

ENGROSSED HOUSE  
BILL NO. 2426

BY: HAMILTON (James) and  
STEIDLEY of the HOUSE

and

TAYLOR and HANEY of the  
SENATE

AN ACT RELATING TO SUPPLEMENTAL FUNDING OF VARIOUS  
STATE ENTITIES; MAKING AN APPROPRIATION TO THE  
STATE BOARD OF EDUCATION; STATING PURPOSE;  
SPECIFYING PROCEDURES RELATED TO THE STATE JUDICIAL  
FUND; PROVIDING FOR CERTAIN REFUNDS; AUTHORIZING  
CERTAIN CLAIMS; MAKING APPROPRIATIONS TO THE  
OKLAHOMA INDIGENT DEFENSE SYSTEM; STATING PURPOSES;  
PROVIDING FOR THE DUTIES AND COMPENSATION OF  
EMPLOYEES OF THE OKLAHOMA INDIGENT DEFENSE SYSTEM;  
PROVIDING FOR BUDGETARY LIMITATIONS; MAKING AN  
APPROPRIATION TO THE OKLAHOMA MERIT PROTECTION  
COMMISSION; STATING PURPOSE; AMENDING SECTION 9,  
CHAPTER 220, O.S.L. 1991, WHICH RELATES TO AN  
APPROPRIATION TO THE OKLAHOMA MERIT PROTECTION  
COMMISSION; DELETING CERTAIN RESTRICTIONS; AMENDING  
SECTION 10, CHAPTER 220, O.S.L. 1991, WHICH RELATES  
TO AN APPROPRIATION TO THE OKLAHOMA MERIT  
PROTECTION COMMISSION; CLARIFYING PURPOSE OF  
APPROPRIATION; AMENDING SECTION 11, CHAPTER 220,  
O.S.L. 1991, WHICH RELATES TO BUDGETARY LIMITATIONS  
ON THE OKLAHOMA MERIT PROTECTION COMMISSION;  
MODIFYING CERTAIN LIMITATIONS; MAKING AN  
APPROPRIATION TO THE DEPARTMENT OF HUMAN SERVICES;

STATING PURPOSE; AMENDING SECTION 4, CHAPTER 300, O.S.L. 1991, WHICH RELATES TO CERTAIN EXPENDITURE LIMITATIONS FOR THE DEPARTMENT OF HUMAN SERVICES; MODIFYING CERTAIN EXPENDITURE LIMITS; PLACING LIMITS ON CERTAIN EXPENDITURES BY THE DEPARTMENT OF HUMAN SERVICES; AMENDING SECTION 6, CHAPTER 300, O.S.L. 1991, WHICH RELATES TO BUDGETARY LIMITATIONS OF THE DEPARTMENT OF HUMAN SERVICES; MODIFYING CERTAIN LIMITATIONS; DECLARING CERTAIN RULES VOID AND OF NO EFFECT; REQUIRING THE DEPARTMENT OF HUMAN SERVICES TO IMPLEMENT CERTAIN PROGRAMS BY CERTAIN DATE; AMENDING SECTION 1, CHAPTER 256, O.S.L. 1991, WHICH RELATES TO AN APPROPRIATION TO THE BOARD OF MEDICOLEGAL INVESTIGATIONS; MODIFYING EXPENDITURE LIMITS; MAKING AN APPROPRIATION TO THE DEPARTMENT OF MENTAL HEALTH AND SUBSTANCE ABUSE SERVICES; PROVIDING PURPOSE; SPECIFYING CERTAIN PROHIBITIONS; AMENDING SECTION 5, CHAPTER 301, O.S.L. 1991, WHICH RELATES TO BUDGETARY LIMITATIONS ON THE DEPARTMENT OF MENTAL HEALTH AND SUBSTANCE ABUSE SERVICES; MODIFYING CERTAIN LIMITATIONS; REQUIRING IMPLEMENTATION OF CERTAIN COST-SAVING MEASURES; SPECIFYING CERTAIN LIMITATIONS; PROHIBITING CERTAIN MODIFICATIONS; PROVIDING EXCEPTIONS; MAKING AN APPROPRIATION TO THE CORPORATION COMMISSION; STATING PURPOSES; PLACING EXPENDITURE LIMITS ON APPROPRIATION; AMENDING SECTION 3, CHAPTER 268, O.S.L. 1991, WHICH RELATES TO BUDGETARY LIMITATIONS FOR THE CORPORATION COMMISSION; MODIFYING EXPENDITURE LIMITS; AUTHORIZING CERTAIN TRANSFERS; REQUIRING IMPLEMENTATION OF CERTAIN COST-SAVING MEASURES; PROHIBITING CERTAIN ACTIONS; MAKING AN

