insurance premiums or other benefits, shall be Two Hundred Twenty-four Dollars and sixty-nine cents (\$224.69) per month or the amount determined by the Council based on a formula for determining a participant's benefit credits consistent with the requirements of 26 U.S.C., Section 125(g) (2) and regulations thereunder.

D. For the fiscal year ending June 30, ~~1999~~ 2000, and each fiscal year thereafter, the amount of a participant's benefit allowance, which shall be the total amount the employer contributes for the payment of insurance premiums or other benefits, shall be:

1. Two Hundred Sixty-two Dollars and nineteen cents (\$262.19) per month or the amount determined by the Council based on a formula for determining a participant's benefit credits consistent with the requirements of 26 U.S.C., Section 125(g) (2) and regulations thereunder; or

2. Two Hundred Twenty-four Dollars and sixty-nine cents (\$224.69) per month plus one of the additional amounts as follows for participants who elect to include one or more dependents for the fiscal year ending June 30, ~~1999~~ 2000, and each fiscal year thereafter:

- a. ~~One Hundred Two Dollars and seventy-eight cents (\$102.78)~~ for a spouse, one-half (1/2) of the average price of all high option benefit plans available for coverage of a spouse,
- b. ~~Thirty-nine Dollars and twelve cents (\$39.12)~~ for one child, one-half (1/2) of the average price of all high option benefit plans available for coverage of one child,
- c. ~~Sixty-nine Dollars and ninety-nine cents (\$69.99)~~ for two or more children, one-half (1/2) of the average price of all high option benefit plans available for coverage of two or more children,
- d. ~~One Hundred Forty-one Dollars and ninety-one cents (\$141.91)~~ for a spouse and one child, one-half (1/2) of the average price of all high option benefit plans available for coverage of a spouse and one child, or
- e. ~~One Hundred Seventy-two Dollars and seventy-seven cents (\$172.77)~~ for a spouse and two or more children, one-half (1/2) of the average price of all high option benefit plans available for coverage of a spouse and two or more children.

E. This section shall not prohibit payments for supplemental health insurance coverage made pursuant to Section 1314.4 of this title or payments for the cost of providing health insurance coverage for dependents of employees of the Grand River Dam Authority.

F. If a participant desires to buy benefits whose sum total of benefit prices is in excess of his or her flexible benefit allowance, the participant may elect to use pay conversion dollars to purchase such excess benefits. Pay conversion dollars may be elected through a salary reduction agreement made pursuant to the election procedures of Section 1371 of this title. The elected amount shall be deducted from the participant's compensation in equal amounts each pay period over the plan year. On termination of employment during a plan year, a participant shall have no obligation to pay the participating employer any pay conversion dollars allocated to the portion of the plan year after the participant's termination of employment.

G. If a participant elects benefits whose sum total of benefit prices is less than his or her flexible benefit allowance, he or she shall receive any excess flexible benefit allowance as taxable compensation. Such taxable compensation will be paid in substantially equal amounts each pay period over the plan year. On termination during a plan year, a participant shall have no right to receive any such taxable cash compensation allocated to the portion of the plan year after the participant's termination. Nothing herein shall affect a participant's obligation to elect the minimum benefits or to accept the default benefits of the plan with corresponding reduction in the sum of his or her flexible benefit allowance equal to the sum total benefit price of such minimum benefits or default benefits.

SECTION 16. AMENDATORY Section 3, Chapter 282, O.S.L. 1993, as last amended by Section 3, Chapter 315, O.S.L. 1998 (25 O.S. Supp. 1998, Section 307.1), is amended to read as follows:

Section 307.1 A. No public body shall hold meetings by teleconference except:

1. Oklahoma Futures;
2. The Oklahoma State Regents for Higher Education;
3. The Oklahoma Board of Medical Licensure and Supervision;
4. The State Board of Osteopathic Examiners;
5. The Board of Dentistry;
6. The Variance and Appeals Boards created in Sections 1021.1, 1697 and 1850.16 of Title 59 of the Oklahoma Statutes; ~~and~~
7. A public trust whose beneficiary is a municipality; however, no more than twenty percent (20%) of a quorum of the trustees may participate by teleconference and during any such meetings all votes shall be roll call votes; and
8. The Native American Cultural and Educational Authority.

