

THE HOUSE OF REPRESENTATIVES  
Monday, March 1, 2010

Committee Substitute for  
House Bill No. 3291

COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 3291 - By: MCNIEL of the House.

( public finance - Local Economic Action and Development Act - amending sections in Title 62 - Rural Economic Action Plan - amending 25 O.S. 2001, Section 304 - Oklahoma Open Meeting Act – noncodification - effective date - emergency )

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

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

3 This act shall be known and may be cited as the "Local Economic Action and  
4 Development Act".

5 SECTION 2. AMENDATORY 62 O.S. 2001, Section 2003, as amended by  
6 Section 1, Chapter 219, O.S.L. 2002 (62 O.S. Supp. 2009, Section 2003), is amended to  
7 read as follows:

8 Section 2003. A. Monies appropriated by law to the Oklahoma Water Resources  
9 Board for the purpose of funding the ~~Rural~~ Local Economic Action Plan and Development  
10 ~~grant program and the Rural~~ Local Economic Action Plan and Development Water  
11 Projects Fund shall be administered by the Oklahoma Water Resources Board as  
12 provided by this section.

1 B. The monies referred to in subsection A of this section shall be distributed to  
2 eligible cities and towns, unincorporated areas or other qualified entities located within  
3 the areas represented by the following organizations:

- 4 1. Association of Central Oklahoma Governments (ACOG);
- 5 2. Association of South Central Oklahoma Governments (ASCOG);
- 6 3. Central Oklahoma Economic Development District (COEDD);
- 7 4. Eastern Oklahoma Economic Development District (EOEDD);
- 8 5. Grand Gateway Economic Development Association (GGEDA);
- 9 6. Indian Nations Council of Governments (INCOG);
- 10 7. Kiamichi Economic Development District (KEDDO);
- 11 8. Northern Oklahoma Development Association (NODA);
- 12 9. Oklahoma Economic Development Association (OEDA);
- 13 10. Southern Oklahoma Development Association (SODA); and
- 14 11. South Western Oklahoma Development Authority (SWODA).

15 C. The monies referred to in subsection A of this section shall not be expended for  
16 the benefit of cities or towns with a population in excess of seven thousand (7,000)  
17 persons according to the latest Federal Decennial Census. Funds may also be expended  
18 for any city or town with a population below seven thousand (7,000) persons based upon  
19 the current population estimate according to the U.S. Census Bureau. Funds may be  
20 expended for such cities and towns until the next following Federal Decennial Census.  
21 Any municipality may enter into an agreement with an entity described in subsection B  
22 of this section to apply for available funds described by this section if the municipality is

1 located within the area served by the entity. Upon approval of the application, funds  
2 shall be paid to the municipality requesting the funds.

3 D. An entity described in subsection B of this section may apply for a grant to be  
4 used for the benefit of an unincorporated area within a county served by that entity if the  
5 area benefited does not contain a population in excess of seven thousand (7,000) persons.

6 Any county may enter into an agreement with an entity described in subsection B of this  
7 section if the county is located within the area served by the entity. Upon approval of the  
8 application, funds shall be paid to the county requesting the funds.

9 E. The monies referred to in subsection A of this section may be expended for water  
10 quality projects, including but not limited to sewer line construction or repair and related  
11 storm or sanitary sewer projects, water line construction or repair, water treatment,  
12 water acquisition, distribution or recovery and related projects.

13 F. Any city or town with a population less than one thousand seven hundred fifty  
14 (1,750) persons according to the latest Federal Decennial Census shall have a higher  
15 priority for funds allocated by the Oklahoma Water Resources Board from the amount  
16 referred to in subsection A of this section than jurisdictions of greater size. Among such  
17 cities or towns, those municipalities having relatively weaker fiscal capacity shall have a  
18 priority for project funding in preference to other municipalities.

19 G. The Oklahoma Water Resources Board shall establish ten separate accounts  
20 containing one-tenth (1/10) of the amount annually appropriated to the ~~Rural~~ Local  
21 Economic Action Plan and Development Water Projects Fund per account. Each account  
22 shall be available for distribution to qualified entities located within the area served by

1 entities described in subsection A of Section 2007 of this title or for distribution to benefit  
2 unincorporated areas with the exception of one account which shall be divided equally  
3 into two subaccounts. Each one of the two subaccounts shall be available for distribution  
4 to qualified entities located within the respective jurisdiction of one of the entities  
5 described by subsection B of Section 2007 of this title or for distribution to benefit  
6 unincorporated areas. No funds deposited into one account or subaccount shall be  
7 transferred to any other account. The total expenditure from any one account or  
8 subaccount for each fiscal year may not exceed the amount of funds available to each  
9 account as may be provided by law.

