

1 STATE OF OKLAHOMA

2 2nd Session of the 54th Legislature (2014)

3 HOUSE BILL 2954

By: Cockroft

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5
6 AS INTRODUCED

7 An Act relating to conversion of certain vehicles to
8 compressed natural gas; enacting the County Fleet
9 Vehicle Compressed Natural Gas Conversion Funding Act
10 of 2014; creating the County Fleet Vehicle Compressed
11 Natural Gas Conversion Cost Revolving Fund; providing
12 for apportionment of revenues to fund; stating
13 purposes; prescribing method for expenditure of
14 funds; providing for management and control by
15 circuit engineering districts; providing for
16 separation of fund into accounts; amending 68 O.S.
2011, Section 1004, as last amended by Section 1,
Chapter 205, O.S.L. 2012 (68 O.S. Supp. 2013, Section
1004), which relates to the apportionment of gross
production tax revenues; modifying apportionment to
General Revenue Fund of State Treasury; providing for
apportionment of revenues to the County Fleet Vehicle
Compressed Natural Gas Conversion Cost Revolving
Fund; providing for codification; providing an
effective date; and declaring an emergency.

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18
19 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

20 SECTION 1. NEW LAW A new section of law to be codified
21 in the Oklahoma Statutes as Section 1451 of Title 19, unless there
22 is created a duplication in numbering, reads as follows:

23 This act shall be known and may be cited as the "County Fleet
24 Vehicle Compressed Natural Gas Conversion Funding Act of 2014".

1 SECTION 2. NEW LAW A new section of law to be codified
2 in the Oklahoma Statutes as Section 1452 of Title 19, unless there
3 is created a duplication in numbering, reads as follows:

4 There is hereby created in the State Treasury a revolving fund
5 for the circuit engineering districts of the State of Oklahoma to be
6 designated the "County Fleet Vehicle Compressed Natural Gas
7 Conversion Cost Revolving Fund". The fund shall be a continuing
8 fund, not subject to fiscal year limitations, and shall consist of
9 all monies received by the fund from the apportionment of gross
10 production tax revenues as provided in Section 1004 of Title 68 of
11 the Oklahoma Statutes. All monies accruing to the credit of said
12 fund are hereby appropriated and may be budgeted and expended by the
13 circuit engineering districts for the purpose of offsetting the
14 costs associated with converting fleet vehicles to compressed
15 natural gas. Expenditures from said fund shall be made upon
16 warrants issued by the State Treasurer against claims filed as
17 prescribed by law with the Director of the Office of Management and
18 Enterprise Services for approval and payment.

19 SECTION 3. NEW LAW A new section of law to be codified
20 in the Oklahoma Statutes as Section 1453 of Title 19, unless there
21 is created a duplication in numbering, reads as follows:

22 A. The circuit engineering districts shall make available to
23 each county an equal share of the total funds in the County Fleet
24 Vehicle Compressed Natural Gas Conversion Cost Revolving Fund. The

1 total amount of the balance of the Fund shall be divided by seventy-
2 seven (77) and each county shall have an account within the Fund
3 equal to such amount.

4 B. The circuit engineering districts shall have the authority
5 to use the monies in the Fund in order to pay costs for the
6 conversion of the existing county fleet vehicles to compressed
7 natural gas.

8 C. The Fund shall only be used for costs related to conversion
9 of county fleet vehicles and shall not be used for any other
10 purpose.

11 SECTION 4. AMENDATORY 68 O.S. 2011, Section 1004, as
12 last amended by Section 1, Chapter 205, O.S.L. 2012 (68 O.S. Supp.
13 2013, Section 1004), is amended to read as follows:

14 Section 1004. A. Beginning July 1, ~~2002~~ 2014, the gross
15 production tax provided for in Section 1001 of this title is hereby
16 levied and shall be collected and apportioned as follows:

17 1. For all monies collected from the tax levied on asphalt or
18 ores bearing uranium, lead, zinc, jack, gold, silver or copper:

19 a. eighty-five and seventy-two one-hundredths percent
20 (85.72%) shall be paid to the State Treasurer of the
21 state to be placed in the General Revenue Fund of the
22 state and used for the general expense of state
23 government, to be paid out pursuant to direct
24 appropriation by the Legislature,