B. No public body authorized to hold meetings by teleconference shall conduct an executive session by teleconference.

SECTION 17. AMENDATORY 61 O.S. 1991, Section 103.3, is amended to read as follows:

Section 103.3 A. For purposes of the provisions of subsection ~~(g)~~ (h) of Section 176 of Title 60 of the Oklahoma Statutes and the provisions of the Public Competitive Bidding Act of 1974, ~~Section 101 et seq. of Title 61 of the Oklahoma Statutes,~~ contracts for construction, labor, equipment, material or repairs ~~for~~:

1. For an aircraft maintenance or manufacturing facility, whose total cost of construction exceeds the sum of One Hundred Fifty Million Dollars (\$150,000,000.00) and which employs at least one thousand (1,000) full-time-equivalent employees upon completion of the facility~~;~~ and

2. By the University Hospitals Trust for the construction of an ambulatory care clinic, shall not be considered to be public construction contracts and shall not be required to be open for competitive bidding.

B. The University Hospitals Trust shall prepare a report setting out the process it will follow in developing a competitive request for proposal for construction of an ambulatory care clinic. This report shall be delivered to the President Pro Tempore of the Senate, the Speaker of the House of Representatives and the Governor on or before December 1, 1999.

C. The Senate and the House of Representatives shall each appoint one member of the University Hospitals Trust Legislative Advisory Task Force, as created in subsection D of Section 3224 of Title 63 of the Oklahoma Statutes to serve as full members of the Selection Committee that will review and select among requests for proposals for the ambulatory care clinic.

SECTION 18. There is hereby appropriated to the Oklahoma Education Television Authority from any monies not otherwise appropriated from the Special Cash Fund of the State Treasury, the sum of Fifty Thousand Dollars (\$50,000.00) or so much thereof as may be necessary to perform the duties imposed upon the Oklahoma Education Television Authority by law.

SECTION 19. There is hereby appropriated to the Oklahoma State Regents for Higher Education from any monies not otherwise appropriated from the Special Cash Fund of the State Treasury, the sum of One Hundred Thousand Dollars (\$100,000.00) or so much thereof as may be necessary for the establishment of George and Donna Nigh Scholarships.

SECTION 20. There is hereby appropriated to the Oklahoma State Regents for Higher Education from any monies not otherwise appropriated from the Special Cash Fund of the State Treasury, the sum of Four Hundred Forty-five Thousand Dollars (\$445,000.00) 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 Oklahoma Constitution for the education and general operating budgets of the institutions and other programs, construction, renovations or repairs administered by the Oklahoma State Regents for Higher Education.

SECTION 21. There is hereby appropriated to the State Board of Vocational and Technical Education from any monies not otherwise appropriated from the Special Cash Fund of the State Treasury, the

sum of One Hundred Thousand Dollars (\$100,000.00) or so much thereof as may be necessary for aircraft maintenance programs.

SECTION 22. There is hereby appropriated to the State Board of Vocational and Technical Education from any monies not otherwise appropriated from the Special Cash Fund of the State Treasury, the sum of One Hundred Thousand Dollars (\$100,000.00) or so much thereof as may be necessary to perform the duties imposed upon the State Board of Vocational and Technical Education by law.

SECTION 23. There is hereby appropriated to the Office of the Auditor and Inspector from any monies not otherwise appropriated from the Special Cash Fund of the State Treasury, the sum of One Hundred Thousand Dollars (\$100,000.00) or so much thereof as may be necessary to perform the duties imposed upon the Office of the Auditor and Inspector by law.

SECTION 24. There is hereby appropriated to the Department of Central Services from any monies not otherwise appropriated from the Special Cash Fund of the State Treasury, the sum of Forty-two Thousand Five Hundred Dollars (\$42,500.00) or so much thereof as may be necessary to perform the duties imposed upon the Department of Central Services by law.

SECTION 25. 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 Fifteen Thousand Dollars (\$15,000.00) to accomplish contractual responsibilities with the Southern Oklahoma Development Association for the purpose of establishing 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 26. 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 One Hundred Forty-one Thousand Dollars (\$141,000.00) to accomplish contractual responsibilities with the Eastern Oklahoma Development District for the purpose of establishing 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 27. 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 Three Hundred Thousand Dollars (\$300,000.00) to accomplish contractual responsibilities with the Central Oklahoma Economic Development District for the purpose of establishing 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 28. 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 Three

Hundred Five Thousand Dollars (\$305,000.00) to accomplish contractual responsibilities with the Association of South Central Oklahoma Governments for the purpose of establishing 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 29. 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 Thirty Thousand Dollars (\$30,000.00) 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.

