ENGROSSED HOUSE
BILL NO. 1127

By: Benge and Newport of the House

and

Morgan and Crutchfield of the Senate

(Oklahoma Department of Commerce - appropriation -

effective date -

emergency)

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

OKLAHOMA DEPARTMENT OF COMMERCE

SECTION 1. There is hereby appropriated to the Oklahoma Department of Commerce from any monies not otherwise appropriated from the General Revenue Fund of the State Treasury for the fiscal year ending June 30, 2006, the sum of _____ Dollars ($0.00) or so much thereof as may be necessary to perform the duties imposed upon the Oklahoma Department of Commerce by law.

SECTION 2. For the fiscal year ending June 30, 2006, the Oklahoma Department of Commerce shall budget all funds in the following categories and amounts:

Category	Appropriation	Total
Community Development	$0.00	$0.00
Global Business	0.00	0.00
Operational Support	0.00	0.00
Pass-Through Funds	0.00	0.00
TOTAL	$0.00	$0.00

SECTION 3. The duties and compensation of employees, not otherwise prescribed by law, necessary to perform the duties imposed

upon the Oklahoma Department of Commerce by law shall be set by the Executive Director. The salary of the Executive Director of the Oklahoma Department of Commerce shall not exceed _____ Dollars ($0.00), per annum payable monthly for the fiscal year ending June 30, 2006. The Oklahoma Department of Commerce for the fiscal year ending June 30, 2006, 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:

Budgetary Limitation	Amount
Full-time-equivalent Employees	0.0
Lease-Purchase Agreements	$0.00

SECTION 4. From all appropriations to the Department of Commerce for the fiscal year ending June 30, 2006, the following amounts shall be expended, subject to the availability of funds in the following categories and amounts:

Category	Amount
Community Action Agencies	$0.00
Central Oklahoma Community Action, Inc.	
Big Five Community Services, Inc.	
Community Action Agency of Oklahoma City and Oklahoma/Canadian Counties, Inc.	
Community Action Project of Tulsa County, Inc.	
Community Development Support Association	
Cookson Hills Community Action Foundation	
Deep Fork Community Action Foundation	
Delta Community Action Foundation	
Great Plains Improvement Foundation	
INCA Community Services, Inc.	
KiBois Community Action Foundation	
Little Dixie Community Action Agency	

Muskogee County Community Services Program	
Northeast Oklahoma Community Action Agency	
Opportunities, Inc.	
Community Action Development Corporation	
Southwest Oklahoma Community Action Group	
United Community Action Program	
Community Action Resource and Development, Inc.	
Washita Valley Community Action Council	
Community Action Agencies Head Start Program	$0.00
Minority Business Development Program Revolving Fund	$0.00
Capital Improvement Program Revolving Fund	$0.00
Rural Enterprises Inc.	$0.00
Oklahoma Development Finance Authority/	
Rural Enterprises Inc. Business Revolving Loan Fund	$0.00
Rural Enterprises Inc./VANSAT Pilot Program	$0.00
Oklahoma Quality Awards Program	$0.00
Oklahoma Alliance for Manufacturing Excellence	$0.00
Rural Development Foundation	$0.00
Substate Planning District Multicounty	
Regional Planning	$0.00
Community Action Agency Enterprise Zone Program	$0.00
Little Dixie Community Action Agency for	
Statewide Youth Restitution Program	$0.00
Small Rural Manufacturers Program -	
Oklahoma State University	$0.00
Community Development Centers Program	
Revolving Fund	$0.00
Small Business Incubator-Kiamichi Economic	
Development District of Oklahoma	$0.00
Southeastern Oklahoma State University	
for the Statewide Small Business	
Development Centers Program	$0.00

Oklahoma Community Institute	$0.00
Native American Cultural and Educational Authority Fund	$0.00
Bid Assistance Program Oklahoma State University/CATT	$0.00
Community Expansion of Nutrition Assistance	$0.00

Notwithstanding any other requirements provided by law, categories and amounts authorized by this section shall be exempt from the Central Purchasing Act.

SECTION 5. The Oklahoma Department of Commerce shall enter into contracts to distribute Zero Dollars ($0.00) of the amount allocated to all Community Action Agencies listed in this act for the purpose of general missions of the agencies. Such distribution shall be based on a formula developed from historical data such as poverty population, number of elderly poor and size of geographic service area.

The Department may require the agencies which receive said funds to provide a thirty percent (30%) matching share in cash or in-kind contributions, or both such cash and in-kind contributions.

SECTION 6. The Oklahoma Department of Commerce shall expend Zero Dollars ($0.00) of the amount allocated to Community Action Agencies in this act, or so much thereof as may be necessary, for the purpose of improving Head Start Programs and expanding Head Start enrollment in the following amounts:

1. Zero Dollars ($0.00) shall be distributed through contracts with Community Action Agencies that operate or sponsor federally funded Head Start Programs. Contracts shall require eligible Community Action Agencies to expand Head Start services and enrollment, offer family services and develop early intervention strategies for juvenile delinquency prevention. Distribution of funds shall be based on a formula developed from historical data on poverty population and criteria used by the U.S. Department of

Health and Human Services in the distribution of federal funds appropriated for the Head Start program;

2. Zero Dollars ($0.00), or so much thereof as may be necessary, shall be expended by the Oklahoma Department of Commerce for the purpose of administering Head Start contracts provided for herein. Such duties of the Department shall include establishing performance criteria, reviewing programs for effectiveness in accomplishing objectives of the federal Head Start Program, and monitoring compliance with contractual provisions; and

3. Zero Dollars ($0.00) shall be distributed through contract to the Oklahoma Association of Community Action Agencies, Inc., for the purpose of the Head Start Coordination Program and providing assessment, training and technical assistance to Head Start programs.

