

ENGROSSED HOUSE
BILL NO. 1495

By: Sweeden of the House
and
Gumm of the Senate

An Act relating to sunset; amending 10 O.S. 2001, Section 603.4, which relates to day treatment standards; abolishing the Committee for Day Treatment Standards; amending Section 1, Chapter 69, O.S.L. 2002, which relates to ethanol processing; abolishing the Oklahoma Ethanol Plant Feasibility Advisory Committee; repealing 17 O.S. 2001, Section 190.6, which relates to the Joint Electric Utility Task Force; repealing 56 O.S. 2001, Section 1010.6, which relates to a task force concerning a statewide eligibility system pursuant to the Oklahoma Medicaid Healthcare Options Act; repealing 59 O.S. 2001, Section 1000.7, which relates to the Oklahoma Construction and Safety Code Review Task Force; repealing 62 O.S. 2001, Sections 691.1, 691.2, 691.3, 691.4 and 691.5, which relate to the Community Development Capital Formation Study Act; repealing 68 O.S. 2001, Section 2950, which relates to the Task Force on Ad Valorem Tax Assessment Practices; repealing 74 O.S. 2001, Sections 169.2, 169.2a and 169.2b, which relate to the Task Force to Review the Complaint System for Persons with Disabilities; repealing 74 O.S. 2001, Section 1311.2, which relates to the Temporary Employee Health Benefit Task Force; repealing 74 O.S. 2001, Section 5010.4, which relates to the Cultural Diversity and Economic Development Advisory Committee; repealing Section 1, Chapter 113, O.S.L. 2002, which relates to the Victim Protective Order Task Force; repealing Section 3, Chapter 430, O.S.L. 2001, which relates to the Oklahoma Food Safety Task Force; providing an effective date; and declaring an emergency.

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

SECTION 1. AMENDATORY 10 O.S. 2001, Section 603.4, is amended to read as follows:

Section 603.4 A. ~~There is hereby created to continue until June 30, 1996, in accordance with the provisions of the Oklahoma Sunset Law, Section 3901 et seq. of Title 74 of the Oklahoma Statutes, the Committee for Day Treatment Standards. The Committee~~

~~shall consist of eleven (11) members who shall be appointed by the Oklahoma Commission on Children and Youth from representatives of service providers, agency representatives, consumers, educational institutions, juvenile justice, and child advocates. Staff support shall be provided by the Oklahoma Commission on Children and Youth.~~

~~B. The Committee's duties shall include developing and monitoring standards for child and adolescent day treatment programs. The Committee shall use current Medicaid standards as a guide to produce proposed rules for day treatment program quality. The Committee shall develop proposed rules by October 1, 1994.~~

~~C. The Department of Human Services, State Department of Health, Oklahoma Health Care Authority and Department of Mental Health and Substance Abuse Services shall review the proposed rules developed by the Committee and, no later than January 1, 1995, shall deliver a proposal for oversight and enforcement of such rules, including recommendations of which agency will be responsible for the oversight and enforcement, and recommendations for necessary legislation to the Governor, President Pro Tempore of the Senate, Speaker of the House of Representatives, and the chair of the Joint Legislative Committee for Review of Special Services to Children and Youth. Staff support for the development of the proposal shall be provided by the Oklahoma Commission on Children and Youth.~~

~~D. In accordance with the standards recommended by the Committee on Day Treatment Standards in its report dated November 2, 1994, the State Board of Health, the Board of Mental Health and Substance Abuse Services and the Oklahoma Health Care Authority Board shall promulgate rules establishing standards for day treatment programs, as defined in Section 4 175.20 of this ~~act~~ title, and shall monitor, not less than annually, compliance with the standards, if funds are available. The responsibilities of the boards regarding enforcement of and monitoring of compliance with the rules shall be as follows:~~

1. The State Board of Health shall be responsible for the promulgation of rules establishing standards for day treatment programs other than those operated by community mental health centers;

2. The Board of Mental Health and Substance Abuse Services shall be responsible for the promulgation of rules for day treatment programs operated by community mental health centers; and

3. The Oklahoma Health Care Authority Board shall monitor compliance of outpatient hospital day treatment services with the standards in the Medical Providers-Hospital Specific Manual, OAC 317:30-5-42(a)(6). Any program found to be out of compliance with such standards shall be subject to cancellation of its authorization for day treatment services within its contract with the Oklahoma Health Care Authority according to rules governing such contract cancellations.