SECTION 30. 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 Hundred Thousand Dollars (\$200,000.00) to accomplish contractual responsibilities with the Central Oklahoma Economic Development District for the purpose of establishing and 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 31. There is hereby appropriated to the Office of the Lieutenant Governor from any monies not otherwise appropriated from the Special Cash Fund of the State Treasury, the sum of Thirty-nine Thousand Nine Hundred Eleven Dollars (\$39,911.00) or so much thereof as may be necessary to perform the duties imposed upon the Office of the Lieutenant Governor by law.

SECTION 32. There is hereby appropriated to the Department of Human Services from any monies not otherwise appropriated from the Special Cash Fund of the State Treasury, the sum of Eighteen Thousand Dollars (\$18,000.00) or so much thereof as may be necessary to perform the duties imposed upon the Department of Human Services by law.

SECTION 33. There is hereby appropriated to the Oklahoma Commission on Children and Youth from any monies not otherwise appropriated from the Special Cash Fund of the State Treasury, the sum of Ten Thousand Dollars (\$10,000.00) or so much thereof as may be necessary to perform the duties imposed upon the Oklahoma Commission on Children and Youth by law.

SECTION 34. There is hereby appropriated to the Department of Mental Health and Substance Abuse Services from any monies not otherwise appropriated from the Special Cash Fund of the State Treasury, the sum of Six Hundred Thirty-six Thousand Five Hundred Dollars (\$636,500.00) or so much thereof as may be necessary to perform the duties imposed upon the Department of Mental Health and Substance Abuse Services by law.

SECTION 35. There is hereby appropriated to the State Department of Agriculture from any monies not otherwise appropriated from the Special Cash Fund of the State Treasury, the sum of Four Hundred Fifteen Thousand Dollars (\$415,000.00) or so much thereof as

may be necessary to perform the duties imposed upon the State Department of Agriculture by law.

SECTION 36. There is hereby appropriated to the Oklahoma Tourism and Recreation Department from any monies not otherwise appropriated from the Special Cash Fund of the State Treasury, the sum of One Hundred Twenty Thousand Dollars (\$120,000.00) or so much thereof as may be necessary for Texoma State Park.

SECTION 37. There is hereby appropriated to the Oklahoma Tourism and Recreation Department from any monies not otherwise appropriated from the Special Cash Fund of the State Treasury, the sum of Fifty Thousand Dollars (\$50,000.00) or so much thereof as may be necessary to perform the duties imposed upon the Oklahoma Tourism and Recreation Department by law.

SECTION 38. There is hereby appropriated to the Oklahoma Tourism and Recreation Department from any monies not otherwise appropriated from the Special Cash Fund of the State Treasury, the sum of Three Million Five Hundred Thousand Dollars (\$3,500,000.00) or so much thereof as may be necessary to fund the construction and other capital costs at the Quartz Mountain Lodge and Arts and Conference Center.

SECTION 39. AMENDATORY Section 1, Chapter 372, O.S.L. 1998 (73 O.S. Supp. 1998, Section 301), as last amended by Section 1 of Enrolled Senate Bill No. 115 of the 1st Session of the 47th Oklahoma Legislature, is amended to read as follows:

Section 301. A. The Oklahoma Capitol Improvement Authority is authorized to acquire real property, together with improvements located thereon, and personal property, to construct buildings and other improvements to real property and to provide funding for repairs, refurbishments and improvements to real and personal property and for funding for the following capital projects in the following amounts:

1. Capital projects at institutions of higher education which are part of The Oklahoma State System of Higher Education in a total amount not to exceed Forty-five Million Dollars (\$45,000,000.00) with debt retirement payments to be made by the Oklahoma State Regents for Higher Education;

2. Construction of a History Center for the Oklahoma Historical Society in a total amount not to exceed Thirty-two Million Dollars (\$32,000,000.00) with debt retirement payments to be made by the Oklahoma Historical Society. Of such total amount, the sum of Four Million One Hundred Thousand Dollars (\$4,100,000.00) shall be transferred to the Capital Improvement ~~Authority~~ Revolving Fund as reimbursement for improvements and renovations to the property made in preparation for the construction of the History Center;

3. Renovation of the Wiley Post Historical Building for occupancy by appellate courts in a total amount not to exceed Ten Million Dollars (\$10,000,000.00) with debt retirement payments to be made by the Oklahoma Supreme Court;

