

STATE OF OKLAHOMA

1st Session of the 48th Legislature (2001)

SENATE BILL 31

By: Price

AS INTRODUCED

An Act relating to the Legislature; amending 74 O.S. 1991, Sections 452.7 and 452.8, which relate to the Joint Committee on Federal Funds; correcting language; deleting requirement to meet monthly; eliminating certain powers and duties of the Committee; deleting mandatory language and providing permissive language; changing reference to federal monies; deleting certain filing deadline; providing clarification; and declaring an emergency.

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

SECTION 1. AMENDATORY 74 O.S. 1991, Section 452.7, is amended to read as follows:

Section 452.7 A. There is hereby created the Joint Committee on Federal Funds. The committee will consist of twenty (20) members of the Oklahoma Legislature, ten from each house, to be appointed every two (2) years by the President Pro Tempore of the Senate and the Speaker of the House of Representatives. The ~~Chairmen~~ Chair of the House of Representatives Committee on Appropriations and Budget and the Senate Committee on Appropriations will constitute two of the twenty members. The ~~Chairman~~ Chair and Vice ~~Chairman~~ Chair of the Joint Committee on Federal Funds shall be appointed by the Speaker of the House of Representatives and President Pro Tempore of the Senate and shall rotate between the House of Representatives and the Senate.

Beginning October 1, 1981, the ~~Chairman~~ Chair shall be from the Senate until the convening of the First Regular Session of the Legislature in January, 1983, at which time the ~~Chairmanship~~ Chair shall be assumed by the House of Representatives; thereafter, the ~~Chairmanship~~ Chair shall alternate every two (2) years between the

Senate and the House of Representatives, beginning with the convening of the First Regular Session of the Legislature. The Joint Committee on Federal Funds shall function as a joint committee of the Oklahoma Legislature when the Legislature is in session and when the Legislature is not in session. Each appointive member of said committee shall serve until a successor is appointed. Meetings of the committee shall be called by either the ~~Chairman~~ Chair or Vice ~~Chairman~~; ~~provided, however, that the committee shall meet at least monthly~~ Chair. The presence of ten members of the committee shall constitute a quorum. The committee shall not take final action upon any state plan or any application for federal financial assistance unless a quorum is present and that any action taken by the committee shall be upon a majority vote of the members from each body of the Legislature present.

B. The Joint Committee on Federal Funds shall have the following powers and responsibilities:

1. To review and make recommendations regarding state plans and applications for federal financial assistance; and

2. To recommend to the Oklahoma Legislature procedures to coordinate, report and track the effects of federal financial assistance and federal policy on Oklahoma state government.

Upon the request of either the ~~Chairman~~ Chair or Vice ~~Chairman~~ Chair of the Joint Committee, the Legislative Service Bureau shall perform the duties requested by the Joint Committee. Members of the committee shall be reimbursed for authorized travel and expenses in the same manner as members of the committees of the House of Representatives and the Senate.

~~C. The committee shall have the authority to approve, disapprove or recommend amendment of an application for federal financial assistance or comprehensive plan by any state agency, board or commission, including constitutionally created agencies, boards or commissions. Committee action to amend or disapprove~~

~~shall be provided to the Federal Assistance Management Officer and the state agency, board or commission applying for federal financial assistance by an official written communication from the committee. No agency, board or commission shall proceed to apply for federal financial assistance or expend federal block grant funds after action to amend or disapprove as provided in this section. If an agency, board or commission is requested to amend an application for federal financial assistance, a copy of the amended application for federal financial assistance shall be filed with the Legislative Service Bureau no later than fourteen (14) calendar days after receipt of the request for amendment of the application. For good cause shown, the committee may grant a reasonable extension of that period, not to exceed sixty (60) calendar days. The state agency, board or commission may not submit the application for federal financial assistance to the federal authority until the committee is satisfied that the required modifications recommended by the committee have been met. The application for federal financial assistance may be submitted only after the committee provides the state agency, board or commission and the Federal Assistance Management Officer an official written communication signed by the Speaker of the House of Representatives and the President Pro Tempore of the Senate approving the amended application for federal financial assistance.~~

