

ENGROSSED SENATE AMENDMENT
TO
ENGROSSED HOUSE BILL NO. 2424

BY: HAMILTON (James) and
STEIDLEY of the HOUSE

and

TAYLOR and HANEY of the
SENATE

AN ACT RELATING TO VARIOUS STATE AGENCIES; MAKING AN
APPROPRIATION TO THE STATE BANKING DEPARTMENT;
STATING PURPOSE; PROVIDING FOR DUTIES AND
COMPENSATION OF EMPLOYEES; LIMITING NUMBER OF FULL-
TIME-EQUIVALENT EMPLOYEES; LIMITING CERTAIN
EXPENDITURES; PROVIDING EXCEPTIONS; PROVIDING
RESTRICTIONS; PROVIDING FOR ANNUAL COMPENSATION OF
UNCLASSIFIED EMPLOYEES; MAKING AN APPROPRIATION TO
THE DEPARTMENT OF COMMERCE; STATING PURPOSE;
PROVIDING FOR DUTIES AND COMPENSATION OF EMPLOYEES;
LIMITING NUMBER OF FULL-TIME-EQUIVALENT EMPLOYEES;
SETTING THE MAXIMUM SALARY OF THE EXECUTIVE
DIRECTOR; LIMITING CERTAIN EXPENDITURES; PROVIDING
EXCEPTIONS; PROVIDING LEGISLATIVE INTENT FOR
CERTAIN EXPENDITURES; PROVIDING FOR AVAILABILITY OF
CERTAIN FUNDS TO CERTAIN AGENCIES; REQUIRING IN-
KIND CONTRIBUTIONS; PROVIDING FOR PERFORMANCE OF
SUBSTATE MULTICOUNTY REGIONAL PLANNING FUNCTIONS
AND RESPONSIBILITIES; PROVIDING FOR CERTAIN
ALLOCATIONS; REQUIRING ESTABLISHMENT OF CERTAIN
ELIGIBILITY REQUIREMENTS; PROVIDING FOR VOTING
MEMBERSHIP OF CERTAIN BOARD; PROHIBITING CERTAIN

ACTION; SPECIFYING CERTAIN USES AND EXPENDITURES OF FUNDS; AUTHORIZING CERTAIN GRANTS AND REIMBURSEMENTS; PROVIDING FOR DEPOSITS; PROVIDING FUNDS FOR CERTAIN CONTRACTUAL RESPONSIBILITIES; REQUIRING CERTAIN CONDITIONS AND QUALIFICATIONS; REQUIRING REPORTS; PROVIDING FOR RULES; EXEMPTING CERTAIN CONTRACTS FROM CENTRAL PURCHASING ACT; PROVIDING FOR CERTAIN TRANSFERS; REQUIRING CERTAIN OVERSIGHT ACTIONS ON CERTAIN PRACTICES AND PROCEDURES; AUTHORIZING CERTAIN ACCESS; REQUIRING CONFIDENTIALITY; MAKING APPROPRIATIONS TO THE OKLAHOMA CONSERVATION COMMISSION; STATING PURPOSES; PROVIDING FOR DUTIES AND COMPENSATION OF EMPLOYEES; LIMITING NUMBER OF FULL-TIME-EQUIVALENT EMPLOYEES; SETTING THE MAXIMUM SALARY OF THE EXECUTIVE DIRECTOR; LIMITING CERTAIN EXPENDITURES; PROVIDING CERTAIN EXEMPTIONS; PROVIDING RESTRICTIONS; MAKING CERTAIN POSITIONS CONTINGENT ON FEDERAL FUNDS; PROVIDING FOR TERMINATION; EXEMPTING CERTAIN MERIT SYSTEM RULES; AUTHORIZING CERTAIN EXPENDITURES; PROVIDING PURPOSE; SPECIFYING CERTAIN ALLOTMENTS; MAKING APPROPRIATIONS TO THE DEPARTMENT OF LABOR; STATING PURPOSES; PROVIDING FOR DUTIES AND COMPENSATION OF EMPLOYEES; LIMITING NUMBER OF FULL-TIME-EQUIVALENT EMPLOYEES; LIMITING CERTAIN EXPENDITURES; MAKING CERTAIN POSITIONS CONTINGENT ON FEDERAL FUNDS; PROVIDING FOR CERTAIN EXPENDITURE LIMITATIONS; PROVIDING EXCEPTIONS; REQUIRING CERTAIN RESTRICTIONS; REQUIRING CERTAIN REPORTS; MAKING AN APPROPRIATION TO THE STATE DEPARTMENT OF POLLUTION CONTROL; STATING PURPOSE; PROVIDING FOR DUTIES AND COMPENSATION OF EMPLOYEES; LIMITING

