

ENROLLED SENATE
BILL NO. 135

BY: TAYLOR and HANEY of the
SENATE

and

HAMILTON (James) and
STEIDLEY of the HOUSE

AN ACT RELATING TO THE OKLAHOMA CONSERVATION
COMMISSION; MAKING AN APPROPRIATION THERETO;
STATING PURPOSES; PROVIDING FOR DUTIES AND
COMPENSATION OF EMPLOYEES; LIMITING THE SALARY
OF THE EXECUTIVE DIRECTOR; PROVIDING BUDGETARY
LIMITATIONS; PROVIDING FOR CERTAIN EMPLOYEE
POSITIONS TO BE FUNDED BY FEDERAL FUNDS;
PROVIDING FOR TERMINATION OF CERTAIN EMPLOYEES
UPON LOSS OF CERTAIN FEDERAL FUNDS; EXEMPTING
CERTAIN EMPLOYEES FROM CERTAIN RULES;
AUTHORIZING CERTAIN EXPENDITURES FROM THE SMALL
WATERSHEDS FLOOD CONTROL FUND; AUTHORIZING
CERTAIN PURPOSES; PROVIDING FOR THE ALLOCATION
OF MONIES; AUTHORIZING A CERTAIN NUMBER OF
EMPLOYEES PER DISTRICT; PROVIDING GUIDELINES;
PROVIDING LAPSE DATE; PROVIDING AN OPERATIVE
DATE; AND DECLARING AN EMERGENCY.

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

SECTION 1. 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, 1992, the following amount or so much thereof
as may be required for the following purposes:

Administration	\$320,000.00
Watershed Planning and Development	295,000.00
District Employees Benefits	791,000.00
Field Service	<u>3,651,825.00</u>
TOTAL	\$5,057,825.00

SECTION 2. Of the amount appropriated in Section 1 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 3. Of the amount appropriated in Section 1 of this act for Field Service, the amount of Ninety-five Thousand Dollars (\$95,000.00) shall be used for purposes of supporting a Water Quality Cost Share Program.

SECTION 4. The funds appropriated by Section 1 of this act shall be expended in the following categories and amounts:

Personal Services	\$ 487,500.00
Other Operating Expenses	<u>4,570,325.00</u>

TOTAL	\$5,057,825.00
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SECTION 5. 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, 1992. The Oklahoma Conservation 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 Employee	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	\$9,360,825.00

SECTION 6. Of the eighteen (18) full-time-equivalent employee positions authorized in Section 5 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 7. 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 Two Hundred Thousand Dollars (\$200,000.00) from the Small Watersheds Flood Control Fund for flood control, safety and agency operations during the fiscal year ending June 30, 1992.

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 8. 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.

SECTION 9. The appropriation made by 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 10. This act shall become operative July 1, 1991.

SECTION 11. 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 21st day of May, 1991.

President of the Senate

Passed the House of Representatives the 22d day of May, 1991.

Speaker of the House of Representatives