10 H. No city, town or other entity to which funds will be awarded pursuant to this  
11 section shall be required to provide any form of match to obtain the funds, whether  
12 through cash, services or any other method.

13 I. The Oklahoma Water Resources Board shall not be allowed to retain any of the  
14 funds referred to in subsection A of this section for administration. All such funds shall  
15 be distributed to eligible entities as authorized by law.

16 J. In order to ensure fair and equitable distribution of the funds referred to in  
17 subsection A of this section, the Oklahoma Water Resources Board shall promulgate  
18 rules for administering, determining priority of, approving and funding applications for  
19 such funds. The rules shall implement the provisions of this section including the  
20 following:

21 1. No qualified entity shall be approved nor funded for more than One Hundred  
22 Fifty Thousand Dollars (\$150,000.00) from such funds in any twelve-month period;

1           2. If a qualified entity has previously been approved for or received such funds and  
2 makes a subsequent application, that subsequent application may be assigned lower  
3 priority than an application by qualified entities who have not previously been approved  
4 for or received such funds;

5           3. In order to prevent substantially the same entity or area from receiving an  
6 undue advantage, a political subdivision and all its public trusts and similar subordinate  
7 entities together shall be treated as one and the same qualified entity; provided rural  
8 water or sewer districts shall not be construed to be subordinate entities of counties  
9 unless the effect would be to make multiple grants to substantially the same entity or  
10 service area; and

11           4. The Oklahoma Water Resources Board may establish limited time periods for  
12 processing applications for available funds.

13           SECTION 3. AMENDATORY 62 O.S. 2001, Section 2004, as last amended by  
14 Section 1, Chapter 194, O.S.L. 2007 (62 O.S. Supp. 2009, Section 2004), is amended to  
15 read as follows:

16           Section 2004. A. The monies appropriated to the ~~Rural Local~~ Economic Action Plan  
17 and Development Fund shall be subject to all of the requirements of Sections 2006  
18 through 2013 of this title.

19           B. ~~In a fiscal year for which the amount appropriated to the Rural Economic Action~~  
20 ~~Plan Fund is less than or equal to the sum of Fifteen Million Five Hundred Thousand~~  
21 ~~Dollars (\$15,500,000.00), there~~ There shall be deposited into each of the accounts  
22 provided by Section 2006 of this title the sum of ~~one-tenth (1/10)~~ one-eleventh (1/11) of

1 the amount appropriated to the ~~Rural Local Economic Action Plan and Development~~  
2 Fund with the exception of one account which shall be divided equally into two  
3 subaccounts. ~~One of the two subaccounts shall be available to one and only one of the~~  
4 ~~entities described by subsection B of Section 2007 of this title for distribution to cities or~~  
5 ~~towns within the respective jurisdiction of the entity if the population of such city or~~  
6 ~~town does not exceed seven thousand (7,000) persons according to the latest Federal~~  
7 ~~Decennial Census or for the benefit of an unincorporated area. Funds may also be~~  
8 ~~expended for any city or town with a population below seven thousand (7,000) persons~~  
9 ~~based upon the current population estimate according to the U.S. Census Bureau. Funds~~  
10 ~~may be expended for such cities and towns until the next following Federal Decennial~~  
11 ~~Census. Provided, for any fiscal year following the first fiscal year that the provisions of~~  
12 ~~subsection D of this section have taken effect, funds appropriated to the Rural Economic~~  
13 ~~Action Plan Fund shall be deposited as provided in subsection D of this section and the~~  
14 ~~provisions of this subsection shall not be in effect.~~