NUMBER OF FULL-TIME-EQUIVALENT EMPLOYEES; SETTING THE MAXIMUM SALARY OF THE DIRECTOR; LIMITING CERTAIN EXPENDITURES; PROVIDING CERTAIN EXCEPTIONS; PROVIDING CERTAIN RESTRICTIONS; MAKING AN APPROPRIATION TO THE OKLAHOMA TOURISM AND RECREATION DEPARTMENT; STATING PURPOSE; PROVIDING FOR DUTIES AND COMPENSATION OF EMPLOYEES; LIMITING NUMBER OF FULL-TIME-EQUIVALENT EMPLOYEES; PROVIDING MAXIMUM SALARY LIMITATIONS FOR UNCLASSIFIED EMPLOYEES; LIMITING CERTAIN EXPENDITURES; EXEMPTING CERTAIN EXPENDITURES; PROVIDING RESTRICTIONS; PROHIBITING CERTAIN CLOSURE OF CERTAIN PARKS; PROVIDING FOR DEDICATION OF CERTAIN REVENUES; PROVIDING FOR ALLOCATION; PROVIDING FOR DETERMINATION OF ALLOCATION; MAKING AN APPROPRIATION TO THE OKLAHOMA WATER RESOURCES BOARD; STATING PURPOSE; PROVIDING FOR DUTIES AND COMPENSATION OF EMPLOYEES; LIMITING NUMBER OF FULL-TIME-EQUIVALENT EMPLOYEES; LIMITING MAXIMUM SALARY OF THE EXECUTIVE DIRECTOR; LIMITING CERTAIN EXPENDITURES; EXEMPTING CERTAIN EXPENDITURES; PROVIDING CERTAIN RESTRICTIONS; PROVIDING LAPSE DATE; PROVIDING EFFECTIVE DATE; AND DECLARING AN EMERGENCY.

AMENDMENT NO. 1. Strike the title, enacting clause and entire bill and insert

"[APPROPRIATIONS - LAPSE DATE - EFFECTIVE DATE -

EMERGENCY]

BANKING DEPARTMENT

SECTION 1. There is hereby appropriated to the State Banking Department from any monies not otherwise appropriated from the General Revenue Fund of the State Treasury for the fiscal year ending June 30, 1993, the following amount or so much thereof as may be necessary to perform the duties imposed upon the State Banking Department by law:

Personal Services	\$2,087,800.00
Other Operating Expenses	<u>449,161.00</u>
TOTAL	\$2,536,961.00

SECTION 2. The duties and compensation of employees, not otherwise prescribed by law, necessary to perform the duties imposed upon the State Banking Department by law shall be set by the Bank Commissioner. The State Banking Department for the fiscal year ending June 30, 1993, 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:

<u>Budgetary Limitation</u>	<u>Amount</u>
Full-time-equivalent Employees	52.0
Payroll, Salaries or Wages, Including Tax-sheltered Deferment Contracts and Longevity Payments Authorized by State Statutes	\$1,665,000.00
Professional and Personal Services Contracts	\$2,500.00
Lease-Purchase Agreements	\$0.00
Purchase of Equipment	\$20,000.00
Expenditure of Revolving Funds	\$30,000.00
Expenditure of Federal Funds	\$0.00

Total Expenditures for Operations \$2,566,961.00

SECTION 3. The annual compensation for the unclassified employee positions utilized in the operation of the State Banking Department during the fiscal year ending June 30, 1993, shall be subject to the following schedule:

TITLE	MINIMUM	MAXIMUM
	SALARY	SALARY
Deputy Commissioner	\$36,666.00	\$50,238.00
Attorney	\$38,256.00	\$50,620.00
Administrative Assistant	\$15,540.00	\$37,181.00
Area Examiner	\$35,666.00	\$48,314.00
Budget Director	\$15,540.00	\$37,181.00
Supervisory Examiner	\$30,226.00	\$44,047.00
Commissioned Examiner	\$29,526.00	\$40,177.00
Senior Examiner	\$27,493.00	\$39,256.00
Senior Assistant Examiner	\$22,773.00	\$33,468.00
Assistant Examiner	\$20,623.00	\$29,827.00
Examiner Trainee	\$19,325.00	\$26,617.00

The minimum and maximum salary amounts listed in this section shall not constitute an appropriation, but are listed for the purpose of establishing salary ranges, exclusive of overtime pay.

DEPARTMENT OF COMMERCE

SECTION 4. 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, 1993, the sum of Thirteen Million Seven Hundred Twelve Thousand Nine Hundred Sixty-three Dollars (\$13,712,963.00) or so much thereof as may be necessary to perform the duties imposed upon the Oklahoma Department of Commerce by law.