APPROPRIATION TO THE ATTORNEY GENERAL; PROVIDING PURPOSE; SPECIFYING CERTAIN PROHIBITIONS; AMENDING 74 O.S. 1991, SECTION 19, WHICH RELATES TO THE ATTORNEY GENERAL'S EVIDENCE FUND; MODIFYING CERTAIN RETAINED BALANCE; MAKING AN APPROPRIATION TO THE STATE FIRE MARSHALL; STATING PURPOSE; AMENDING SECTION 15, CHAPTER 216, O.S.L. 1991, WHICH RELATES TO BUDGETARY LIMITS FOR THE STATE FIRE MARSHALL; MODIFYING EXPENDITURE LIMIT; PROVIDING LAPSE DATE; MAKING CERTAIN APPROPRIATIONS NONFISCAL; REPEALING SECTION 2, CHAPTER 283, O.S.L. 1991, AS AMENDED BY SECTION 22, CHAPTER 329, O.S.L. 1991, WHICH RELATES TO BUDGETARY LIMITATIONS OF THE OKLAHOMA INDIGENT DEFENSE SYSTEM; REPEALING SECTION 5, CHAPTER 300, O.S.L. 1991, AS AMENDED BY SECTION 62, CHAPTER 329, O.S.L. 1991, WHICH RELATES TO CERTAIN EXPENDITURE LIMITATIONS FOR THE DEPARTMENT OF HUMAN SERVICES; AND DECLARING AN EMERGENCY.

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

SECTION 1. There is hereby appropriated to the State Board of Education from any monies not otherwise appropriated from the Cash-flow Reserve Fund of the State Treasury, designated by the Office of State Finance as the "091 Fund", the sum of Six Million Nine Hundred Four Thousand Six Hundred Twenty-two Dollars (\$6,904,622.00) or so much thereof as may be necessary for supplements in State Aid to school districts for the 1991-92 school year as provided in subsection C of Section 18-200 of Title 70 of the Oklahoma Statutes.

SECTION 2. Quarterly payments made by local court funds to the State Judicial Fund pursuant to Section 1308 of Title 20 of the Oklahoma Statutes during fiscal year 1992 may be totally or

partially refunded upon approval by the Chief Justice to meet unpaid expenses authorized by Section 1304 of Title 20 of the Oklahoma Statutes. All such refunds shall be paid from the State Judicial Fund.

When local court funds are insufficient to meet unpaid expenses authorized by Section 1304 of Title 20 of the Oklahoma Statutes or outstanding liabilities for constitutionally mandated services and items of expense, a claim may be filed with the Administrative Office of the Courts by a Court Fund Governing Board, or by the person, persons or corporations to whom money is due as verified by the Court Fund Governing Board, or by the Administrative Office of the Courts. All such claims shall be filed with the Administrative Office of the Courts by July 31, 1992. All such claims may be paid from the State Judicial Fund upon approval of the Chief Justice.

SECTION 3. There is hereby appropriated to the Oklahoma Indigent Defense System from any monies not otherwise appropriated from the Cash-flow Reserve Fund of the State Treasury, designated by the Office of State Finance as the "091 Fund", the sum of Four Hundred Thousand Dollars (\$400,000.00) or so much thereof as may be necessary to perform the duties imposed upon the Oklahoma Indigent Defense System by law.