15 C. ~~In a fiscal year for which the amount appropriated to the Rural Economic Action~~  
16 ~~Plan Fund is greater than Fifteen Million Five Hundred Thousand Dollars~~  
17 ~~(\$15,500,000.00), but less than Seventeen Million Fifty Thousand Dollars~~  
18 ~~(\$17,050,000.00), there shall be deposited into each of nine separate accounts for the~~  
19 ~~entities described by subsection A of Section 2007 of this title the sum of One Million~~  
20 ~~Five Hundred Fifty Thousand Dollars (\$1,550,000.00). There shall be divided equally~~  
21 ~~between two additional accounts for the use and benefit of the entities described by~~  
22 ~~subsection B of Section 2007 of this title the balance of any such appropriation in excess~~

1 of Thirteen Million Nine Hundred Fifty Thousand Dollars (\$13,950,000.00), but less than  
2 Seventeen Million Fifty Thousand Dollars (\$17,050,000.00).

3 ~~D. In the first fiscal year for which the amount appropriated to the Rural Economic~~  
4 ~~Action Plan Fund equals or exceeds the sum of Seventeen Million Fifty Thousand Dollars~~  
5 ~~(\$17,050,000.00), and in every subsequent fiscal year, there shall be deposited an equal~~  
6 ~~amount to each of eleven accounts created for the use and benefit of the entities~~  
7 ~~described by subsections A and B of Section 2007 of this title.~~

8 ~~E. Regardless of the number of accounts created based upon the appropriation~~  
9 ~~amount to the Rural Economic Action Plan Fund, all All expenditures from all accounts~~  
10 ~~shall be governed by the limitations imposed pursuant to Sections 2002 through 2013 of~~  
11 ~~this title, including the limitations applicable to expenditures for the benefit of cities or~~  
12 ~~towns based upon population limits or expenditures for the benefit of unincorporated~~  
13 ~~areas.~~

14 SECTION 4. AMENDATORY 62 O.S. 2001, Section 2006, as last amended by  
15 Section 2, Chapter 392, O.S.L. 2008 (62 O.S. Supp. 2009, Section 2006), is amended to  
16 read as follows:

17 Section 2006. A. There is hereby established a fund within the State Treasury to  
18 be known as the ~~Rural~~ Local Economic Action ~~Plan~~ and Development Fund, to be  
19 administered by the Oklahoma Department of Commerce. The fund shall be a  
20 continuing fund not subject to fiscal year limitations. Within the ~~Rural~~ Local Economic  
21 Action ~~Plan~~ and Development Fund there shall be established separate accounts as

1 prescribed by Section 2004 of this title into which shall be deposited such funds as may  
2 be provided by law.

3 B. ~~Except as otherwise provided by Section 2004 of this title, one~~ One of nine eleven  
4 accounts shall be available to each entity described in ~~subsection A of Section 2007 of this~~  
5 title.

6 C. ~~Except as otherwise provided by Section 2004 of this title, one account shall be~~  
7 ~~divided equally into two subaccounts. One of the two subaccounts shall be available to~~  
8 ~~each of the entities described by subsection B of Section 2007 of this title for distribution~~  
9 ~~to any city or town within the respective jurisdiction of the entity if the population of~~  
10 ~~such city or town does not exceed seven thousand (7,000) persons according to the latest~~  
11 ~~Federal Decennial Census or for the benefit of an unincorporated area. Funds may also~~  
12 ~~be expended for any city or town with a population below seven thousand (7,000) persons~~  
13 ~~based upon the current population estimate according to the U.S. Census Bureau. Funds~~  
14 ~~may be expended for such cities and towns until the next following Federal Decennial~~  
15 ~~Census.~~

16 D. No funds deposited into one account ~~or subaccount~~ shall be transferred to any  
17 other account. No entity may access any more than one account per fiscal year and the  
18 total expenditure from any one account for each fiscal year may not exceed the amount of  
19 funds available to each account as may be provided by law.

20 ~~E. D.~~ D. No monies in the ~~Rural~~ Local Economic Action ~~Plan~~ and Development Fund  
21 shall be used for the payment of administrative expenses, salaries or any other  
22 continuing obligation of the Oklahoma Department of Commerce.