SECTION 5. The funds appropriated by Section 4 of this act shall be expended in the following categories and amounts:

General Operations \$10,552,123.00

ORIGINS	250,000.00
Community Action Agencies:	1,200,855.00
Action, Inc.	
Big Five Community Services, Inc.	
Community Action Agency of Oklahoma City and Oklahoma/Canadian Counties, 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.	
Rural Enterprises Community Action Program	
Southwest Oklahoma Community Action Group	
Tulsa Community Action Agency	
United Community Action Program	
Wa-Ro-Ma Tri-County Community Action Foundation, Inc.	

Washington/Nowata Counties	
Community Action Foundation, Inc.	
Washita Valley Community Action	
Council	
Inventors Assistance Program Revolving	
Fund	235,950.00
Minority Business Development Program Revolving	
Fund	250,000.00
Oklahoma State University for the	
Statewide Intensive Financial	
Management Assistance Program	125,000.00
Rural Enterprise Inc.	30,000.00
Substate Planning Districts:	474,004.00
Association of Central Oklahoma	
Governments	
Association of South Central	
Oklahoma Governments	
Central Oklahoma Economic	
Development District	
Eastern Oklahoma Economic	
Development District	
Grand Gateway Economic Development	
Association	
Indian Nation Council of	
Governments	
Kiamichi Economic Development	
District of Oklahoma	
Northern Oklahoma Development	
Association	
Oklahoma Economic Development	
Association	
Southern Oklahoma Development	

Association	
Southwestern Oklahoma Development	
Authority	
Little Dixie Community Action	
Agency for the Statewide Youth	
Restitution Program	35,000.00
Southeastern Oklahoma State	
University for the Statewide	
Small Business Development	
Centers Program	<u>560,031.00</u>
TOTAL	\$13,712,963.00

SECTION 6. The funds designated in Section 5 of this act for General Operations shall be expended in the following categories and amounts:

Personal Services	\$6,533,418.00
Other Operating Expenses	<u>4,018,705.00</u>
TOTAL	\$10,552,123.00

SECTION 7. The Oklahoma Department of Commerce shall expend so much thereof as herein appropriated as may be necessary to accomplish contractual responsibilities with Rural Enterprises, Inc. for the Central Industrial Applications Center (CIAC), thus enabling CIAC to be a National Aeronautics and Space Administration (NASA) designated regional industrial applications center. Contractor shall make quarterly financial reports to the Oklahoma Department of Commerce indicating the purposes for which these funds have been spent. Contractor shall cooperate with the Oklahoma Department of Commerce to improve industrial technology, foster expansion of existing industry, assist in attracting highly technical industries to the state and disseminate all NASA information to industry. Contractor shall submit an annual audit as required by the Oklahoma Department of Commerce. Any contracts authorized under this appropriation shall be exempt from the Central Purchasing Act.

SECTION 8. The Oklahoma Department of Commerce shall make funds available to all qualifying Community Action Agencies as determined by the Department to support the development of local communities. The Department shall set accounting and procedural guidelines for allocating said funds. The Department may require the agencies which receive said funds to provide a thirty percent (30%) matching share in cash or in an in-kind contribution, or both such cash and in-kind contribution. The allocation memorialized by contract shall be exempt from the Central Purchasing Act.

SECTION 9. Of the One Million Two Hundred Thousand Eight Hundred Fifty-five Dollars (\$1,200,855.00) appropriated to the Community Action Agencies in Section 5 of this act, Four Hundred Twenty-three Thousand Dollars (\$423,000.00) shall be distributed by formula to the Headstart Programs operated by Community Action Agencies less an amount to those Community Action Agencies who do not administer the Headstart Program. This amount shall be based on the regular formula. The distribution of the remaining Seven Hundred Seventy-seven Thousand Eight Hundred Fifty-five Dollars (\$777,855.00) shall be based on the regular formula. The Oklahoma Department of Commerce shall determine the Headstart Program and the regular formulas by referencing historical data such as poverty population, elderly poor, geographic service area and criteria used by the U.S. Department of Health and Human Services in the distribution of federal funds appropriated for the Headstart Program.

SECTION 10. The Oklahoma Department of Commerce shall expend so much thereof as may be necessary to perform the substate multicounty regional planning functions and responsibilities imposed upon the Department by law. The Department may require the agencies to which the Department grants said appropriated funds to provide a thirty percent (30%) matching share in cash or in an in-kind contribution, or both such cash and in-kind contribution.