SECTION 4. There is hereby appropriated to the Oklahoma Indigent Defense System from any monies not otherwise appropriated from the Cash-flow Reserve Fund of the State Treasury, designated by the Office of State Finance as the "091 Fund", the sum of Four Hundred Thousand Dollars (\$400,000.00) or so much thereof as may be necessary to contract for legal services to reduce the backlog of noncapital cases in the Appellate Division of the Oklahoma Indigent Defense System. The appropriation made in this section shall be expended exclusively for the purpose so stated and shall not be transferable.

SECTION 5. The duties and compensation of employees, not otherwise prescribed by law, necessary to perform the duties imposed upon the Oklahoma Indigent Defense System by law shall be set by the Executive Director. The Oklahoma Indigent Defense System for the fiscal year ending June 30, 1992, 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	62.0
Payroll, Salaries or Wages, Including Tax-sheltered Deferment Contracts and Longevity Payments Authorized by State Statutes	
\$2,263,100.00	
Professional and Personal Services Contracts	\$1,239,500.00
Lease Purchase Agreements	\$0.00
Purchase of Equipment	\$183,554.00
Expenditure of Federal Funds	\$716,425.00
Total Expenditures for Operations	\$4,025,563.00
Passenger Vehicles, as defined by the Office of Public Affairs Fleet Management Division 0	

SECTION 6. There is hereby appropriated to the Oklahoma Merit Protection Commission from any monies not otherwise appropriated from the Cash-flow Reserve Fund of the State Treasury, designated by the Office of State Finance as the "091 Fund", the sum of Twenty Thousand Dollars (\$20,000.00) or so much thereof as may be necessary to contract for administrative law judge services.

SECTION 7. AMENDATORY Section 9, Chapter 220, O.S.L. 1991, is amended to read as follows:

Section 9. There is hereby appropriated to the Oklahoma Merit Protection Commission from any monies not otherwise appropriated from the General Revenue Fund of the State Treasury for the fiscal

year ending June 30, 1992, the ~~following~~ amount of Five Hundred Sixty Thousand Six Hundred Seventy-eight Dollars (\$560,678.00) or so much thereof as may be necessary to perform the duties imposed upon the Oklahoma Merit Protection Commission by law:.

<del>Personal Services</del>	<del>_____</del>	\$454,957.00
<del>Other Operating Expenses</del>	<del>_____</del>	TOTAL \$560,678.00

SECTION 8. AMENDATORY Section 10, Chapter 220, O.S.L.

1991, is amended to read as follows:

Section 10. There is hereby appropriated to the Oklahoma Merit Protection Commission from any monies not otherwise appropriated from the Cash-flow Reserve Fund of the State Treasury, designated by the Office of State Finance as the "090 Fund", the sum of Fifteen Thousand Dollars (\$15,000.00) or so much thereof as may be necessary ~~for legal services when the Attorney General disqualifies himself from legal counsel or representation of the Merit Protection Commission due to conflict of interest~~ to contract for administrative law judge services. These funds shall be expended exclusively for this purpose and shall not be transferable.

SECTION 9. AMENDATORY Section 11, Chapter 220, O.S.L.

1991, is amended to read as follows:

Section 11. The duties and compensation of employees, not otherwise prescribed by law, necessary to perform the duties imposed upon the Oklahoma Merit Protection Commission by law shall be set by the Executive Director. The salary of the Executive Director shall not exceed Forty-six Thousand Nine Hundred Seventy Dollars (\$46,970.00) per annum, payable monthly for the fiscal year ending June 30, 1992. The Oklahoma Merit Protection Commission for the fiscal year ending June 30, 1992, 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	11.0
Payroll, Salaries or Wages, Including Tax-sheltered Deferment Contracts and Longevity Payments Authorized by State Statutes	\$345,702.00
Professional and Personal Services Contracts	<del>\$95,000.00</del> <u>\$130,000.00</u>
Lease-Purchase Agreements	\$10,000.00
Purchase of Equipment	\$25,000.00
Expenditure of Revolving Funds	\$12,000.00
Expenditure of Federal Funds	\$0.00
Total Expenditures for Operations	<del>\$587,678.00</del> <u>\$607,678.00</u>

SECTION 10. There is hereby appropriated to the Department of Human Services from any monies not otherwise appropriated from the Cash-flow Reserve Fund of the State Treasury, designated by the Office of State Finance as the "091 Fund", the sum of Ten Million Seven Hundred Thousand Dollars (\$10,700,000.00) or so much thereof as may be necessary to perform the duties imposed upon the Department of Human Services by law.

