

ENROLLED HOUSE
BILL NO. 1565

By: Mass and Bonny of the House

and

Haney and Hobson of the
Senate

An Act relating to appropriations; making findings regarding certain fuel costs; creating State Agency Utility Assistance Program; authorizing claims for certain fuel cost increases; prescribing process for claim submission; requiring Department of Central Services to conduct review; imposing deadline; providing for proportionate reductions; providing certain provisions ineffective after certain date; requiring performance of certain audit; requiring report; providing for noncodification; and declaring an emergency.

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

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

A. The Legislature recognizes that unforeseeable increases in fuel costs have placed an unmanageable financial burden on state agencies for heating their facilities. To provide assistance in managing these increases the Legislature hereby creates the State Agency Utility Assistance Program to be administered by the Department of Central Services. State agencies may submit claims to the Department of Central Services for fuel cost increases for November and December of 2000, and January and February of 2001. Such claims shall provide:

1. Verification of the agency fuel cost in the months of November through February of the fiscal year ending June 30, 2001;

2. Verification of the agency fuel cost in the months of November through February of the fiscal year ending June 30, 2000;

3. A statement of all energy conservation or other measures taken by the agency to reduce energy costs;

4. A statement of all factors, including but not limited to any increase in the size or number of facilities operated by the agency, which may have contributed to increases in energy costs in the months of November through February of the fiscal year ending June 30, 2001; and

5. Such other information as the Department of Central Services determines to be necessary to calculate the amount of an agency's

increased expenses that are attributable to the increased price of utilities.

B. The Department of Central Services shall review and verify the cost increases and make payment to each agency an amount not to exceed one hundred percent (100%) of the total claim.

C. State agencies have until April 6, 2001, to submit claims to the Department of Central Services for the State Agency Utility Assistance Program. If funds appropriated for this program are not sufficient to fully fund the provisions of this section, the Department of Central Services shall make a proportionate reduction in the percentage of claims paid to state agencies.

D. The provisions of this section shall cease to have the force and effect of law on January 1, 2002.

SECTION 2. NEW LAW A new section of law not to be codified in the Oklahoma Statutes reads as follows:

A. The Legislature recognizes that unforeseeable increases in fuel costs have placed an unmanageable financial burden on local school districts for heating their facilities. To provide assistance in managing these increases the Legislature hereby creates the School District Utility Assistance Program to be administered by the State Board of Education. Local school districts may submit claims to the State Board of Education for fuel cost increases for November and December of 2000, and January and February of 2001. Such claims shall provide:

1. Verification of the school district fuel cost in the months of November through February of the fiscal year ending June 30, 2001;

2. Verification of the school district fuel cost in the months of November through February of the fiscal year ending June 30, 2000;

3. A statement of all energy conservation or other measures taken by the school district to reduce energy costs;

4. A statement of all factors, including but not limited to any increase in the size or number of facilities operated by the school district, which may have contributed to increases in energy costs in the months of November through February of the fiscal year ending June 30, 2001; and

5. Such other information as the State Board of Education determines to be necessary to calculate the amount of a school district's increased expenses that are attributable to the increased price of utilities.

B. The State Board of Education shall review and verify the cost increases and make payment to each local school district an amount not to exceed one hundred percent (100%) of the total claim.

C. Local school districts have until April 6, 2001, to submit claims to the State Board of Education for the School District Utility Assistance Program. If funds appropriated for this program are not sufficient to fully fund the provisions of this section, the

State Board of education shall make a proportionate reduction in the percentage of claims paid to local school districts.

