

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.

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

STATE 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 sum of Two Million Four Hundred Ten

Thousand One Hundred Thirteen Dollars (\$2,410,113.00) or so much thereof as may be necessary to perform the duties imposed upon the State Banking Department by law.

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	
\$1,581,750.00	
Professional and Personal Services Contracts	\$2,375.00
Lease-Purchase Agreements	\$0.00
Purchase of Equipment	\$19,000.00
Expenditure of Revolving Funds	\$28,500.00
Expenditure of Federal Funds	\$0.00
Total Expenditures for Operations	\$2,438,613.00

SECTION 3. Expenditures by the State Banking Department from all sources of revenue during the fiscal year ending June 30, 1993, excluding expenditures for capital and special projects, shall not exceed the following:

<u>Budget Activity</u>	<u>State Funds</u>
1. General Operations	\$2,402,740.00
2. Data Processing	\$7,373.00

Receipt and expenditure of discretionary federal grant funds, exclusive of block grant funds, awarded after July 1, 1992, shall be

exempt from the above expenditure limitations and from budgetary limitations provided for in Section 2 of this act, provided that any such funds used for operations shall be included in the agency's budget work program.

SECTION 4. 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 SALARY	MAXIMUM 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 5. 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 Twenty-seven Thousand Three Hundred Fifteen Dollars (\$13,027,315.00) or so much thereof as may be necessary to perform the duties imposed upon the Oklahoma Department of Commerce by law.

SECTION 6. 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	205.0
Payroll, Salaries or Wages, Including Tax-sheltered Deferment Contracts and Longevity Payments Authorized by State Statutes	\$6,577,972.00
Professional and Personal Services Contracts	\$1,484,565.00
Lease-Purchase Agreements	\$0.00
Purchase of Equipment	\$472,621.00
Expenditure of Revolving Funds	\$1,998,958.00
Expenditure of Federal Funds	\$36,522,266.00
Total Expenditures for Operations	\$51,548,539.00

SECTION 7. Expenditures by the Oklahoma Department of Commerce from all sources of revenue during the fiscal year ending June 30, 1993, excluding expenditures for capital and special projects, shall not exceed the following:

<u>Budget Activity</u>	<u>State Funds</u>
1. Administration	\$2,334,851.00
2. Media/Marketing and Advertising	\$311,081.00
3. Education, Information and Research	\$2,587,847.00
4. Capital Resources	\$384,148.00

5. Community Affairs and Development	\$1,214,437.00
6. Business Development	\$2,725,630.00
7. International Trade	\$1,609,161.00
8. Tulsa Office Division	\$318,315.00
9. Community Action Agencies	\$1,157,504.00
10. Data Processing	\$384,341.00

Receipt and expenditure of discretionary federal grant funds, exclusive of block grant funds, awarded after July 1, 1992, shall be exempt from the above expenditure limitations and from budgetary limitations provided for in Section 6 of this act, provided that any such funds used for operations shall be included in the agency's budget work program.

SECTION 8. It is the intent of the Legislature that of the funds appropriated in Section 5 of this act, One Million Two Hundred Forty-nine Thousand One Hundred Ninety-six Dollars (\$1,249,196.00) or so much thereof, shall be expended for the following items in the following amounts:

	<u>Amount</u>
1. Inventors Assistance Program Revolving Fund	\$227,432.00
2. Minority Business Development Program	
Revolving Fund	\$240,975.00
3. Origins	\$240,975.00
4. Southeastern Oklahoma State University	
for the Statewide Small Business	
Development Centers Program	\$539,814.00

SECTION 9. 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 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	\$ 40,709.00
2 - EODD	41,028.00
3 - KEDDO	40,435.00
4 - SODA	40,709.00
5 - COEDD	40,801.00
6 - INCOG	44,501.00
7 - NODA	40,801.00
8 - ACOG	46,786.00
9 - ASCOG	41,668.00
10 - SWODA	40,069.00
11 - OEDA	<u>39,384.00</u>
TOTAL	\$456,891.00

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. 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 12. 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 budget work 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 13. 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 have 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 14. The Oklahoma Employment Security Commission shall transfer One Hundred Twenty Thousand Four Hundred Eighty-eight Dollars (\$120,488.00) from the Oklahoma Employment Security Commission Revolving Fund to the Oklahoma Department of Commerce Revolving Fund created in Section 5012 of Title 74 of the Oklahoma Statutes for the purposes set forth therein.

SECTION 15. 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.