SECTION 11. AMENDATORY Section 4, Chapter 300, O.S.L. 1991, is amended to read as follows:

The funds appropriated and reappropriated to the Department of Human Services in Sections 1, 2 and 3 of Chapter 300, O.S.L. 1991 and Section 10 of this act shall be expended in the following amounts and categories:

- Services to Children and Youth ~~\$ 74,080,447.00~~  
\$ 70,934,117.00
- Oklahoma Youth Services Agencies  
11,040,000.00

3. Services to the Mentally Retarded and Developmentally Disabled	<del>68,212,407.00</del>
	<u>62,496,429.00</u>
4. Rehabilitative and Visual Services	<del>11,497,193.00</del>
	<u>13,899,094.00</u>
5. School for the Blind	<del>4,017,264.00</del>
	<u>4,325,007.00</u>
6. Services for the Deaf and Hearing Impaired	<del>4,743,589.00</del>
	<u>5,374,253.00</u>
7. Title XIX Medical Payments	<del>251,396,256.00</del>
	<u>274,349,287.00</u>
8. AFDC Entitlements	<del>44,656,380.00</del>
	<u>47,628,861.00</u>
9. AABD State Supplement Payments	<del>36,817,557.00</del>
	<u>38,398,179.00</u>
10. Day Care Payments	<del>17,521,823.00</del>
	<u>17,521,823.00</u>
11. Family Support Services and Field Operations	<del>62,955,539.00</del>
	<u>61,571,663.00</u>
12. Child Support Enforcement	<del>2,238,076.00</del>
	<u>2,012,637.00</u>
13. Aging Services	<del>15,280,585.00</del>
	<u>15,169,381.00</u>
14. Administration and the Management Information Division	<del>8,493,656.00</del>
	<u>7,645,056.00</u>
15. Oklahoma Medical Center	<del>43,662,361.00</del>
	<u>34,947,346.00</u>
TOTAL	<del>\$656,613,133.00</del>
	<u>\$667,313,133.00</u>

SECTION 12. Expenditures by the Department of Human Services from all sources of revenue during the fiscal year ending June 30, 1992, excluding expenditures for capital and special projects, shall not exceed the following:

1. Services to Children and Youth	\$ 124,561,818.00
2. Services to the Mentally Retarded and Developmentally Disabled	145,241,542.00
3. Rehabilitative and Visual Services	42,874,409.00
4. School for the Blind	4,348,488.00
5. Services for the Deaf and Hearing Impaired	5,384,652.00
6. Disability Determination (Federal)	10,638,769.00
7. Title XIX Medical Payments	1,013,710,747.00
8. Medical Services Administration and Claims Processing	25,240,312.00
9. AFDC Entitlements	172,265,940.00
10. AABD State Supplement Payments	38,453,224.00
11. Day Care Payments	42,050,023.00
12. Family Support Services	105,495,133.00
13. Child Support Enforcement	15,693,841.00
14. Field Operations	20,935,217.00
15. Aging Services	31,872,037.00
16. Administration	42,374,487.00
17. Management Information Division	17,088,777.00
18. Oklahoma Medical Center	<u>206,639,965.00</u>
TOTAL	\$2,064,869,381.00

Receipt and expenditure of discretionary federal grant funds, exclusive of block grant funds, awarded after July 1, 1991, shall be exempt from the above expenditure limitations and from budgetary limitations provided for in Section 13 of this act, provided that any such funds used for operations shall be included in the agency's budget work program.