1 b. seven and fourteen one-hundredths percent (7.14%) of
2 the sum collected from natural gas and/or casinghead
3 gas or asphalt or ores bearing uranium, lead, zinc,
4 jack, gold, silver or copper shall be paid to the
5 various county treasurers to be credited to the County
6 Highway Fund as follows: Each county shall receive a
7 proportionate share of the funds available based upon
8 the proportion of the total value of production from
9 such county in the corresponding month of the
10 preceding year, and

11 c. seven and fourteen one-hundredths percent (7.14%)
12 shall be allocated to each county as provided for in
13 subparagraph b of this paragraph and shall be
14 apportioned, on an average daily attendance per capita
15 distribution basis, as certified by the State
16 Superintendent of Public Instruction to the school
17 districts of the county where such pupils attend
18 school regardless of residence of such pupil, provided
19 the school district makes an ad valorem tax levy of
20 fifteen (15) mills for the current year and maintains
21 twelve (12) years of instruction;

22 2. For all monies collected from the tax levied on natural gas
23 and/or casinghead gas at a tax rate of seven percent (7%) pursuant
24 to the provisions of subsection B of Section 1001 of this title:

- 1 a. ~~eighty five and seventy two one hundredths percent~~
2 ~~(85.72%)~~ eighty and seventy-two one-hundredths percent
3 (80.72%) shall be paid to the State Treasurer of the
4 state to be placed in the General Revenue Fund of the
5 state and used for the general expense of state
6 government, to be paid out pursuant to direct
7 appropriation by the Legislature,
- 8 b. seven and fourteen one-hundredths percent (7.14%) of
9 the sum collected from natural gas and/or casinghead
10 gas shall be paid to the various county treasurers to
11 be credited to the County Highway Fund as follows:
12 Each county shall receive a proportionate share of the
13 funds available based upon the proportion of the total
14 value of production from such county in the
15 corresponding month of the preceding year, ~~and~~
- 16 c. seven and fourteen one-hundredths percent (7.14%)
17 shall be allocated to each county as provided for in
18 subparagraph b of this paragraph and shall be
19 apportioned, on an average daily attendance per capita
20 distribution basis, as certified by the State
21 Superintendent of Public Instruction to the school
22 districts of the county where such pupils attend
23 school regardless of residence of such pupil, provided
24 the school district makes an ad valorem tax levy of

1 fifteen (15) mills for the current year and maintains
2 twelve (12) years of instruction, and

3 d. five percent (5.0%) shall be apportioned to the County
4 Fleet Vehicle Compressed Natural Gas Conversion Cost
5 Revolving Fund created by Section 2 of this act;

6 3. For all monies collected from the tax levied on natural gas
7 and/or casinghead gas at a tax rate of four percent (4%) pursuant to
8 the provisions of subsection B of Section 1001 of this title:

9 a. ~~seventy-five percent (75%)~~ seventy-percent (70%) shall
10 be paid to the State Treasurer of the state to be
11 placed in the General Revenue Fund of the state and
12 used for the general expense of state government, to
13 be paid out pursuant to direct appropriation by the
14 Legislature,

15 b. twelve and one-half percent (12.5%) of the sum
16 collected from natural gas and/or casinghead gas shall
17 be paid to the various county treasurers to be
18 credited to the County Highway Fund as follows: Each
19 county shall receive a proportionate share of the
20 funds available based upon the proportion of the total
21 value of production from such county in the
22 corresponding month of the preceding year, ~~and~~

23 c. twelve and one-half percent (12.5%) shall be allocated
24 to each county as provided for in subparagraph b of

1 this paragraph and shall be apportioned, on an average
2 daily attendance per capita distribution basis, as
3 certified by the State Superintendent of Public
4 Instruction to the school districts of the county
5 where such pupils attend school regardless of
6 residence of such pupil, provided the school district
7 makes an ad valorem tax levy of fifteen (15) mills for
8 the current year and maintains twelve (12) years of
9 instruction, and

10 d. five percent (5.0%) shall be apportioned to the County
11 Fleet Vehicle Compressed Natural Gas Conversion Cost
12 Revolving Fund created by Section 2 of this act;

13 4. For all monies collected from the tax levied on natural gas
14 and/or casinghead gas at a tax rate of one percent (1%) pursuant to
15 the provisions of subsection B of Section 1001 of this title:

16 a. fifty percent (50%) of the sum collected from natural
17 gas and/or casinghead gas shall be paid to the various
18 county treasurers to be credited to the County Highway
19 Fund as follows: Each county shall receive a
20 proportionate share of the funds available based upon
21 the proportion of the total value of production from
22 such county in the corresponding month of the
23 preceding year, and
24

1 b. fifty percent (50%) shall be allocated to each county
2 as provided for in subparagraph a of this paragraph
3 and shall be apportioned, on an average daily
4 attendance per capita distribution basis, as certified
5 by the State Superintendent of Public Instruction to
6 the school districts of the county where such pupils
7 attend school regardless of residence of such pupil,
8 provided the school district makes an ad valorem tax
9 levy of fifteen (15) mills for the current year and
10 maintains twelve (12) years of instruction;

11 5. For all monies collected from the tax levied on oil at a tax
12 rate of seven percent (7%) pursuant to the provisions of subsection
13 B of Section 1001 of this title:

14 a. twenty-five and seventy-two one-hundredths percent
15 (25.72%) shall be paid to the State Treasurer to be
16 placed in the Common Education Technology Revolving
17 Fund created in Section 34.90 of Title 62 of the
18 Oklahoma Statutes,

19 b. twenty-five and seventy-two one-hundredths percent
20 (25.72%) shall be paid to the State Treasurer to be
21 placed in the Higher Education Capital Revolving Fund
22 created in Section 34.91 of Title 62 of the Oklahoma
23 Statutes,

1 c. twenty-five and seventy-two one-hundredths percent
2 (25.72%) shall be paid to the State Treasurer to be
3 placed in the Oklahoma Student Aid Revolving Fund
4 created in Section 34.92 of Title 62 of the Oklahoma
5 Statutes,

6 d. three and seven hundred forty-five one-thousandths
7 percent (3.745%) shall be distributed to the various
8 counties of the state for deposit into the County
9 Bridge and Road Improvement Fund of each county based
10 on a formula developed by the Department of
11 Transportation and approved by the Department of
12 Transportation County Advisory Board created pursuant
13 to Section 302.1 of Title 69 of the Oklahoma Statutes
14 to be used for the purposes set forth in the County
15 Bridge and Road Improvement Act. The formula shall be
16 similar to the formula currently used for the
17 distribution of monies in the County Bridge Program
18 funds, but shall also take into consideration the
19 effect of the terrain and traffic volume as related to
20 county road improvement and maintenance costs,

21 e. four and twenty-eight one-hundredths percent (4.28%)
22 shall be paid to the State Treasurer to be apportioned
23 to:
24

1 (1) the following sources and in the following
2 amounts through the fiscal year ending June 30,
3 2016:

4 (a) thirty-three and one-third percent (33 1/3%)
5 to the Oklahoma Tourism and Recreation
6 Department Capital Expenditure Revolving
7 Fund created pursuant to Section 2254.1 of
8 Title 74 of the Oklahoma Statutes,

9 (b) thirty-three and one-third percent (33 1/3%)
10 to the Oklahoma Conservation Commission
11 Infrastructure Revolving Fund created
12 pursuant to Section 3-2-110 of Title 27A of
13 the Oklahoma Statutes, and

14 (c) thirty-three and one-third percent (33 1/3%)
15 to the Community Water Infrastructure
16 Development Revolving Fund created pursuant
17 to Section 1085.7A of Title 82 of the
18 Oklahoma Statutes, and

19 (2) the Oklahoma Water Resources Board Rural Economic
20 Action Plan Water Projects Fund for the fiscal
21 year beginning July 1, 2016, and for each fiscal
22 year thereafter,

23 f. seven and fourteen one-hundredths percent (7.14%) of
24 the sum collected from oil shall be paid to the

1 various county treasurers, to be credited to the
2 County Highway Fund as follows: Each county shall
3 receive a proportionate share of the funds available
4 based upon the proportion of the total value of
5 production from such county in the corresponding month
6 of the preceding year,

7 g. seven and fourteen one-hundredths percent (7.14%)
8 shall be allocated to each county as provided in
9 subparagraph f of this paragraph and shall be
10 apportioned, on an average daily attendance per capita
11 distribution basis, as certified by the State
12 Superintendent of Public Instruction, to the school
13 districts of the county where such pupils attend
14 school regardless of residence of such pupil, provided
15 the school district makes an ad valorem tax levy of
16 fifteen (15) mills for the current year and maintains
17 twelve (12) years of instruction, and