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 - GGEDA	\$ 42,234.00
2 - EODD	42,565.00
3 - KEDDO	41,949.00
4 - SODA	42,234.00
5 - COEDD	42,329.00
6 - INCOG	46,168.00
7 - NODA	42,329.00
8 - ACOG	48,538.00
9 - ASCOG	43,229.00
10 - SWODA	41,570.00
11 - OEDA	<u>40,859.00</u>
TOTAL	\$474,004.00

The Oklahoma Department of Commerce shall establish eligibility requirements that substate multicounty planning districts must meet in order to receive grants from appropriations to the Oklahoma Department of Commerce.

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.

No substate planning district receiving these funds shall solicit contracts to provide technical and professional services for a fee when these services are provided through private professional consulting firms and are available within the substate planning districts.

SECTION 11. 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 shall not exceed Eighty-nine Thousand Five Hundred Dollars (\$89,500.00) per annum, payable monthly for the fiscal year ending June 30, 1993.

The Oklahoma Department of Commerce for the fiscal year ending June 30, 1993, 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:

<u>Budgetary Limitation</u>	<u>Amount</u>
Full-time-equivalent Employees	207.0
Payroll, Salaries or Wages, Including Tax-sheltered Deferment Contracts and Longevity Payments	
Authorized by State Statutes	\$6,924,181.00
Professional and Personal Services Contracts	\$1,562,700.00
Lease-Purchase Agreements	\$0.00
Purchase of Equipment	\$497,496.00
Expenditure of Federal Funds	\$42,920,200.00
Total Expenditures for Operations	\$56,633,163.00

SECTION 12. The Oklahoma Department of Commerce shall submit quarterly reports to the Director of State Finance and the Legislative Service Bureau describing the activities and expenditures of the Oklahoma Department of Commerce during the preceding three-month period. The quarterly reports shall be submitted by the fifteenth of the month following the end of the fiscal year quarter. Said reports shall include the following budget entities and activities:

- Administration
- Media/Marketing and Advertising
- Information and Research
- Capital Resources

Community Affairs and Development

Business Development

International Trade

SECTION 13. All funds appropriated by this act may be used and expended in conjunction or cooperation with any federal agency or instrumentality pursuant to such terms and conditions as may be necessary to obtain grants or federal aid assistance in accordance with state law. The Oklahoma Department of Commerce is hereby authorized to collect, receive, and use any and all grants or reimbursements made available to it through any agency or instrumentality of the federal government. Such funds shall be deposited in the State Treasury and disbursed in accordance with the agreements between the Oklahoma Department of Commerce and applicable federal agencies or instrumentalities.

SECTION 14. The Oklahoma Department of Commerce shall expend so much as herein appropriated as may be necessary to accomplish contractual responsibilities for statewide dissemination of intensive financial management technical assistance by Oklahoma State University's extension service thus enabling businessmen and students of business to benefit from direct professional assistance provided by professors, associates and staff of the University and to improve and complement technical assistance provided by the Department. Contractor shall submit quarterly reports of activities and expenditures to the Oklahoma Department of Commerce. The Department may disallow any expenditures for activities not within the scope of contractual responsibilities pursuant to an approved work plan. Contractor shall submit an annual audit as required by the Department of Commerce which may be paid from allocated, appropriated funds.

SECTION 15. The Oklahoma Department of Commerce may expend so much as herein appropriated as may be necessary to accomplish contractual responsibilities with Southeastern Oklahoma State

University for its statewide Small Business Development Centers Network, to be used in conjunction with receipted federal funds for the network. The network shall serve as a resource and advisor to the Department in its efforts to provide business counseling, more fully developed managerial skills, technology transfer, business-related educational materials and related services. The contractor shall submit an annual work budget program and quarterly expenditure reports. The contractor shall submit an annual audit as required by the Department of Commerce which may be paid from allocated, appropriated funds.

SECTION 16. The Oklahoma Department of Commerce may expend so much as herein appropriated as may be necessary to accomplish contractual responsibilities with Little Dixie Community Action Agency, Contractor, for the purpose of coordinating and operating a statewide juvenile restitution program and in order to provide state supplement to federal funds received to operate the program. The contractor shall submit an annual budget work program which must receive prior approval of the Department. The contractor shall submit monthly expenditures reports. The Department may disallow expenditures and withhold funds accordingly, if expenditure reports reflect noncompliance with the approved work budget program. The Contractor must provide an annual audit, as directed by Commerce, which may be paid from allocated, appropriated funds. Any contracts authorized under this appropriation shall be exempt from the Central Purchasing Act.