SECTION 13. AMENDATORY Section 6, Chapter 300, O.S.L.

1991, is amended to read as follows:

The duties and compensation of employees, not otherwise prescribed by law, necessary to perform the duties imposed upon the Department of Human Services by law shall be set by the Director of Human Services. The Department of Human Services for the fiscal year ending June 30, 1992, 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 Limitations</u>	<u>Amount</u>
Average Full-time-equivalent Employees,	
Excluding Medical Residents	13,734.5
Payroll, Salaries or Wages, Including	
Tax-sheltered Deferment Contracts	
and Longevity Payments Authorized	
by State Statute, and Excluding	
Medical Residents	<del>\$318,041,310.00</del>
	<u>\$320,583,882.00</u>
Professional and Personal Services Contracts,	
Excluding the Master Reimbursement	
Contract with the University of Oklahoma	
Health Sciences Center;	
Other Payments for Patient Care Services	
Rendered by University Physicians;	
the Contract with the Oklahoma Professional	
Review Organization for Review	
of Medical Services Utilization;	
and the Contract for Medical Claims Processing	<del>\$6,928,265.00</del>
	<u>\$6,955,750.00</u>
Lease-Purchase Agreements	\$10,404,000.00

Purchase of Equipment	\$20,051,120.00
Expenditure of Federal Funds	<del>\$1,046,910,241.00</del>
	<u>\$1,139,811,169.00</u>
Total Expenditures for Operations	<del>\$1,929,541,748.00</del>
	<u>\$2,064,869,381.00</u>

SECTION 14. Emergency Rules adopted by the Commission for Human Services January 27, 1992 and February 24, 1992, which relate to program reductions and deferments of programs due to budget shortfalls shall be void and of no effect. The Department of Human Services shall provide for the withdrawal or rescission, as appropriate, of any such rules as required by the Administrative Procedures Act.

SECTION 15. The Emergency Services for Families in Crisis Program within the Developmental Disabilities Services Division and the Maternal and Child Health Program to increase Medicaid coverage for pregnant women and infants up to one hundred fifty percent (150%) of the federal poverty level as administered by the Department of Human Services shall be implemented beginning no later than April 1, 1992.

SECTION 16. AMENDATORY Section 1, Chapter 256, O.S.L. 1991, is amended to read as follows:

Section 1. There is hereby appropriated to the Board of Medicolegal Investigations from any monies not otherwise appropriated from the General Revenue Fund of the State Treasury for the fiscal year ending June 30, 1992, the following amount or so much thereof as may be necessary to perform the duties imposed upon the Board of Medicolegal Investigations by law:

Personal Services	<del>\$2,077,742.00</del>
	<u>\$1,997,942.00</u>
Other Operating Expenses	<del>409,515.00</del>
	<u>489,315.00</u>
Total	\$2,487,257.00

SECTION 17. There is hereby appropriated to the Department of Mental Health and Substance Abuse Services from any monies not otherwise appropriated from the Cash-flow Reserve Fund of the State Treasury, designated by the Office of State Finance as the "091 Fund", the sum of One Million Dollars (\$1,000,000.00) or so much thereof as may be necessary to perform the duties imposed upon the State Hospitals by law. The appropriation made in this section shall be expended exclusively for the purpose so stated and shall not be transferable.

SECTION 18. AMENDATORY Section 5, Chapter 301, O.S.L. 1991, is amended to read as follows:

Section 5. The duties and compensation of employees, not otherwise prescribed by law, necessary to perform the duties imposed upon the Department of Mental Health and Substance Abuse Services by law shall be set by the Commissioner. The salary of the Commissioner shall not exceed Eighty-eight Thousand Seven Hundred Eight Dollars (\$88,708.00) per annum, payable biweekly for the fiscal year ending June 30, 1992. The Department of Mental Health and Substance Abuse Services for the fiscal year ending June 30, 1992, shall be subject to the following budgetary limitations on full-time-equivalent employees and expenditures, excluding expenditures for capital, intra-agency payments 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	2,699.0
Payroll, Salaries or Wages, Including	
Tax-sheltered Deferment Contracts	
and Longevity Payments Authorized	
by State Statute	\$65,764,528.00
Professional and Personal Services Contracts	\$2,900,000.00
Lease-Purchase Agreements	\$580,000.00