1 SECTION 5. AMENDATORY 62 O.S. 2001, Section 2007, as amended by  
2 Section 3, Chapter 194, O.S.L. 2007 (62 O.S. Supp. 2009, Section 2007), is amended to  
3 read as follows:

4 Section 2007. A. A voluntary association of Oklahoma local governmental  
5 jurisdictions or another legal entity, including a public trust or a nonprofit corporation or  
6 other entity which performs functions for the benefit of or which exists for the primary  
7 benefit of Oklahoma local governmental jurisdictions ~~and which is not described in~~  
8 ~~subsection B of this section~~, shall be eligible to obtain funding for rural economic  
9 development projects as authorized by Section 2004 of this title ~~or as authorized by~~  
10 ~~subsection B of Section 2006 of this title.~~

11 ~~B. A voluntary association of Oklahoma local governmental jurisdictions containing~~  
12 ~~at least one municipality with a population in excess of three hundred fifty thousand~~  
13 ~~(350,000) persons according to the latest Federal Decennial Census, shall be eligible to~~  
14 ~~obtain funding as authorized by Section 2004 of this title or as authorized by subsection~~  
15 ~~C of Section 2006 of this title.~~

16 ~~C.~~ The entities described in subsection A ~~or B~~ of this section and which are eligible  
17 for any funds authorized by Section 2006 of this title shall be prohibited from making  
18 expenditures on behalf of or from making payment directly to any city or town with a  
19 population in excess of seven thousand (7,000) persons using any funds deposited to the  
20 Rural Local Economic Action Plan and Development Fund created by Section 2006 of this  
21 title. Funds may also be expended for any city or town with a population below seven  
22 thousand (7,000) persons based upon the current population estimate according to the

1 U.S. Census Bureau. Funds may be expended for such cities and town until the next  
2 following Federal Decennial Census.

3 ~~D.~~ C. An organization described in subsection A ~~or B~~ of this section shall be  
4 authorized to make payment of funds obtained pursuant to Section 2006 of this title  
5 directly to a county if the funds are used for the benefit of an unincorporated area located  
6 within the county to which payment is made if the area benefited does not contain a  
7 population in excess of seven thousand (7,000) persons. After the county has provided a  
8 request to an organization described in subsection A ~~or B~~ of this section for funds to  
9 benefit an unincorporated area of the county, together with a statement that the county  
10 has conducted a review of the needs of unincorporated areas located within the county  
11 and that the funding requested is consistent with the evaluation of priorities for funds by  
12 the county, the funds requested may be paid to the county. Any funds paid to a county  
13 pursuant to the provisions of this subsection shall be expended by the county exclusively  
14 for the purpose identified in the request.

15 ~~E.~~ D. No county to which funds are paid pursuant to the provisions of subsection ~~D~~  
16 C of this section shall be liable to any person or other legal entity for damages arising out  
17 of any condition, act, omission or other cause alleged to have arisen as a result of a  
18 project upon which funds expended pursuant to the authority of subsection ~~D~~ C of this  
19 section were paid to the county.

20 SECTION 6. AMENDATORY 62 O.S. 2001, Section 2008, is amended to read  
21 as follows:

1 Section 2008. A. The governing board of an entity described by subsection A ~~or B~~ of  
2 Section 2007 of this title shall develop a plan for the use of available funds for the  
3 economic development of areas included within its respective jurisdiction. For purposes  
4 of this act, "economic development" shall include, but shall not be limited to, the  
5 following purposes:

6 1. Rural water quality projects, including acquisition, treatment, distribution and  
7 recovery of water for consumption by humans or animals or both;

8 2. Rural solid waste disposal, treatment or similar projects;

9 3. Rural sanitary sewer construction or improvement projects;

10 4. Rural road or street construction or improvement projects;

11 5. Provision of health care services, including emergency medical care, in rural  
12 areas;

13 6. Provision of rural fire protection services;

14 7. Construction or improvement of telecommunication facilities or systems;

15 8. Improvement of municipal energy distribution systems; and

16 9. Expenditures designed to increase the employment level within the jurisdiction  
17 of the entity; ~~and~~

18 ~~10. Such other purposes as may be certified pursuant to an affirmative vote of two-~~  
19 ~~thirds (2/3) of the governing board of an entity described by subsection A or B of Section~~  
20 ~~2007 of this title.~~

21 B. Effective July 1, 2010, at least eighty percent (80%) of any funds distributed to  
22 an entity as provided by this section shall be expended for assets described in paragraphs

1 1 through 4 of subsection A of this section. The remaining twenty percent (20%) of any  
2 funds distributed to an entity as provided by this section may be expended on assets or  
3 purposes described in paragraphs 5 through 9 of subsection A of this section.