4. Land acquisition, demolition, landscaping, environmental remediation and other costs associated with the Lincoln Boulevard Renaissance Project in a total amount not to exceed Thirteen Million

Eight Hundred Thousand Dollars (\$13,800,000.00) with debt retirement payments to be made by the Department of Central Services;

5. Construction of a new building for the J.D. McCarty Center for Children with Developmental Disabilities in a total amount not to exceed Ten Million Three Hundred Thousand Dollars (\$10,300,000.00) with debt retirement payments to be made by the J.D. McCarty Center for Children with Developmental Disabilities;

6. Funding for capital costs of a Technology Incubator Program for the University Hospitals Authority in a total amount not to exceed Two Million Dollars (\$2,000,000.00) with debt retirement payments to be made by the University Hospitals Authority;

7. Funding for capital costs for the Native American Cultural and Educational Authority of Oklahoma in a total amount not to exceed Five Million Dollars (\$5,000,000.00) with debt retirement payments to be made by the Native American Cultural and Educational Authority of Oklahoma;

8. Funding for capital costs for systemwide equipment for the Oklahoma Department of Vocational and Technical Education in a total amount not to exceed Five Million Dollars (\$5,000,000.00) with debt retirement payments to be made by the Oklahoma Department of Vocational and Technical Education;

9. Capital projects for the Oklahoma School for the Deaf in a total amount not to exceed Six Million Seven Hundred Fifty Thousand Dollars (\$6,750,000.00) with debt retirement payments to be made by the State Department of Rehabilitation Services;

10. Capital projects for the Oklahoma School for the Blind in a total amount not to exceed Six Million Seven Hundred Fifty Thousand Dollars (\$6,750,000.00) with debt retirement payments to be made by the State Department of Rehabilitation Services;

11. Construction of a new Veterans Center in Lawton, Oklahoma, in a total amount not to exceed Twelve Million Dollars (\$12,000,000.00) with debt retirement payments to be made by the Oklahoma Department of Veterans Affairs;

12. Capital costs for financial management information systems in a total amount not to exceed One Million Dollars (\$1,000,000.00) with debt retirement payments to be made by the Office of State Finance;

13. Funding for the purchase of computer hardware and software for the Central Purchasing Division of the Department of Central Services in a total amount not to exceed Two Million Dollars (\$2,000,000.00) with debt retirement payments to be made by the Department of Central Services;

14. Funding for implementation of the Boll Weevil Eradication Act in a total amount not to exceed Three Million Dollars (\$3,000,000.00) with debt retirement payments to be made by the State Department of Agriculture;

15. Funding for construction and other capital costs at Quartz Mountain Lodge and Arts and Conference Center in a total amount not to exceed Three Million Five Hundred Thousand Dollars

(\$3,500,000.00) with debt retirement payments to be made by the Oklahoma Tourism and Recreation Department. Of such total amount appropriated pursuant to this section, the sum of Three Million Five Hundred Thousand Dollars (\$3,500,000.00) shall be transferred to the Capital Improvement Revolving Fund as reimbursement for the construction and other capital costs at the Quartz Mountain Lodge and Arts and Conference Center; and

16. Such other capital projects as may be specifically authorized by the Oklahoma Legislature to be funded by the obligations authorized herein.

The Authority may hold title to the real and personal property and improvements until such time as any obligations issued for this purpose are retired or defeated and may lease the real property and improvements to the agencies indicated herein. Upon final redemption or defeasance of the obligations created pursuant to this section, title to the real and personal property and improvements shall be transferred from the Oklahoma Capitol Improvement Authority, to the agencies indicated herein.

B. For the purpose of paying the costs for acquisition and construction of the real property and improvements and personal property and making the repairs, refurbishments, and improvements to real and personal property, and providing funding for the projects authorized in subsection A of this section, and for the purpose authorized in subsection C of this section, the Authority is hereby authorized to borrow monies on the credit of the income and revenues to be derived from the leasing of such real and personal property and improvements and, in anticipation of the collection of such income and revenues, to issue negotiable obligations in a total amount not to exceed Three Hundred Twenty Million Dollars (\$320,000,000.00) whether issued in one or more series. The Department of Central Services is authorized and directed to expend funds from the Capital Improvement Revolving Fund in amounts sufficient to make required payments pursuant to such obligations during the fiscal year ending June 30, 1999. For subsequent fiscal years, it is the intent of the Legislature to appropriate to the indicated state agencies sufficient monies to make rental payments for the purposes of retiring the obligations created pursuant to this section. The costs for acquisition and construction of the real and personal property and improvements and repairs, refurbishments and funding for the projects authorized in subsection A of this section shall not exceed Three Hundred Fifteen Million Dollars (\$315,000,000.00).