Purchase of Equipment	\$2,000,000.00
Expenditure of Revolving Funds	<del>\$22,000,000.00</del>
	<u>\$21,000,000.00</u>
Expenditure of Federal Funds	<del>\$18,800,000.00</del>
	<u>\$20,000,000.00</u>
Total Expenditures for Operations	\$150,479,545.00
	<u>\$151,679,545.00</u>

SECTION 19. The Department of Mental Health and Substance Abuse Services shall implement cost-saving measures which will allow the Department's expenditures to be within its fiscal year 1992 budget work program without implementing an employee furlough or a reduction in force. On the effective date of this act and for the remainder of the fiscal year ending June 30, 1992, the budgetary limitation for full-time-equivalent employees for the Department shall not exceed two thousand six hundred sixty (2,660.0). As of the effective date of this act the appropriated funding level for contracts for private community mental health centers, alcohol and drug abuse services, domestic violence services and residential care facilities shall not be modified during the 1992 fiscal year except for noncompliance with provisions of the contracts or with the consent of both parties of the contract.

SECTION 20. There is hereby appropriated to the Corporation Commission from any monies not otherwise appropriated from the Cash-flow Reserve Fund of the State Treasury, designated by the Office of State Finance as the "091 Fund", the sum of Six Hundred Ninety-seven Thousand Seven Hundred Fifty-one Dollars (\$697,751.00) or so much thereof as may be necessary to perform the duties imposed upon the Corporation Commission by law.

SECTION 21. The funds appropriated by Section 20 of this act shall be expended in the following categories and amounts:

Administration	\$6,680.00
Oil and Gas	317,546.00

Fuel	210,902.00
Administrative Proceedings	112,846.00
Transportation	6,737.00
Data Processing	<u>43,040.00</u>
TOTAL	\$697,751.00

SECTION 22. AMENDATORY Section 3, Chapter 268, O.S.L.

1991, is amended to read as follows:

Section 3. The duties and compensation of employees, not otherwise prescribed by law, necessary to perform the duties imposed upon the Corporation Commission, by law shall be set by the Commissioners. The Corporation Commission, for the fiscal year ending June 30, 1992, shall be subject to the following budgetary limitations on full-time-equivalent employees and expenditures excluding direct expenditures for well plugging as authorized in Section 310 of Title 52 of the Oklahoma Statutes, pit closure as authorized in Section 140 of Title 52 of the Oklahoma Statutes, and remediation of sites as authorized in Section 353 of Title 17 of the Oklahoma Statutes, and 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	428.0
Payroll, Salaries or Wages, Including Tax-sheltered Deferment Contracts and Longevity Payments Authorized by State Statutes	\$12,481,801.00
Professional and Personal Services Contracts	\$1,800,000.00
Purchase of Equipment	\$575,075.00
Lease-Purchase Agreements	\$500,000.00
Expenditure of Federal Funds	\$2,800,000.00
Total Expenditures for Operations	<del>\$20,885,569.00</del>
	<u>\$21,583,320.00</u>

SECTION 23. The Corporation Commission is hereby authorized to transfer from other budget activities such funds as are necessary to

fund the Transportation Division. The total budget activity amount for the Transportation Division shall not exceed Two Million One Hundred Eighty-five Thousand Seven Hundred Eighty Dollars (\$2,185,780.00) excluding federal funds.

SECTION 24. The General Administrator of the Corporation Commission shall implement an immediate hiring freeze and other cost-saving measures which will allow the Commission's fiscal year 1992 expenditures to be within their fiscal year 1992 budget work program without implementing an employee furlough or reduction in force.

SECTION 25. It is the intent of the Legislature that the funds appropriated in Section 20 of this act shall not be used:

1. To compensate outside counsel hired by the Commission in relation to any existing or future action or proceeding before said Commission.