SECTION 17. The Oklahoma Department of Commerce shall expend so much as herein appropriated as may be necessary to accomplish contractual responsibilities for job creation and enhancement and business creation and expansion of Oklahoma minority-owned businesses. The Department may contract with organizations which support minority businesses for these purposes only after:

1. An applicant organization has submitted an approved business plan;

2. An applicant organization has demonstrated through education and experience capabilities of offering management tools and technical assistance to minority-owned businesses;

3. An applicant organization has demonstrated that it can provide financial capacity and responsibility to manage a program to aid minority-owned businesses in the manner set out herein;

4. A panel of peer reviewers has received applications and recommended such applications for contracting;

5. The Department has developed, adopted and published additional criteria, upon receipt of advice and comment from qualified peer reviewers.

Any contract entered into pursuant to this section shall require quarterly reports of activities and expenditures upon forms prescribed by the Department. Said quarterly reports shall be reviewed by Oklahoma Futures. The Department or Oklahoma Futures may disallow expenditures and withhold funds accordingly, if reports reflect failure to comply with approved applications. All contractors shall submit annual audits as required by the Department of Commerce which may be paid from allocated, appropriated funds. The Department may utilize an amount not to exceed fifteen percent (15%) of appropriated funds for administration and initial design of this minority-owned business program.

The Department shall promulgate rules setting out educational, experiential and other qualifications for peer reviewers.

Any contracts authorized for the Minority Business Development program shall be exempt from the requirements of the Central Purchasing Act.

SECTION 18. The Oklahoma Department of Commerce is authorized and directed to provide for a study, financial evaluation and performance audit of the portfolios and all loan files, lending

procedures and management practices of the Oklahoma Development Finance Authority and the Oklahoma Industrial Finance Authority. The Department shall contract with consultants who possess the expertise and experience necessary to develop the report.

The Department or its consultants shall have access to all loan files of the Oklahoma Development Finance Authority and the Oklahoma Industrial Finance Authority regardless of confidentiality of the files for purposes of developing the report. Provided, the Department or its consultants shall maintain the confidentiality and integrity of all files pursuant to the standards of the authorities. Provided further, the report shall be made available to members of Oklahoma Futures and to members of the Oklahoma Legislature.

CONSERVATION COMMISSION

SECTION 19. There is hereby appropriated to the Oklahoma Conservation Commission from any monies not otherwise appropriated from the General Revenue Fund of the State Treasury for the fiscal year ending June 30, 1993, the following amount or so much thereof as may be required for the following purposes:

Administration	\$320,000.00
Watershed Planning and Development	265,000.00
District Employees Benefits	791,000.00
Field Service	<u>3,651,825.00</u>
TOTAL	\$5,027,825.00

SECTION 20. Of the amount appropriated in Section 19 of this act for Field Service, the amount of One Hundred Thousand Dollars (\$100,000.00) shall be used for purposes of establishing a roadside erosion program in conjunction with the county commissioners, with no county to receive more than Five Thousand Dollars (\$5,000.00) in state resources. State resources must be matched on a one-to-one basis with non-state resources by the counties.

SECTION 21. Of the amount appropriated in Section 19 of this act for Field Service, the amount of Sixty-five Thousand Dollars (\$65,000.00) shall be used for purposes of supporting a Water Quality Cost Share Program.

SECTION 22. The funds appropriated by Section 19 of this act shall be expended in the following categories and amounts:

Personal Services	\$ 487,500.00
Other Operating Expenses	<u>4,540,325.00</u>
TOTAL	\$5,027,825.00

SECTION 23. The duties and compensation of employees, not otherwise prescribed by law, necessary to perform the duties imposed upon the Oklahoma Conservation Commission by law shall be set by the Commission. The salary of the Executive Director shall not exceed Fifty Thousand Three Hundred Nine Dollars (\$50,309.00) per annum, payable monthly for the fiscal year ending June 30, 1993. The Oklahoma Conservation Commission, for the fiscal year ending June 30, 1993, 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:

<u>Budgetary Limitation</u>	<u>Amount</u>
Full-time-equivalent Employees	18.0
Payroll, Salaries or Wages, Including Tax-sheltered Deferment Contracts and Longevity Payments Authorized by State Statutes	\$611,000.00
Professional and Personal Services Contracts	\$150,000.00
Lease-Purchase Agreements	\$50,000.00
Purchase of Equipment	\$175,000.00
Expenditure of Revolving Funds	\$203,000.00
Expenditure of Federal Funds	\$4,100,000.00
Total Expenditures for Operations	\$8,834,284.00

SECTION 24. Of the eighteen (18) full-time-equivalent employee positions authorized in Section 23 of this act, six (6) full-time-equivalent employee positions shall be filled contingent upon the procurement of federal funds for the Abandoned Mine Lands Program. Said six (6) full-time-equivalent employee positions supported by these federal funds shall be terminated when federal support is discontinued. Said six (6) full-time-equivalent employees shall be unclassified and, except for leave regulations, shall be exempt from the rules of the Merit System of Personnel Administration.