D. The provisions of this section shall cease to have the force and effect of law on January 1, 2002.

SECTION 3. NEW LAW A new section of law not to be codified in the Oklahoma Statutes reads as follows:

A. The Legislature recognizes that unforeseeable increases in fuel costs have placed an unmanageable financial burden on career and technology education districts for heating their facilities. To provide assistance in managing these increases the Legislature hereby creates the Career and Technology Education District Utility Assistance Program to be administered by the State Board of Career and Technology Education. Local career and technology education districts may submit claims to the State Board of Career and Technology Education for fuel cost increases for November and December 2000, and January and February 2001. Such claims shall provide:

1. Verification of the career and technology education district fuel cost in the months of November through February of the fiscal year ending June 30, 2001;

2. Verification of the career and technology education district fuel cost in the months of November through February of the fiscal year ending June 30, 2000;

3. A statement of all energy conservation or other measures taken by the career and technology education district to reduce energy costs;

4. A statement of all factors, including but not limited to any increase in the size or number of facilities operated by the career and technology education district which may have contributed to increases in energy costs in the months of November through February of the fiscal year ending June 30, 2001; and

5. Such other information as the State Board of Career and Technology Education determines to be necessary to calculate the amount of a district's increased expenses that are attributable to the increased price of utilities.

B. The State Board of Career and Technology Education shall review and verify the cost increases and make payment to each career and technology district an amount not to exceed one hundred percent (100%) of the total claim.

C. Local career and technology districts have until April 6, 2001, to submit claims to the State Board of Career and Technology Education for the Career and Technology Education District Utility Assistance Program. If funds appropriated for this program are not sufficient to fully fund the provisions of this section, the State Board of Career and Technology Education shall make a proportionate reduction in the percentage of claims paid to the career and technology districts.

D. The provisions of this section shall cease to have the force and effect of law on January 1, 2002.

SECTION 4. NEW LAW A new section of law not to be codified in the Oklahoma Statutes reads as follows:

A. The Legislature recognizes that unforeseeable increases in fuel costs have placed an unmanageable financial burden on institutions of higher education for heating their facilities. To provide assistance in managing these increases the Legislature hereby creates the Higher Education Utility Assistance Program to be administered by the Oklahoma State Regents for Higher Education. Institutions of higher education may submit claims to the Oklahoma State Regents for Higher Education for fuel cost increases for November and December of 2000, and January and February of 2001. Such claims shall provide:

1. Verification of the institution's fuel cost in the months of November through February of the fiscal year ending June 30, 2001;

2. Verification of the institution's fuel cost in the months of November through February of the fiscal year ending June 30, 2000;

3. A statement of all energy conservation or other measures taken by the institution to reduce energy costs;

4. A statement of all factors, including but not limited to any increase in the size or number of facilities operated by the institution, which may have contributed to increases in energy costs in the months of November through February of the fiscal year ending June 30, 2001; and

5. Such other information as the Oklahoma State Regents for Higher Education determines to be necessary to calculate the amount of an institution's increased expenses that are attributable to the increased price of utilities.

B. The Oklahoma State Regents for Higher Education shall review and verify the cost increases and make payment to each institution an amount not to exceed one hundred percent (100%) of the total claim.

C. Institutions of higher education have until April 6, 2001, to submit claims to the Oklahoma State Regents for Higher Education for the Higher Education Utility Assistance Program. If funds appropriated for this program are not sufficient to fully fund the provisions of this section, the Oklahoma State Regents for Higher Education shall make a proportionate reduction in the percentage of claims paid to the institutions of higher education.

D. The provisions of this section shall cease to have the force and effect of law on January 1, 2002.

SECTION 5. NEW LAW A new section of law not to be codified in the Oklahoma Statutes reads as follows:

Not later than July 1, 2001, the State Auditor and Inspector shall perform an audit of the State Agency Utility Assistance Program. The State Auditor and Inspector shall make a written report of the audit findings together with any recommendation of exceptions. The report shall be provided within thirty (30) days after the conclusion of the audit to the Speaker of the Oklahoma

House of Representatives, the President Pro Tempore of the State Senate and to the Governor.

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

Passed the House of Representatives the 21st day of March, 2001.

Presiding Officer of the House of
Representatives

Passed the Senate the 20th day of March, 2001.

Presiding Officer of the Senate