4 C. Not later than July 31, each entity described by subsection A of Section 2007 of  
5 this title shall transmit, in such electronic form as may be prescribed by the Oklahoma  
6 Department of Commerce for purposes of access to such information on the website  
7 maintained by the Department, a summary of each project upon which funds received by  
8 the entity pursuant to the provisions of the Local Economic Action and Development Act  
9 were expended during the fiscal year ending on the June 30 date immediately preceding  
10 the July 31 reporting date.

11 SECTION 7. AMENDATORY 62 O.S. 2001, Section 2009, as amended by  
12 Section 3, Chapter 392, O.S.L. 2008 (62 O.S. Supp. 2009, Section 2009), is amended to  
13 read as follows:

14 Section 2009. A. In order for an eligible entity to obtain funds provided for by  
15 Section 2006 of this title, the entity shall file the organizational plan required by Section  
16 2008 of this title with the Oklahoma Department of Commerce.

17 B. In order to be filed, the plan shall have first been approved by an affirmative  
18 vote of two-thirds (2/3) of the governing board of an entity described by subsection A ~~or B~~  
19 of Section 2007 of this title. The vote shall be memorialized in a document, executed  
20 under oath, that the record of the vote is a true and accurate account of the proceedings  
21 conducted by the governing board to be filed with the Oklahoma Department of  
22 Commerce.

1 SECTION 8. AMENDATORY 62 O.S. 2001, Section 2011, as amended by  
2 Section 4, Chapter 392, O.S.L. 2008 (62 O.S. Supp. 2009, Section 2011), is amended to  
3 read as follows:

4 Section 2011. A. Except as otherwise provided by subsection C of this section, the  
5 funds available pursuant to the provisions of Section 2006 of this title shall not be used  
6 to pay any administrative expenses of the entity requesting the funds. The Oklahoma  
7 Department of Commerce shall monitor expenditures made pursuant to the ~~Rural Local~~  
8 Economic Action ~~Plan~~ and Development Act to ensure compliance with the provisions of  
9 this section. Such funds shall be audited by the State Auditor and Inspector in the  
10 manner provided by law for audits of other state funds. Misuse of funds by an entity  
11 shall disqualify the entity from further funding for a period of one (1) year from the date  
12 as of which any report by the Oklahoma Department of Commerce is issued revealing a  
13 violation of the requirements of this section.

14 B. Except for funds authorized by subsection C of this section, an entity which  
15 violates the provisions of this section shall be liable to the State of Oklahoma for treble  
16 the amount of funds identified as having been impermissibly used for the payment or  
17 reimbursement of administrative expenses. The payment shall be made to the  
18 Oklahoma Department of Commerce for deposit in the ~~Rural Local~~ Economic Action ~~Plan~~  
19 and Development Fund and such funds shall become available for distribution as  
20 otherwise provided by Section 2001 et seq. of this title except that no such funds shall be  
21 paid to an entity which has been required to make the treble damage payment.

1 C. Upon verification by the Oklahoma Department of Commerce that an entity is  
2 qualified to receive funds for a purpose authorized by this section, the entity shall be  
3 eligible for an initial planning expenditure payment of not to exceed five percent (5%) of  
4 the amount contained in the account created for the entity pursuant to Section 2006 of  
5 this title.

6 SECTION 9. AMENDATORY 62 O.S. 2001, Section 2012, is amended to read  
7 as follows:

8 Section 2012. Expenditures from the ~~Rural Local~~ Local Economic Action ~~Plan and~~  
9 Development Fund shall be made in the same manner as provided by law for the  
10 expenditure of other public funds.

11 SECTION 10. AMENDATORY 62 O.S. 2001, Section 2013, is amended to read  
12 as follows:

13 Section 2013. The expenditures from the ~~Rural Local~~ Local Economic Action ~~Plan and~~  
14 Development Fund and other expenditures governed by this act, if made in accordance  
15 with the requirements of this act, shall be construed as an expenditure of public funds in  
16 furtherance of governmental functions and for the purpose of conferring general and  
17 uniform benefits resulting from the expenditures upon the residents and other legal  
18 entities located in areas subject to the jurisdiction of the entities described in subsection  
19 A ~~or B~~ of Section 2007 of this title.