SECTION 25. Notwithstanding the purpose and limitations specified by Sections 1501-704, 1501-705 and 1501-706 of Title 82 of the Oklahoma Statutes, the Oklahoma Conservation Commission is hereby authorized to expend an amount not to exceed One Hundred Ninety Thousand Dollars (\$190,000.00) from the Small Watersheds Flood Control Fund for flood control, safety and agency operations during the fiscal year ending June 30, 1993.

Of the amount authorized for expenditure in this section the Executive Director of the Oklahoma Conservation Commission is hereby authorized to expend an amount not to exceed One Hundred Thousand Dollars (\$100,000.00) for critical needs as the Executive Director shall deem necessary for maintenance, operations and equipment. The Executive Director is authorized to purchase equipment and to enter into contracts with municipalities to carry out the provisions of this section.

SECTION 26. Any monies appropriated to the Conservation Commission for purposes of funding the offices of local conservation districts for employee salaries or contracting for employment services shall be allotted to the local conservation districts by the Commission in such a manner so as to provide for an average of two and three-tenths (2.3) employees per district. In determining the actual number of employees per district, the Commission shall be

guided by the type and amount of activities and responsibilities managed by a local district.

DEPARTMENT OF LABOR

SECTION 27. There is hereby appropriated to the Department of Labor from any monies not otherwise appropriated from the General Revenue Fund of the State Treasury for the fiscal year ending June 30, 1993, the sum of One Million Five Hundred Thirty-six Thousand Three Hundred Eighty-five Dollars (\$1,536,385.00) or so much thereof as may be necessary to perform the duties imposed upon the Department of Labor by law.

SECTION 28. There is hereby appropriated to the Department of Labor from any monies not otherwise appropriated from the General Revenue Fund of the State Treasury for the fiscal year ending June 30, 1993, the sum of Two Hundred Twenty-four Thousand Five Hundred Dollars (\$224,500.00) or so much thereof as may be necessary to support six (6) full-time-equivalent employees of the Prevailing Wage Unit.

SECTION 29. There is hereby appropriated to the Department of Labor from any monies not otherwise appropriated from the Special Occupational Health and Safety Fund of the State Treasury for the fiscal year ending June 30, 1993, the sum of One Million Four Hundred Twenty-five Thousand Dollars (\$1,425,000.00) or so much thereof as may be necessary to perform the duties imposed upon the Department of Labor by law.

SECTION 30. There is hereby appropriated to the Department of Labor from any monies not otherwise appropriated from the Special Occupational Health and Safety Fund of the State Treasury for the fiscal year ending June 30, 1991, the sum of Three Hundred Forty-four Thousand Eight Hundred Nine Dollars (\$344,809.00) or so much thereof as may be necessary to perform the duties imposed upon the Department of Labor by law.

SECTION 31. The funds appropriated by Sections 27, 28, 29 and 30 of this act shall be expended in the following categories and amounts:

Personal Services	\$2,864,203.00
Other Operating Expenses	<u>666,491.00</u>
TOTAL	\$3,530,694.00

SECTION 32. The duties and compensation of employees, not otherwise prescribed by law, necessary to perform the duties imposed upon the Department of Labor by law shall be set by the Commissioner of Labor. The Department of Labor for the fiscal year ending June 30, 1993, 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:

<u>Budgetary Limitation</u>	<u>Amount</u>
Full-time-equivalent Employees	112.0
Payroll, Salaries or Wages, Including Tax-sheltered Deferment Contracts and Longevity Payments Authorized by State Statutes	\$3,067,270.00
Professional and Personal Services Contracts	\$15,000.00
Lease-Purchase Agreements	\$15,893.00
Purchase of Equipment	\$110,000.00
Expenditure of Revolving Funds	\$305,500.00
Expenditure of Federal Funds	\$998,673.00
Total Expenditures for Operations	\$4,834,867.00

SECTION 33. Of the one hundred twelve (112) full-time-equivalent employee positions authorized in Section 32 of this act, twenty (20) full-time-equivalent employee positions shall be contingent upon the procurement of federal funds and shall be terminated when federal support of those positions is discontinued.

SECTION 34. A. By February 1 of each year, the State Department of Labor shall submit an annual report to the Speaker of the House of Representatives and the President Pro Tempore of the Senate detailing the amount per agency of all state, federal and local funds received, directly or indirectly, for asbestos abatement, the projects completed per agency, number of agency employees used in the programs, and projected needs for the next succeeding fiscal year.