C. To the extent funds are available from the proceeds of the borrowing authorized by subsection B of this section, the Oklahoma Capitol Improvement Authority shall provide for the payment of professional fees and associated costs related to the projects authorized in subsection A of this section.

D. The Authority may issue obligations in one or more series and in conjunction with other issues of the Authority. The Authority is authorized to hire bond counsel, financial consultants, and such other professionals as it may deem necessary to provide for the efficient sale of the obligations and may utilize a portion of the proceeds of any borrowing to create such reserves as may be deemed necessary and to pay costs associated with the issuance and administration of such obligations.

E. The obligations authorized under this section may be sold at either competitive or negotiated sale, as determined by the Authority, and in such form and at such prices as may be authorized by the Authority. The Authority may enter into agreements with such credit enhancers and liquidity providers as may be determined necessary to efficiently market the obligations. The obligations may mature and have such provisions for redemption as shall be determined by the Authority, but in no event shall the final maturity of such obligations occur later than thirty (30) years from the first principal maturity date.

F. Any interest earnings on funds or accounts created for the purposes of this section may be utilized as partial payment of the annual debt service or for the purposes directed by the Authority.

G. The obligations issued under this section, the transfer thereof and the interest earned on such obligations, including any profit derived from the sale thereof, shall not be subject to taxation of any kind by the State of Oklahoma, or by any county, municipality or political subdivision therein.

H. The Authority may direct the investment of all monies in any funds or accounts created in connection with the offering of the obligations authorized under this section. Such investments shall be made in a manner consistent with the investment guidelines of the State Treasurer. The Authority may place additional restrictions on the investment of such monies if necessary to enhance the marketability of the obligations.

I. It is the intent of the Legislature to authorize specific capital projects in the 1st Session of the 47th Oklahoma Legislature to be funded by the negotiable obligations authorized in this section. Such capital projects shall not exceed One Hundred Fifty-six Million Nine Hundred Thousand Dollars (\$156,900,000.00).

SECTION 40. There is hereby appropriated to the Oklahoma Historical Society from any monies not otherwise appropriated from the Special Cash Fund of the State Treasury, the sum of Four Hundred Sixty-four Thousand Dollars (\$464,000.00) or so much thereof as may be necessary to perform the duties imposed upon the Oklahoma Historical Society by law.

SECTION 41. There is hereby appropriated to the Department of Public Safety from any monies not otherwise appropriated from the Special Cash Fund of the State Treasury, the sum of One Hundred Thirty Thousand Dollars (\$130,000.00) or so much thereof as may be necessary to the OK First Program for Mesonet service.

SECTION 42. There is hereby appropriated to the Supreme Court from any monies not otherwise appropriated from the Special Cash Fund of the State Treasury, the sum of Seven Thousand Dollars (\$7,000.00) or so much thereof as may be necessary to perform the duties imposed upon the district courts by law.

SECTION 43. There is hereby appropriated to the Supreme Court from any monies not otherwise appropriated from the Special Cash Fund of the State Treasury, the sum of Seventy Thousand Five Hundred Eighty-nine Dollars (\$70,589.00) or so much thereof as may be necessary for annual costs of one secretary-bailiff and one court reporter.

SECTION 44. There is hereby appropriated to the Oklahoma Water Resources Board from any monies not otherwise appropriated from the Special Cash Fund of the State Treasury, the sum of Five Hundred Thousand Dollars (\$500,000.00) or so much thereof as may be necessary for weather modification.

SECTION 45. The Office of Juvenile Affairs is authorized to contract with a community-based service provider for violence prevention services targeted at high-risk youth and adults.

SECTION 46. Budgetary and employee limits otherwise imposed upon agencies by law shall not apply to expenditures by state agencies made from appropriations made by this act.

SECTION 47. REPEALER Section 1, Chapter 406, O.S.L. 1998 (36 O.S. Supp. 1998, Section 353), is hereby repealed.

SECTION 48. REPEALER Section 24 of Enrolled House Bill No. 1534 of the 1st Session of the 47th Oklahoma Legislature, is hereby repealed.

SECTION 49. Sections 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14 and 48 of this act shall become effective September 1, 1999.

SECTION 50. 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