20 SECTION 11. AMENDATORY 25 O.S. 2001, Section 304, as amended by  
21 Section 1, Chapter 142, O.S.L. 2007 (25 O.S. Supp. 2009, Section 304), is amended to  
22 read as follows:

UNDERLINED language denotes Amendments to present Statutes.  
**BOLD FACE CAPITALIZED** language denotes Committee Amendments.  
~~Strike thru~~ language denotes deletion from present Statutes.

1 Section 304. As used in the Oklahoma Open Meeting Act:

2 1. "Public body" means the governing bodies of all municipalities located within  
3 this state, boards of county commissioners of the counties in this state, boards of public  
4 and higher education in this state and all boards, bureaus, commissions, agencies,  
5 trusteeships, authorities, councils, committees, public trusts or any entity created by a  
6 public trust, including any committee or subcommittee composed of any of the members  
7 of a public trust or other legal entity receiving funds pursuant to the Local Economic  
8 Action and Development Act as authorized by Section 2007 of Title 62 of the Oklahoma  
9 Statutes, task forces or study groups in this state supported in whole or in part by public  
10 funds or entrusted with the expending of public funds, or administering public property,  
11 and shall include all committees or subcommittees of any public body. Public body shall  
12 not include the state judiciary, the Council on Judicial Complaints when conducting,  
13 discussing, or deliberating any matter relating to a complaint received or filed with the  
14 Council, the Legislature, or administrative staffs of public bodies, including, but not  
15 limited to, faculty meetings and athletic staff meetings of institutions of higher education  
16 when those staffs are not meeting with the public body, or entry-year assistance  
17 committees. Furthermore, public body shall not include the multidisciplinary team  
18 provided for in subsection C of Section 1-502.2 of Title 63 of the Oklahoma Statutes or  
19 any school board meeting for the sole purpose of considering recommendations of a  
20 multidisciplinary team and deciding the placement of any child who is the subject of the  
21 recommendations. Furthermore, public body shall not include meetings conducted by  
22 stewards designated by the Oklahoma Horse Racing Commission pursuant to Section

1 203.4 of Title 3A of the Oklahoma Statutes when the stewards are officiating at races or  
2 otherwise enforcing rules of the Commission;

3 2. "Meeting" means the conduct of business of a public body by a majority of its  
4 members being personally together or, as authorized by Section 307.1 of this title,  
5 together pursuant to a videoconference. Meeting shall not include informal gatherings of  
6 a majority of the members of the public body when no business of the public body is  
7 discussed;

8 3. "Regularly scheduled meeting" means a meeting at which the regular business of  
9 the public body is conducted;

10 4. "Special meeting" means any meeting of a public body other than a regularly  
11 scheduled meeting or emergency meeting;

12 5. "Emergency meeting" means any meeting called for the purpose of dealing with  
13 an emergency. For purposes of the Oklahoma Open Meeting Act, an emergency is  
14 defined as a situation involving injury to persons or injury and damage to public or  
15 personal property or immediate financial loss when the time requirements for public  
16 notice of a special meeting would make such procedure impractical and increase the  
17 likelihood of injury or damage or immediate financial loss;

18 6. "Continued or reconvened meeting" means a meeting which is assembled for the  
19 purpose of finishing business appearing on an agenda of a previous meeting. For the  
20 purposes of the Oklahoma Open Meeting Act, only matters on the agenda of the previous  
21 meeting at which the announcement of the continuance is made may be discussed at a  
22 continued or reconvened meeting; and

1           7. “Videoconference” means a conference among members of a public body remote  
2 from one another who are linked by interactive telecommunication devices permitting  
3 both visual and auditory communication between and among members of the public body  
4 and members of the public. During any videoconference both the visual and auditory  
5 communications functions of the device shall be utilized. Whenever the term  
6 “teleconference” appears in any law in relation to a meeting of a public body, it shall be  
7 deemed to mean a videoconference as defined in this paragraph.

8           SECTION 12. This act shall become effective July 1, 2010.

9           SECTION 13. It being immediately necessary for the preservation of the public  
10 peace, health and safety, an emergency is hereby declared to exist, by reason whereof  
11 this act shall take effect and be in full force from and after its passage and approval.

12 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS AND BUDGET,  
13 dated 02-25-10 - DO PASS, As Amended.