~~D. Failure of the committee to act on the notice of intention or to notify the state agency, board or commission that a recommendation to amend or disapprove is forthcoming within thirty (30) calendar days from the date such notice of intention is filed with the Legislative Service Bureau shall result in the approval of the notice of intention.~~

~~E. The committee shall hear any requests for modification or disapproval of an application for federal financial assistance. Requests for hearing shall be submitted to the Legislative Service~~

~~Bureau by the Federal Assistance Management Division; provided, however, that a state agency, board or commission may submit a request for hearing before the committee directly to the Legislative Service Bureau.~~

~~F. Whenever the project is approved by the committee, the committee shall so notify the Speaker of the House of Representatives and the President Pro Tempore of the Senate, who shall send an official written communication to the requesting state agency, the Director of State Finance and the Federal Assistance Management Division that such project, notice of intention or amended application and the federal financial assistance requested have been approved and that the receipt and expenditure of funds have been authorized. All federal financial assistance received therein shall be subject to the normal financial procedures provided by Sections 41.1 through 41.41 of Title 62 of the Oklahoma Statutes.~~

~~G. The Director of State Finance shall not process any warrants or claims on any federal financial assistance received by a state agency, board or commission unless or until the Director of State Finance has received a written authorization from the Speaker of the House of Representatives and the President Pro Tempore of the Senate approving the federal financial assistance, or unless the application for federal financial assistance was submitted before October 1, 1981. The Director of State Finance shall immediately notify the Legislative Service Bureau and the Federal Assistance Management Division when federal financial assistance is received by a state agency, board or commission in violation of any provision of this act.~~

~~H. The following types of federal financial assistance shall be exempt from the notification process:~~

~~1. Transfer payments to individual recipients; provided, however, that all applications for federal financial assistance and amendments to said applications for expenditures for transfer~~

~~payments to individual recipients shall be subject to all provisions of Sections 452.7, 1521, 1522, 1533 and 1533.1 of Title 74 of the Oklahoma Statutes;~~

~~2. Federal financial assistance to Indian tribes; and~~

~~3. Federal financial assistance to institutions under the jurisdiction of the Oklahoma State Regents for Higher Education.~~

~~I. If any of the requirements of this act are contrary to any of the terms of federal legislation or regulations under which monies are granted to the Oklahoma Employment Security Commission or under which disaster relief monies are granted to the Oklahoma Department of Civil Defense, such requirements may be suspended if the Commission and the Department file a report with the Joint Committee on Federal Funds containing specific documentation from the appropriate federal agencies which clearly delineates the basis for deviation.~~

SECTION 2. AMENDATORY 74 O.S. 1991, Section 452.8, is amended to read as follows:

Section 452.8 A. The Legislature ~~shall~~ may hold public hearings on the proposals submitted by state agencies, boards and commissions including those established by statute or Constitution for use of federal ~~block grant funds~~ monies.

B. ~~By June 1 of each year~~ Prior to any public hearing on a proposal by the Joint Committee on Federal Funds, ten copies of each proposal shall be filed with the Speaker of the House of Representatives and the President Pro Tempore of the Senate. Additional complete copies shall be provided to the Legislature and individuals by the agencies, boards and commissions at no charge.

C. The Speaker of the House of Representatives and President Pro Tempore of the Senate ~~shall~~ may refer proposals to the Joint Committee on Federal Funds or other committees of the Legislature for public hearings. Said committees ~~shall~~ may take facts and make findings and recommendations on the proposals regarding the use and

distribution of federal ~~block grant funds~~ monies as provided by the plans.

D. If a proposal is referred to committees of the Legislature other than the Joint Committee on Federal Funds, such committees, by August 1, ~~shall~~ may make written reports regarding their findings and recommendations and submit such reports to the Joint Committee on Federal Funds. Said reports shall include a summary of public comments received through written or oral testimony during public hearings if a public hearing had been conducted. Where appropriate, the report may recommend amendments to the proposals for consideration by the Joint Committee on Federal Funds.

E. The Joint Committee on Federal Funds may hold further public hearings on the proposals.

SECTION 3. 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 resolution shall take effect and be in full force from and after its passage and approval.