

1 committee; limiting duration of certain requirements;
2 providing determination process; providing for
3 noncodification; and declaring an emergency.

4
5 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

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

8 There is hereby appropriated to the Oklahoma Water Resources
9 Board from any monies not otherwise appropriated from the Statewide
10 Recovery Fund of the State Treasury created in Enrolled House Bill
11 No. 3349 of the 2nd Session of the 58th Oklahoma Legislature, the
12 sum of Ten Million Dollars (\$10,000,000.00) or so much thereof as
13 may be necessary to establish grant programs that facilitate the
14 design, construction, and maintenance of water and wastewater
15 infrastructure, and to improve the condition of publicly owned,
16 deficient dams regulated by the Oklahoma Water Resources Board.
17 Such funds shall be utilized in a manner consistent with the
18 recommendations adopted by the Joint Committee on Pandemic Relief
19 Funding on May 11, 2023.

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

22 From the funds appropriated by Section 1 of this act, the
23 Oklahoma Water Resources Board is hereby authorized to expend Five
24 Million Dollars (\$5,000,000.00) for a grant program for communities

1 with a population of seven thousand (7,000) or less as reported in
2 the most recent Federal Decennial Census published by the United
3 States Bureau of the Census or to rural water districts with less
4 than 2,300 non-pasture taps for projects that meet the federal
5 eligibility requirements of the U.S. Treasury's Coronavirus State
6 and Local Fiscal Recovery Funds Final Rule for water and wastewater
7 investments. The Board may reserve not more than four percent (4%)
8 from this expenditure authority for purposes of administering the
9 program.

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

12 From the funds appropriated by Section 1 of this act, the
13 Oklahoma Water Resources Board is hereby authorized to expend Four
14 Million Dollars (\$4,000,000.00) for a grant program for communities
15 with a population greater than seven thousand (7,000) as reported in
16 the most recent Federal Decennial Census published by the United
17 States Bureau of the Census or to rural water districts with more
18 than 2,300 non-pasture taps for projects that meet the federal
19 eligibility requirements of the U.S. Treasury's Coronavirus State
20 and Local Fiscal Recovery Funds Final Rule for water and wastewater
21 investments. The Board may reserve not more than four percent (4%)
22 from this expenditure authority for purposes of administering the
23 program.

24

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

3 From the funds appropriated by Section 1 of this act, the
4 Oklahoma Water Resources Board is hereby authorized to expend One
5 Million Dollars (\$1,000,000.00) for a grant program for communities
6 that own dams with the latest condition assessment of poor or
7 unsatisfactory. Priority for funding shall be given to communities
8 that have a population of less than seven thousand (7,000) as
9 reported in the most recent Federal Decennial Census published by
10 the United States Bureau of the Census. Projects funded by the
11 grant program shall be limited to up to One Million Dollars
12 (\$1,000,000.00) per community and must meet the federal eligibility
13 requirements of the U.S. Treasury's Coronavirus State and Local
14 Fiscal Recovery Funds Final Rule. The Board may reserve not more
15 than seven and one-half percent (7.5%) from this expenditure
16 authority for purposes of administering the program.

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

19 There is hereby appropriated to the Oklahoma Water Resources
20 Board from any monies not otherwise appropriated from the Statewide
21 Recovery Fund of the State Treasury created in Enrolled House Bill
22 No. 3349 of the 2nd Session of the 58th Oklahoma Legislature, the
23 sum of Fifteen Million Dollars (\$15,000,000.00) or so much thereof
24 as may be necessary to establish a grant program and to match tribal

1 investment in rural water infrastructure projects. Such funds shall
2 be utilized in a manner consistent with the recommendations adopted
3 by the Joint Committee on Pandemic Relief Funding on May 11, 2023.

4 SECTION 6. NEW LAW A new section of law not to be
5 codified in the Oklahoma Statutes reads as follows:

6 There is hereby appropriated to the Oklahoma Water Resources
7 Board from any monies not otherwise appropriated from the Statewide
8 Recovery Fund of the State Treasury created in Enrolled House Bill
9 No. 3349 of the 2nd Session of the 58th Oklahoma Legislature, the
10 sum of Three Million One Hundred Eighty-three Thousand Four Hundred
11 Thirty-four Dollars (\$3,183,434.00) or so much thereof as may be
12 necessary for statewide strategic water infrastructure projects.
13 Such funds shall be utilized in a manner consistent with the
14 recommendations adopted by the Joint Committee on Pandemic Relief
15 Funding on May 11, 2023.