OKLAHOMA CONSERVATION COMMISSION

SECTION 16. 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 sum of Four Million Seven Hundred Seventy-six Thousand Four Hundred Thirty-four Dollars (\$4,776,434.00) or so much thereof as may be necessary to perform the duties imposed upon the Oklahoma Conservation Commission by law.

SECTION 17. 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	
\$580,450.00	
Professional and Personal Services Contracts	\$142,500.00
Lease-Purchase Agreements	\$47,500.00
Purchase of Equipment	\$166,250.00
Expenditure of Revolving Funds	\$192,850.00
Expenditure of Federal Funds	\$3,895,000.00
Total Expenditures for Operations	\$8,864,284.00

SECTION 18. Of the eighteen (18) full-time-equivalent employee positions authorized in Section 17 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 19. Expenditures by the Oklahoma Conservation Commission from all sources of revenue during the fiscal year ending June 30, 1993, excluding expenditures for capital and special projects, shall not exceed the following:

<u>Budget Activity</u>	<u>State Funds</u>
1. Administration	\$304,000.00
2. Watershed Planning	\$251,750.00
3. Field Services	\$4,192,184.00
4. Data Processing	\$28,500.00

Receipt and expenditure of discretionary federal grant funds, exclusive of block grant funds, awarded after July 1, 1992, shall be exempt from the above expenditure limitations and from budgetary limitations provided for in Section 17 of this act, provided that any such funds used for operations shall be included in the agency's budget work program.

SECTION 20. Of the amount appropriated in Section 19 of this act for Field Services, the amount of Ninety-five Thousand Dollars (\$95,000.00) 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 Services, the amount of Forty-five Thousand Dollars (\$45,000.00) shall be used for purposes of supporting a Water Quality Cost Share Program.

SECTION 22. 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 Ninety-five Thousand Dollars (\$95,000.00) 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 23. 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 24. 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 Seven Hundred Fifteen Thousand Eight Hundred Eighty-four Dollars (\$1,715,884.00) or so much thereof as may be necessary to perform the duties imposed upon the Department of Labor by law.

SECTION 25. 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 Thirteen Thousand Two Hundred

Seventy-five Dollars (\$213,275.00) or so much thereof as may be necessary to support six (6) full-time-equivalent employees of the Prevailing Wage Unit.

SECTION 26. 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 27. 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	\$2,913,907.00
Professional and Personal Services Contracts	\$14,250.00
Lease-Purchase Agreements	\$15,098.00
Purchase of Equipment	\$104,500.00
Expenditure of Revolving Funds	\$285,000.00
Expenditure of Federal Funds	\$948,739.00
Total Expenditures for Operations	\$4,587,898.00

SECTION 28. Of the one hundred twelve (112) full-time-equivalent employee positions authorized in Section 27 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 29. Expenditures by the Department of Labor from all sources of revenue during the fiscal year ending June 30, 1993, excluding expenditures for capital and special projects, shall not exceed the following:

<u>Budget Activity</u>	<u>State Funds</u>
1. General Operations	\$648,603.00
2. Prevailing Wage Compliance	\$213,275.00
3. Asbestos Abatement	\$714,038.00
4. Regulatory/Enforcement	\$1,687,273.00
5. Data Processing	\$90,970.00

Receipt and expenditure of discretionary federal grant funds, exclusive of block grant funds, awarded after July 1, 1992, shall be exempt from the above expenditure limitations and from budgetary limitations provided for in Section 27 of this act, provided that any such funds used for operations shall be included in the agency's budget work program.

SECTION 30. 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 31. 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 Sixty-four Thousand Eight Hundred Thirty-five Dollars (\$164,835.00) or so much thereof as may be necessary to perform the duties imposed upon the State Department of Pollution Control by law.

SECTION 32. 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	\$239,101.00
Professional and Personal Services Contracts	\$0.00
Lease-Purchase Agreements	\$14,630.00
Purchase of Equipment	\$28,500.00
Expenditure of Revolving Funds	\$1,900.00
Expenditure of Federal Funds	\$1,852,500.00

Total Expenditures for Operations \$2,019,235.00

SECTION 33. Expenditures by the State Department of Pollution Control from all sources of revenue during the fiscal year ending June 30, 1993, excluding expenditures for capital and special projects, shall not exceed the following:

<u>Budget Activity</u>	<u>Total Funds</u>
1. General Operations	\$161,985.00
2. Data Processing	\$2,850.00

Receipt and expenditure of discretionary federal grant funds, exclusive of block grant funds, awarded after July 1, 1992, shall be exempt from the above expenditure limitations and from budgetary limitations provided for in Section 32 of this act, provided that any such funds used for operations shall be included in the agency's budget work program.