18 h. five hundred thirty-five one-thousandths percent
19 (0.535%) of the levy shall be transmitted by the
20 Oklahoma Tax Commission to the Statewide Circuit
21 Engineering District Revolving Fund as created in
22 Section 687.2 of Title 69 of the Oklahoma Statutes;
23
24

1 6. For all monies collected from the tax levied on oil at a tax
2 rate of four percent (4%) pursuant to the provisions of subsection B
3 of Section 1001 of this title:

4 a. twenty-two and one-half percent (22.5%) shall be paid
5 to the State Treasurer to be placed in the Common
6 Education Technology Revolving Fund created in Section
7 34.90 of Title 62 of the Oklahoma Statutes,

8 b. twenty-two and one-half percent (22.5%) shall be paid
9 to the State Treasurer to be placed in the Higher
10 Education Capital Revolving Fund created in Section
11 34.91 of Title 62 of the Oklahoma Statutes,

12 c. twenty-two and one-half percent (22.5%) shall be paid
13 to the State Treasurer to be placed in the Oklahoma
14 Student Aid Revolving Fund created in Section 34.92 of
15 Title 62 of the Oklahoma Statutes,

16 d. three and twenty-eight one-hundredths percent (3.28%)
17 shall be distributed to the various counties of the
18 state for deposit into the County Bridge and Road
19 Improvement Fund of each county based on a formula
20 developed by the Department of Transportation and
21 approved by the Department of Transportation County
22 Advisory Board created pursuant to Section 302.1 of
23 Title 69 of the Oklahoma Statutes to be used for the
24 purposes set forth in the County Bridge and Road

1 Improvement Act. The formula shall be similar to the
2 formula currently used for the distribution of monies
3 in the County Bridge Program funds, but shall also
4 take into consideration the effect of the terrain and
5 traffic volume as related to county road improvement
6 and maintenance costs,

7 e. three and seventy-five one-hundredths percent (3.75%)
8 shall be paid to the State Treasurer to be apportioned
9 to:

10 (1) the following sources and in the following
11 amounts through the fiscal year ending June 30,
12 2016:

13 (a) thirty-three and one-third percent (33 1/3%)
14 to the Oklahoma Tourism and Recreation
15 Department Capital Expenditure Revolving
16 Fund created pursuant to Section 2254.1 of
17 Title 74 of the Oklahoma Statutes,

18 (b) thirty-three and one-third percent (33 1/3%)
19 to the Oklahoma Conservation Commission
20 Infrastructure Revolving Fund created
21 pursuant to Section 3-2-110 of Title 27A of
22 the Oklahoma Statutes, and

23 (c) thirty-three and one-third percent (33 1/3%)
24 to the Community Water Infrastructure

1 Development Revolving Fund created pursuant
2 to Section 1085.7A of Title 82 of the
3 Oklahoma Statutes, and

4 (2) the Oklahoma Water Resources Board Rural Economic
5 Action Plan Water Projects Fund for the fiscal
6 year beginning July 1, 2016, and for each fiscal
7 year thereafter,

8 f. twelve and one-half percent (12.5%) of the sum
9 collected from oil shall be paid to the various county
10 treasurers, to be credited to the County Highway Fund
11 as follows: Each county shall receive a proportionate
12 share of the funds available based upon the proportion
13 of the total value of production from such county in
14 the corresponding month of the preceding year,

15 g. twelve and one-half percent (12.5%) shall be allocated
16 to each county as provided in subparagraph f of this
17 paragraph and shall be apportioned on an average daily
18 attendance per capita distribution basis, as certified
19 by the State Superintendent of Public Instruction, to
20 the school districts of the county where such pupils
21 attend school regardless of residence of such pupil,
22 provided the school district makes an ad valorem tax
23 levy of fifteen (15) mills for the current year and
24 maintains twelve (12) years of instruction, and

1 h. forty-seven one-hundredths percent (0.47%) of the levy
2 shall be transmitted by the Tax Commission to the
3 Statewide Circuit Engineering District Revolving Fund
4 as created in Section 687.2 of Title 69 of the
5 Oklahoma Statutes;