2. To in any way free up previously appropriated funds or continuing funds, so that any of those funds may be used to compensate outside counsel hired by the Commission in relation to any existing or future action or proceeding before said Commission.

SECTION 26. There is hereby appropriated to the Attorney General's Evidence Fund from any monies not otherwise appropriated from the Cash-Flow Reserve Fund of the State Treasury, designated by the Office of State Finance as the "091 Fund", the sum of Fifty Thousand Dollars (\$50,000.00) or so much thereof as may be necessary to represent the taxpayers of Oklahoma in utility proceedings before the Oklahoma Corporation Commission. The appropriation made in this section shall be expended exclusively for the purposes so stated and shall not be transferable.

SECTION 27. AMENDATORY 74 O.S. 1991, Section 19, is amended to read as follows:

Section 19. Out of all money received or collected by the Attorney General on behalf of the state or any department or agency

thereof, and by him paid into the State Treasury, twenty-five percent (25%) thereof shall be deposited in a special agency account fund in the State Treasury, designated the Attorney General's Evidence Fund, which fund shall be a continuing fund, not subject to fiscal year limitations. All money paid to the Attorney General for reimbursement of court costs, fees and other expenses and appropriated monies authorized to be transferred to the agency special account shall be deposited in the Attorney General's Evidence Fund. Such fund shall be used by the Attorney General for necessary expenses relative to any pending case or other matter within the official responsibility of the Attorney General. Provided, that the balance on deposit in such fund shall never exceed the sum of ~~Three Hundred Thousand Dollars (\$300,000.00)~~ Three Hundred Fifty Thousand Dollars (\$350,000.00).

SECTION 28. There is hereby appropriated to the State Fire Marshal from any monies not otherwise appropriated from the Cash-flow Reserve Fund of the State Treasury, designated by the Office of State Finance as the "091 Fund", the sum of Ten Thousand Forty Dollars (\$10,040.00) or so much thereof as may be necessary to meet deficits realized in motor pool expenses and in-state travel.

SECTION 29. AMENDATORY Section 15, Chapter 216, O.S.L. 1991, is amended to read as follows:

Section 15. The duties and compensation of employees, not otherwise prescribed by law, necessary to perform the duties imposed upon the Office of the State Fire Marshal by law shall be set by the State Fire Marshal. The salary of the State Fire Marshal shall not exceed Forty-two Thousand Two Hundred Five Dollars (\$42,205.00) per annum, payable monthly for the fiscal year ending June 30, 1992. The Office of the State Fire Marshal for the fiscal year ending June 30, 1992 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	23.0
Payroll, Salaries or Wages, Including Tax-sheltered Deferment Contracts and Longevity Payments Authorized by State Statutes \$586,574.00	
Professional and Personal Services Contracts	\$0.00
Lease-Purchase Agreements	\$0.00
Purchase of Equipment	\$0.00
Expenditure of Federal Funds	\$0.00
Total Expenditures for Operations	<del>\$971,558.00</del> <u>\$981,598.00</u>

SECTION 30. The appropriations made by Sections 3, 6, 17, 20 and 28 of this act shall be subject to fiscal year limitations and may be encumbered through June 30, 1992. Any unexpended funds remaining after November 15, 1992, shall lapse and be transferred to the credit of the proper fund for the then current fiscal year.

SECTION 31. The appropriations made by Sections 1, 4 and 10 of this act shall not be subject to fiscal year limitations and shall be available for encumbrance and expenditure purposes for a period of thirty (30) months from the date this act is approved.

SECTION 32. REPEALER Section 2, Chapter 283, as amended by Section 22, Chapter 329, O.S.L. 1991 and Section 5, Chapter 300, O.S.L. 1991, as amended by Section 62, Chapter 329, O.S.L. 1991, are hereby repealed.

SECTION 33. 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 12th day of March, 1992.

Speaker of the House of  
Representatives

Passed the Senate the \_\_\_\_ day of \_\_\_\_\_, 1992.

President of the Senate