OKLAHOMA TOURISM AND RECREATION DEPARTMENT

SECTION 34. 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-two Million Three Hundred Eighty-eight Thousand One Hundred Twenty-eight Dollars (\$22,388,128.00) or so much thereof as may be necessary to perform the duties imposed upon the Oklahoma Tourism and Recreation Department by law.

SECTION 35. 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	\$18,376,582.00
Professional and Personal Services Contracts	\$380,000.00
Lease-Purchase Agreements	\$121,019.00
Purchase of Equipment	\$3,078,490.00
Expenditure of Revolving Funds	\$19,638,094.00
Expenditure of Federal Funds	\$926,322.00
Total Expenditures for Operations	\$42,952,544.00

SECTION 36. 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 37. Expenditures by the Oklahoma Tourism and Recreation Department from all sources of revenue during the fiscal year ending June 30, 1993, excluding expenditures for capital and special projects, shall not exceed the following:

<u>Budget Activity</u>	<u>State Funds</u>
Division of Administration	\$1,598,080.00
Data Processing	\$276,869.00
Expenses of personal services, rent and purchase of equipment, supplies and other operating expenses of data processing	
Division of Parks	\$13,381,550.00
Division of Planning and Development	\$894,672.00
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	
Division of State Resorts	\$1,888,485.00
Expenses of major repair and maintenance and any other expenses necessary to effect a balance between operating income and operating expenses	
Division of Marketing Services	\$2,227,002.00

Traveler Information Centers	\$966,231.00
<p>Oklahoma Traveler Information Centers which conform to the Oklahoma Tourism and Recreation Department Operating Policy Number 30-2-002</p>	
"Oklahoma Today" Magazine	\$244,274.00
Multicounty Organizations	\$664,745.00
<p>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, 1993, 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</p>	
Scenic River Commission	\$246,220.00
<p>Operational expenses and improvements of the Scenic River Commission provided for by paragraph 5 of Section 1462</p>	

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

Receipt and expenditure of discretionary federal grant funds,
exclusive of block grant funds, awarded after July 1, 1992, shall be
exempt from the above expenditure limitations and from budgetary
limitations provided for in Section 35 of this act, provided that
any such funds used for operations shall be included in the agency's
budget work program.

SECTION 38. 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 39. 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 40. 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 Six Hundred Twenty-three Thousand Sixty-two Dollars (\$3,623,062.00) or so much thereof as may be necessary to perform the duties imposed upon the Oklahoma Water Resources Board by law.

SECTION 41. 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	101.0
Payroll, Salaries or Wages, Including Tax-sheltered Deferment Contracts and Longevity Payments	
Authorized by State Statutes	\$3,152,148.00
Professional and Personal Services Contracts	\$1,209,866.00
Lease-Purchase Agreements	\$12,095.00
Purchase of Equipment	\$334,847.00
Expenditure of Revolving Funds	\$1,673,091.00

Expenditure of Federal Funds	\$1,716,216.00
Total Expenditures for Operations	\$7,012,369.00

SECTION 42. Expenditures by the Oklahoma Water Resources Board from all sources of revenue during the fiscal year ending June 30, 1993, excluding expenditures for capital and special projects, shall not exceed the following:

<u>Budget Activity</u>	<u>State Funds</u>
1. Administration	\$1,562,790.00
2. Water Quality Division	\$406,713.00
3. Planning and Development Division	\$328,172.00
4. Ground Water Division	\$402,363.00
5. Stream Water Division	\$213,131.00
6. Engineering Division	\$151,776.00
7. United States Geological Survey Cooperative Program	\$261,250.00
8. Data Processing	\$296,867.00

Receipt and expenditure of discretionary federal grant funds, exclusive of block grant funds, awarded after July 1, 1992, shall be exempt from the above expenditure limitations and from budgetary limitations provided for in Section 41 of this act, provided that any such funds used for operations shall be included in the agency's budget work program.

SECTION 43. 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 44. This act shall become effective July 1, 1992.

SECTION 45. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby

declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

Passed the House of Representatives the 25th day of February, 1992.

Speaker of the House of Representatives

Passed the Senate the ____ day of _____, 1992.

President of the Senate