6 7. For all monies collected from the tax levied on oil at a tax
7 rate of one percent (1%) pursuant to the provisions of subsection B
8 of Section 1001 of this title:

9 a. fifty percent (50%) of the sum collected shall be paid
10 to the various county treasurers, to be credited to
11 the County Highway Fund as follows: Each county shall
12 receive a proportionate share of the funds available
13 based upon the proportion of the total value of
14 production from such county in the corresponding month
15 of the preceding year, and

16 b. fifty percent (50%) shall be allocated to each county
17 as provided for in subparagraph a of this paragraph
18 and shall be apportioned on an average daily
19 attendance per capita distribution basis, as certified
20 by the State Superintendent of Public Instruction, to
21 the school districts of the county where such pupils
22 attend school regardless of residence of such pupil,
23 provided the school district makes an ad valorem tax
24

1 levy of fifteen (15) mills for the current year and
2 maintains twelve (12) years of instruction.

3 B. Provided, notwithstanding any other provision of this
4 section, the total amounts deposited to the Common Education
5 Technology Revolving Fund, the Higher Education Capital Revolving
6 Fund, the Oklahoma Student Aid Revolving Fund, the Rural Economic
7 Action Plan Water Projects Fund, the Oklahoma Tourism and Recreation
8 Department Capital Expenditure Revolving Fund, the Oklahoma
9 Conservation Commission Infrastructure Revolving Fund and the
10 Community Water Infrastructure Development Revolving Fund pursuant
11 to paragraphs 5 and 6 of subsection A of this section shall not
12 exceed One Hundred Fifty Million Dollars (\$150,000,000.00) in any
13 fiscal year. Except as otherwise provided in this subsection, all
14 sums in excess of One Hundred Fifty Million Dollars
15 (\$150,000,000.00) in any fiscal year which would otherwise be
16 deposited in such funds shall be apportioned by the Oklahoma Tax
17 Commission to the General Revenue Fund of the state. Provided,
18 amounts which would otherwise be apportioned by the Oklahoma Tax
19 Commission to the General Revenue Fund for the fiscal year ending on
20 June 30, 2012, pursuant to this subsection, shall be apportioned as
21 follows:

22 1. Thirty-seven Million Six Hundred Thousand Dollars
23 (\$37,600,000.00) to the State Department of Education disbursing
24 fund authorized by the Office of State Finance pursuant to the

1 provisions of Section 34.48 of Title 62 of the Oklahoma Statutes, to
2 be used for the purpose of funding the certified employee and
3 support personnel health benefit allowance;

4 2. Fourteen Million Eight Hundred Forty-five Thousand Seven
5 Hundred Dollars (\$14,845,700.00) to the State Department of
6 Education disbursing fund authorized by the Office of State Finance
7 pursuant to the provisions of Section 34.48 of Title 62 of the
8 Oklahoma Statutes, to be used for the purpose of providing bonuses
9 to teachers who have achieved National Board certification, to
10 school psychologists who have been designated as Nationally
11 Certified School Psychologists by the National School Psychology
12 Certification Board, and to speech-language pathologists and
13 audiologists who hold a Certificate of Clinical Competence awarded
14 by the American Speech-Language Hearing Association, pursuant to the
15 Education Leadership Oklahoma Act;

16 3. Five Million Dollars (\$5,000,000.00) to the Department of
17 Public Safety Patrol Academy Revolving Fund created in Section 2-146
18 of Title 47 of the Oklahoma Statutes;

19 4. One Million Dollars (\$1,000,000.00) to the Chief Medical
20 Examiner Revolving Fund created in Section 954 of Title 63 of the
21 Oklahoma Statutes;

22 5. Thirty-four Million One Hundred Forty-five Thousand Seven
23 Hundred Six Dollars (\$34,145,706.00) to the State Emergency Fund
24 created in Section 139.42 of Title 62 of the Oklahoma Statutes; and

1 6. All funds except those deposited pursuant to the provisions
2 of paragraphs 1 through 5 of this subsection to the General Revenue
3 Fund.

4 SECTION 5. This act shall become effective July 1, 2014.

5 SECTION 6. It being immediately necessary for the preservation
6 of the public peace, health and safety, an emergency is hereby
7 declared to exist, by reason whereof this act shall take effect and
8 be in full force from and after its passage and approval.

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10 54-2-8452 MAH 01/16/14

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