B. The Oklahoma State Department of Health, the Office of Public Affairs, the Department of Corrections, Department of Human Services and the State Regents for Higher Education and any other appropriate state agency involved in asbestos abatement shall cooperate with the State Department of Labor to provide the information required pursuant to the provisions of this section.

STATE DEPARTMENT OF POLLUTION CONTROL

SECTION 35. There is hereby appropriated to the State Department of Pollution Control from any monies not otherwise appropriated from the General Revenue Fund of the State Treasury for the fiscal year ending June 30, 1993, the sum of One Hundred Seventy-three Thousand Five Hundred Ten Dollars (\$173,510.00) or so much thereof as may be necessary to perform the duties imposed upon the State Department of Pollution Control by law.

SECTION 36. The duties and compensation of employees, not otherwise prescribed by law, necessary to perform the duties imposed upon the State Department of Pollution Control by law shall be set by the Pollution Control Coordinating Board. The salary of the Director shall not exceed Forty-seven Thousand Nine Hundred Twenty Dollars (\$47,920.00) per annum, payable monthly for the fiscal year ending June 30, 1993. The State Department of Pollution Control for the fiscal year ending June 30, 1993, 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:

<u>Budgetary Limitation</u>	<u>Amount</u>
Full-time-equivalent Employees	8.0
Payroll, Salaries or Wages, Including Tax-sheltered Deferment Contracts and Longevity Payments Authorized by State Statutes	\$251,685.00
Professional and Personal Services Contracts	\$0.00
Lease-Purchase Agreements	\$15,400.00
Purchase of Equipment	\$30,000.00
Expenditure of Revolving Funds	\$2,000.00
Expenditure of Federal Funds	\$1,950,000.00
Total Expenditures for Operations	\$2,125,510.00

OKLAHOMA TOURISM AND RECREATION DEPARTMENT

SECTION 37. There is hereby appropriated to the Oklahoma Tourism and Recreation Department from any monies not otherwise appropriated from the General Revenue Fund of the State Treasury for the fiscal year ending June 30, 1993, the sum of Twenty-three Million Seven Hundred Sixty-eight Thousand Two Hundred Three Dollars (\$23,768,203.00) or so much thereof as may be necessary to perform the duties imposed upon the Oklahoma Tourism and Recreation Department by law.

SECTION 38. The funds appropriated by Section 37 of this act shall be expended in the following categories and amounts:

Division of Administration	\$1,598,080.00
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Data Processing

Expenses of personal services, rent and purchase of equipment, supplies and other operating expenses of data processing

276,869.00

Division of Parks	14,618,450.00
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Division of Planning and Development

Expenses of personal services, premiums of workers' compensation, capital, and other necessary insurance, travel, supplies, materials for construction, equipment, and any other expenses necessary for the operation of the Department's Planning and Development, State Comprehensive Outdoor Recreation Plan (S.C.O.R.P.), and Federal and State Grants-In-Aid programs 894,672.00

Division of State Resorts

Expenses of major repair and maintenance and any other expenses necessary to effect a balance between operating income and operating expenses 1,888,485.00

Division of Marketing Services 2,227,002.00

Traveler Information Centers

Oklahoma Traveler Information Centers which conform to the Oklahoma Tourism and Recreation Department Operating Policy Number 30-2-002 966,231.00

"Oklahoma Today" Magazine 244,274.00

Multicounty Organizations

Monies appropriated herein shall not be subject to the provisions of Section 41.16 of Title 62 of the Oklahoma Statutes. Any amounts unallocated or unused by February 1, 1991, may be reallocated by the Department for the exercise of any of its lawful responsibilities. The Department shall submit a report each quarter to the Speaker of the House of Representatives and the President Pro Tempore of the Senate and to each duly constituted contractually bound multicounty organization, summarizing the amount of funds allocated and matched 664,745.00

Scenic River Commission

Operational expenses and improvements of the Scenic River Commission provided for by paragraph 5 of Section 1462 of Title 82 of the Oklahoma Statutes; said amount shall be

transferred to the special fund of the Commission authorized
by Section 1462A of Title 82 of the Oklahoma Statutes

246,220.00

Tsa-La-Gi "Theme" Park	37,575.00
National Indian Arts and Crafts Promotion	30,000.00
Summer Arts Institute	39,600.00
Western Plains Indian Promotion	6,000.00
Shakespearean Festival	<u>30,000.00</u>
TOTAL	\$23,768,203.00

SECTION 39. The duties and compensation of employees, not otherwise prescribed by law, necessary to perform the duties imposed upon the Oklahoma Tourism and Recreation Department by law shall be set by the Director. The Oklahoma Tourism and Recreation Department for the fiscal year ending June 30, 1993, 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:

<u>Budgetary Limitation</u>	<u>Amount</u>
Average Number of Full-time-equivalent Employees, Excluding Seasonal Employees and Project Labor	824.5
Payroll, Salaries or Wages, Including Tax-sheltered Deferment Contracts and Longevity Payments Authorized by State Statutes	\$19,343,771.00
Professional and Personal Services Contracts	\$400,000.00
Lease-Purchase Agreements	\$127,388.00
Purchase of Equipment	\$2,240,516.00
Expenditure of Federal Funds	\$1,184,199.00
Total Expenditures for Operations	\$45,927,837.00

SECTION 40. Of the unclassified employee positions utilized by the Oklahoma Tourism and Recreation Department the annual compensation for the unclassified employee positions listed below during the fiscal year ending June 30, 1993, shall be subject to the following maximum salaries paid per annum:

<u>Position</u>	<u>Maximum</u>
Executive Director	\$60,420.00
Executive Assistant	\$43,920.00
Deputy Director	\$51,420.00
Administrative Services Division	
Assistant Director	\$38,620.00
Park Division Director	\$49,420.00
Assistant Director	\$40,420.00
Resort Division Director	\$49,420.00
Assistant Director	\$40,420.00
Marketing Division Director	\$48,020.00
Assistant Director	\$38,620.00
Planning and Development Director	\$48,020.00
Assistant Director	\$38,620.00

SECTION 41. Effective July 1, 1992, no additional state parks shall be closed for part of the year without the specific authorization of the Legislature. State parks which have been closed for part of the year prior to July 1, 1991, may continue to be closed if so required by the Commission.

SECTION 42. It is the intent of the Legislature that excess park fee revenue generated as a result of the transfer of certain historical sites be dedicated to state park units which generate less than Fifteen Thousand Dollars (\$15,000.00) annual revenue.

Each of the park units which qualify for this capital improvement funding will receive their portion of the funding based upon the following formula:

Fifty percent (50%) of a park's allocation will be derived by dividing a park's annual revenues by the sum of the total of annual revenues from all park units which qualify for this program and multiplying this percentage by fifty percent (50%) of the total capital improvement fund;

Fifty percent (50%) of a park's allocation will be derived by dividing a park's annual attendance by the sum of the annual attendance from all of the qualifying parks and multiplying this percentage by fifty percent (50%) of the total capital improvement fund.

OKLAHOMA WATER RESOURCES BOARD

SECTION 43. There is hereby appropriated to the Oklahoma Water Resources Board from any monies not otherwise appropriated from the General Revenue Fund of the State Treasury for the fiscal year ending June 30, 1993, the sum of Three Million Eight Hundred Thirteen Thousand Seven Hundred Forty-nine Dollars (\$3,813,749.00) or so much thereof as may be necessary to perform the duties imposed upon the Oklahoma Water Resources Board by law.

SECTION 44. The duties and compensation of employees, not otherwise prescribed by law, necessary to perform the duties imposed upon the Oklahoma Water Resources Board by law shall be set by the Oklahoma Water Resources Board. The salary of the Executive Director shall not exceed Fifty-six Thousand Eight Hundred Twenty Dollars (\$56,820.00) per annum, payable monthly for the fiscal year ending June 30, 1993. The Oklahoma Water Resources Board for the fiscal year ending June 30, 1993, 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:

<u>Budgetary Limitation</u>	<u>Amount</u>
Full-time-equivalent Employees	106.0

Payroll, Salaries or Wages, Including Tax-sheltered Deferment
Contracts and Longevity Payments

Authorized by State Statutes	\$3,487,899.00
Professional and Personal Services Contracts	\$1,273,543.00
Lease-Purchase Agreements	\$12,732.00
Purchase of Equipment	\$352,470.00
Expenditure of Revolving Funds	\$1,761,148.00
Expenditure of Federal Funds	\$1,858,905.00
Total Expenditures for Operations	\$7,433,802.00

SECTION 45. It is the intent of the Legislature that of the one hundred six (106.0) full-time-equivalent employee positions authorized in Section 44 of this act, two (2) full-time-equivalent employee positions shall be filled contingent upon receipt of sufficient federal funding or fee revenue from the National Pollutant Discharge Elimination System permit program.

SECTION 46. The appropriations made by this act shall be subject to fiscal year limitations and may be encumbered through June 30, 1993. Any unexpended funds remaining after November 15, 1993, shall lapse and be transferred to the credit of the proper fund for the then current fiscal year.

SECTION 47. This act shall become effective July 1, 1992.

SECTION 48. 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 Senate the 9th day of April, 1992.

President of the Senate

Passed the House of Representatives the ____ day of _____, 1992.

Speaker

of the House of
Representatives