SECTION 7. Contracts with Community Action Agencies authorized by this act shall be exempt from the Oklahoma Central Purchasing Act. The Department of Commerce shall not execute a contract with a Community Action Agency until the applicant submits, and the Department approves, a budget work program for expenditure of funds. Each contract shall require audits of expenditures, as provided in rules promulgated by the Department.

SECTION 8. The Oklahoma Department of Commerce shall expend the amount allocated in this act, or so much thereof as may be necessary, to perform the substate multicounty regional planning functions and responsibilities imposed upon the Department by law. Existing substate planning districts presently meeting requirements of the Oklahoma Department of Commerce pursuant to the provisions of this section shall be allocated the following amounts:

DISTRICT NUMBERS	AMOUNT
1 - Grand Gateway Economic Development Association (Craig, Delaware, Mayes, Nowata, Ottawa, Rogers and Washington Counties)	$0.00

2 - Eastern Oklahoma Development District (Adair, Cherokee, McIntosh, Muskogee, Okmulgee, Sequoyah and Wagoner Counties)	0.00
3 - Kiamichi Economic Development District of Oklahoma (Choctaw, Haskell, Latimer, LeFlore, McCurtain, Pittsburg and Pushmataha Counties)	0.00
4 - Southern Oklahoma Development Association (Atoka, Bryan, Carter, Coal, Garvin, Johnston, Love, Marshall, Murray and Pontotoc Counties)	0.00
5 - Central Oklahoma Economic Development District (Hughes, Lincoln, Okfuskee, Pawnee, Payne, Pottawatomie and Seminole Counties)	0.00
6 - Indian Nations Council of Governments (Creek, Osage and Tulsa Counties)	0.00
7 - Northern Oklahoma Development Association (Alfalfa, Blaine, Garfield, Grant, Kay, Kingfisher, Major and Noble Counties)	0.00
8 - Association of Central Oklahoma Governments (Canadian, Cleveland, Logan and Oklahoma Counties)	0.00
9 - Association of South Central Oklahoma Governments (Caddo, Comanche, Cotton, Grady, Jefferson, McClain, Stephens and Tillman Counties)	0.00
10 - South Western Oklahoma Development Authority (Beckham, Custer, Greer, Harmon, Jackson, Kiowa, Roger Mills and Washita Counties)	0.00
11 - Oklahoma Economic Development Association (Beaver, Cimarron, Dewey, Ellis, Harper, Texas, Woods and Woodward Counties)	0.00
TOTAL	$0.00

The Department may require the agencies to which the Department grants appropriated funds to provide a thirty percent (30%) matching share in cash or in-kind contribution, or both such cash and in-kind contribution.

The Oklahoma Department of Commerce shall establish eligibility requirements for substate multicounty planning districts to receive grants from appropriations to the Oklahoma Department of Commerce. The primary purpose of the substate multicounty planning districts shall include but not be limited to the enhancement of planning and technical assistance to local governments in the areas of community development, infrastructure and environmental needs.

At least two-thirds (2/3) of the voting membership of the board of each substate planning district shall be composed of the elected officials of conservation districts, incorporated towns, cities, or counties within the planning jurisdiction, or the designees of said officials.

SECTION 9. The Oklahoma Department of Commerce shall transfer the amount allocated in this act to the Community Development Centers Program Fund.

The Department may contract with communities or organizations for Community Development Centers activities only after:

1. An applicant has submitted an approved application;

2. An applicant has demonstrated through experience and managerial expertise capabilities of constructing or causing construction or renovation of facilities and management of community development facilities;

3. An applicant has demonstrated that it can provide financial management capacity and responsibility to manage a program for community development centers for the aging or elderly; and

4. An applicant has demonstrated experience in establishing and managing programs to enhance the quality of life of the aging and elderly.

SECTION 10. Appropriations made by this act, not including appropriations made for capital outlay purposes, may be budgeted for the fiscal year ending June 30, 2006 (hereafter FY-06) or may be budgeted for the fiscal year ending June 30, 2007 (hereafter FY-07). Funds budgeted for FY-06 may be encumbered only through June 30, 2006, and must be expended by November 15, 2006. Any funds remaining after November 15, 2006, and not budgeted for FY-07, shall lapse to the credit of the proper fund for the then current fiscal year. Funds budgeted for FY-07 may be encumbered only through June 30, 2007. Any funds remaining after November 15, 2007, shall lapse to the credit of the proper fund for the then current fiscal year. These appropriations may not be budgeted in both fiscal years simultaneously. Funds budgeted in FY-06, and not required to pay obligations for that fiscal year, may be budgeted for FY-07, after the agency to which the funds have been appropriated has prepared and submitted a budget work program revision removing these funds from the FY-06 budget work program and after such revision has been approved by the Office of State Finance.

SECTION 11. This act shall become effective July 1, 2005.

SECTION 12. 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 14th day of March, 2005.

_____
Presiding Officer of the House of Representatives

Passed the Senate the ____ day of _____, 2005.

_____
Presiding Officer of the Senate