16 SECTION 7. NEW LAW A new section of law not to be
17 codified in the Oklahoma Statutes reads as follows:

18 A. There is hereby created in the State Treasury a Statewide
19 Recovery Special Account for the Oklahoma Water Resources Board for
20 each appropriation section of this act. The duration of such
21 accounts shall continue for the period of time that monies related
22 to the American Rescue Plan Act of 2021 are being budgeted,
23 expended, or managed in the state. The ending of such period shall
24 be determined by the State Treasurer, and shall result in the

1 closing of such accounts as a matter of law. Such accounts shall be
2 continuing accounts as otherwise provided in this section, not
3 subject to fiscal year limitations, and shall exclusively consist of
4 monies related to the relevant appropriations made in this act and
5 as otherwise directed by law. All monies deposited to the credit of
6 such accounts are hereby appropriated and may be budgeted and
7 expended by the Oklahoma Water Resources Board in accordance with
8 the provisions of this act. Expenditures from such accounts shall
9 be made upon warrants issued by the State Treasurer against claims
10 filed as prescribed by law with the Director of the Office of
11 Management and Enterprise Services for approval and payment.

12 B. The Oklahoma Water Resources Board is authorized to request
13 in writing that the monies appropriated by the provisions of this
14 act be deposited or transferred to the accounts created pursuant to
15 subsection A of this section. No later than seven (7) calendar days
16 from the date of such request, the Director of the Office of
17 Management and Enterprise Services shall comply with such request
18 and verify to the requesting agency that such deposit or transfer
19 has been completed.

20 SECTION 8. NEW LAW A new section of law not to be
21 codified in the Oklahoma Statutes reads as follows:

22 The Oklahoma Water Resources Board may enter into memorandums of
23 understanding with other agencies of the State of Oklahoma for the
24 auditing, documentation, evaluation, implementation, oversight,

1 reporting, and management of funds and associated efforts related to
2 the appropriations made in this act; provided, that no such
3 memorandum of understanding shall require or include, as an option
4 or condition, the direct or practical transfer or relinquishment of
5 control by the agency appropriated such funds to budget, expend,
6 allocate, and request the distribution of the funds appropriated by
7 this act.

8 SECTION 9. NEW LAW A new section of law not to be
9 codified in the Oklahoma Statutes reads as follows:

10 The Oklahoma Water Resources Board may promulgate rules, utilize
11 existing rules, establish procedures, and utilize existing
12 procedures to implement the provisions of this act; provided, such
13 rules and procedures do not conflict with or impede the provisions
14 of this act.

15 SECTION 10. NEW LAW A new section of law not to be
16 codified in the Oklahoma Statutes reads as follows:

17 The Oklahoma Water Resources Board is authorized to enter into
18 contracts with financial institutions and execute such instruments
19 as may be necessary and convenient to hold and disseminate grant
20 funds in accordance with applicable federal and state regulations
21 and Board policies.

22 SECTION 11. NEW LAW A new section of law not to be
23 codified in the Oklahoma Statutes reads as follows:

24

1 From the funds appropriated by Sections 6 through 8 of this act,
2 the Oklahoma Water Resources Board shall retain no more than four
3 percent (4%) of the funds appropriated by this act to reimburse:
4 1. Costs incurred by the Oklahoma Water Resources Board; or
5 2. Costs incurred on the agency's behalf,
6 associated with the administration of the appropriated funds and
7 programming required by the Oklahoma Water Resources Board under the
8 provisions of this act; provided, that no funds shall be retained
9 that would be disallowable under the provisions of the American
10 Rescue Plan Act of 2021.

11 SECTION 12. NEW LAW A new section of law not to be
12 codified in the Oklahoma Statutes reads as follows:

13 A. The Oklahoma Water Resources Board shall:

14 1. Submit to the Chairs of the Joint Committee on Pandemic
15 Relief Funding, or any successor Senate legislative or House of
16 Representatives legislative committee or joint committee, as
17 designated by the President Pro Tempore of the Senate and the
18 Speaker of the House of Representatives:

19 a. a written or electronic quarterly report detailing the
20 budgeting, expenditure, and management of all monies
21 appropriated in this act, and

22 b. a copy of all memorandums of understanding and
23 contracts with third parties entered into by the
24 Oklahoma Water Resources Board to facilitate, assist,

1 or administer powers and duties provided to the
2 Oklahoma Water Resources Board under the provisions of
3 this act; and

4 2. At the Joint Committee on Pandemic Relief Funding's request,
5 appear before the Joint Committee no later than six (6) months after
6 the effective date of this act, and as otherwise requested by the
7 Joint Committee to provide a status update regarding the
8 implementation of the provisions of this act.

9 B. The provisions of subsection A of this section shall remain
10 applicable for the period of time that monies appropriated under
11 this act are being budgeted, expended, or managed in the state. The
12 ending of such period shall be determined by the State Treasurer,
13 and shall be reported to the Governor, President Pro Tempore of the
14 Senate, and the Speaker of the House of Representatives.

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

19
20 COMMITTEE REPORT BY: COMMITTEE ON JOINT COMMITTEE ON APPROPRIATIONS
21 AND BUDGET, dated 05/16/2023 - DO PASS, As Amended.
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