~~E.~~ B. The boards shall coordinate development and monitoring of rules to the maximum extent reasonable and practical in order to avoid unnecessary contradiction or conflict and to minimize the incidence of duplicative monitoring of day treatment program.

SECTION 2. AMENDATORY Section 1, Chapter 69, O.S.L. 2002, is amended to read as follows:

Section 1. A. The Oklahoma Department of Agriculture is hereby directed to conduct a study to demonstrate the potential of our state to attract potential industry leaders interested in establishing an ethanol processing plant in this state.

B. Such study shall demonstrate the financial feasibility available in Oklahoma and the potential return to farmers, rural communities and the State of Oklahoma. The Department shall identify state incentives necessary to attract the ethanol industry and encourage their location in our state.

~~C. To assist the Department in conducting the study there is hereby created the Oklahoma Ethanol Plant Feasibility Advisory~~

~~Committee. The Advisory Committee shall consist of the following fifteen (15) members:~~

~~1. The Director of the Department of Agriculture or designee;~~

~~2. The Director of the Department of Environmental Quality or designee;~~

~~3. The Director of the Oklahoma Conservation Commission or designee;~~

~~4. The Director of the Oklahoma Corporation Commission;~~

~~5. One member appointed by and representing the Natural Resources Conservation Service of the United States Department of Agriculture;~~

~~6. One member appointed by and representing Oklahoma State University;~~

~~7. Three members appointed by the Speaker of the House of Representatives:~~

~~a. one of which represents the ethanol industry in this state,~~

~~b. one of which represents labor interests in this state, and~~

~~c. one of which is a producer of grain sorghum;~~

~~8. Three members appointed by the President Pro Tempore of the Senate:~~

~~a. one of which is a producer of corn,~~

~~b. one of which represents the oil industry in this state with expertise in marketing or trading, and~~

~~c. one of which is actively engaged in farming in this state; and~~

~~9. Three appointed by the Governor:~~

~~a. one of which represents the ethanol industry,~~

~~b. one of which is a producer of wheat, and~~

~~c. one of which is engaged in general farming in this state.~~

~~Appointments to the Advisory Committee shall be made within forty-five (45) days following the effective date of this act. The Department shall provide staffing requirements as needed for the Advisory Committee and may contract for any specialized services necessary to comply with the requirements of this act. The Department is authorized to use any available funds within the Department's annual budget as necessary to comply with this act and the Department is authorized to solicit and receive grants or donations from any legal source as needed to aid in funding this study.~~

~~D. A report of the Advisory Committee shall be prepared and delivered to the Governor, the President Pro Tempore of the Senate and the Speaker of the House of Representatives on or before December 31, 2002.~~

SECTION 3. REPEALER 17 O.S. 2001, Section 190.6, is hereby repealed.

SECTION 4. REPEALER 56 O.S. 2001, Section 1010.6, is hereby repealed.

SECTION 5. REPEALER 59 O.S. 2001, Section 1000.7, is hereby repealed.

SECTION 6. REPEALER 62 O.S. 2001, Sections 691.1, 691.2, 691.3, 691.4 and 691.5, are hereby repealed.

SECTION 7. REPEALER 68 O.S. 2001, Section 2950, is hereby repealed.

SECTION 8. REPEALER 74 O.S. 2001, Sections 169.2, 169.2a and 169.2b, are hereby repealed.

SECTION 9. REPEALER 74 O.S. 2001, Section 1311.2, is hereby repealed.

SECTION 10. REPEALER 74 O.S. 2001, Section 5010.4, is hereby repealed.

SECTION 11. REPEALER Section 1, Chapter 113, O.S.L. 2002, is hereby repealed.

SECTION 12. REPEALER Section 3, Chapter 430, O.S.L.
2001, is hereby repealed.

SECTION 13. This act shall become effective July 1, 2003.

SECTION 14. 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 10th day of February,
2003.

Presiding Officer of the House of
Representatives

Passed the Senate the ____ day of _____, 2003.

Presiding Officer of the Senate