

ENROLLED SENATE  
BILL NO. 144

BY: TAYLOR and HANEY of the  
SENATE

and

HAMILTON (James) and  
STEIDLEY of the HOUSE

AN ACT RELATING TO SCHOOLS AND TO VARIOUS STATE  
AGENCIES; AMENDING SECTION 107, CHAPTER 2, O.S.L.  
SUPP. 1989, AS LAST AMENDED BY SECTION 56, CHAPTER  
263, O.S.L. 1990 (70 O.S. SUPP. 1990, SECTION 18-  
200), WHICH RELATES TO VARIOUS STATE AID TO SCHOOL  
DISTRICTS, SECTION 10, CHAPTER 370, O.S.L. 1989, AS  
LAST AMENDED BY SECTION 73, CHAPTER 264, O.S.L.  
1990 AND SECTION 10, CHAPTER 370, O.S.L. 1989, AS  
AMENDED BY SECTION 14, CHAPTER 244, O.S.L. 1990 (74  
O.S. SUPP. 1990, SECTION 1346), WHICH RELATE TO THE  
FLEXIBLE BENEFITS REVOLVING FUND, SECTION 138,  
CHAPTER 263, O.S.L. 1990, SECTION 2, CHAPTER 41,  
O.S.L. 1990, AS AMENDED BY SECTION 101, CHAPTER  
263, O.S.L. 1990, SECTION 2, CHAPTER 55, O.S.L.  
1990, AS AMENDED BY SECTION 135, CHAPTER 263,  
O.S.L. 1990, SECTIONS 4, 5 AND 6, CHAPTER 265,  
O.S.L. 1990, SECTION 3, CHAPTER 49, O.S.L. 1990, AS  
AMENDED BY SECTION 89, CHAPTER 266, O.S.L. 1990,  
SECTION 3, CHAPTER 37, O.S.L. 1990, AS AMENDED BY  
SECTION 58, CHAPTER 266, O.S.L. 1990, SECTION 4,  
CHAPTER 23, O.S.L. 1990, AS AMENDED BY SECTION 13,  
CHAPTER 258, O.S.L. 1990, SECTION 58, CHAPTER 258,  
O.S.L. 1990, SECTION 2, CHAPTER 39, O.S.L. 1990, AS  
AMENDED BY SECTION 28, CHAPTER 258, O.S.L. 1990,  
AND SECTION 3, CHAPTER 10, O.S.L. 1990, AS AMENDED

BY SECTION 72, CHAPTER 264, O.S.L. 1990, WHICH RELATE TO VARIOUS APPROPRIATIONS TO VARIOUS STATE AGENCIES; MAKING APPROPRIATIONS; STATING PURPOSES; MODIFYING STATUTORY REFERENCES; REQUIRING MIDTERM SUPPLEMENT FOR CERTAIN DISTRICTS; PROVIDING FOR CALCULATION OF CERTAIN FUNDING; MODIFYING SOURCE OF CERTAIN DATA; REQUIRING AUDIT OF ACCREDITATION REPORT; REQUIRING ADJUSTMENTS IN STATE AID UNDER CERTAIN CIRCUMSTANCES; EXCLUDING CERTAIN PUPILS FROM MEMBERSHIP CALCULATION; MODIFYING DEDUCTIONS FROM MIDTERM SUPPLEMENT; MODIFYING APPLICABLE DATES; DELETING REQUIREMENT OF TRANSFER OF CERTAIN FUNDS; REQUIRING TRANSFER OF CERTAIN MONIES; MAKING CERTAIN ALLOCATION CONTINGENT; MODIFYING PRIOR APPROPRIATIONS; PROVIDING FOR DUTIES AND COMPENSATION OF EMPLOYEES; LIMITING AND MODIFYING LIMITATIONS ON CERTAIN SALARIES; LIMITING AND MODIFYING LIMITATIONS ON THE NUMBERS OF FULL-TIME-EQUIVALENT EMPLOYEES; LIMITING AND MODIFYING LIMITATIONS ON CERTAIN EXPENDITURES; MODIFYING PURPOSE OF CERTAIN APPROPRIATION; CHANGING FUND INTO WHICH CERTAIN SAVINGS ARE DEPOSITED; REPEALING SECTION 10, CHAPTER 370, O.S.L. 1989, AS LAST AMENDED BY SECTION 28 OF THIS ACT (74 O.S. SUPP. 1990, SECTION 1346), WHICH RELATES TO THE FLEXIBLE BENEFITS REVOLVING FUND AND WHICH IS A DUPLICATE SECTION AFTER A CERTAIN DATE; PROVIDING FOR CODIFICATION; PROVIDING LAPSE DATE; MAKING CERTAIN APPROPRIATIONS NONFISCAL; 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 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 "090 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 1990-91 school year as provided in subsection C of Section 18-200 of Title 70 of the Oklahoma Statutes.

SECTION 2. AMENDATORY Section 107, Chapter 2, O.S.L. Supp. 1989, as last amended by Section 56, Chapter 263, O.S.L. 1990 (70 O.S. Supp. 1990, Section 18-200), is amended to read as follows:

Section 18-200. A. It is the intent of the Legislature that the sole purpose of this section is to provide an equitable funding formula for all the school districts of this state. The Legislature, recognizing the responsibility to guarantee an adequate and equitable educational program for the school children of this state, declares that on and after July 1, 1990, the amount of State Aid each district shall receive shall be the sum of the Foundation Aid, the Salary Incentive Aid and the Transportation Supplement, as adjusted pursuant to the provisions of subsection E of this section and Section 18-112.2 of Title 70 of the Oklahoma Statutes; provided, no district having per pupil revenue in excess of three hundred percent (300%) of the average per pupil revenue of all districts shall receive any State Aid or Supplement in State Aid. Per pupil revenue shall be determined by dividing the district's second preceding year's total weighted average daily membership (ADM) into the district's second preceding year total revenues excluding federal revenue, insurance loss payments, reimbursements, recovery of overpayments and refunds, unused reserves, prior expenditures recovered, prior year surpluses, and less the amount of any transfer fees paid in that year.

B. Foundation Aid, the Transportation Supplement and Salary Incentive Aid shall be calculated as follows:

1. Foundation Aid shall be determined by subtracting the amount of the Foundation Program Income from the cost of the Foundation Program and adding to this difference the Transportation Supplement.

- a. The Foundation Program shall be a district's weighted average daily membership as determined by the provisions of subsection A of Section 18-201 of this title and paragraphs 1, 2 and 3 of subsection B of Section 18-201 of this title, multiplied by the Base Foundation Support Level. For the 1990-91 school year, the Base Foundation Support Level shall be One Thousand Dollars (\$1,000.00).
- b. The Foundation Program Income shall be the sum of the following, less dependent transfer fees to be paid for students served during the preceding school year:
  - (1) The adjusted assessed valuation of the school district during the next preceding year multiplied by fifteen (15) mills, and
  - (2) Seventy-five percent (75%) of the amount received by the school district from the proceeds of the county levy during the second preceding fiscal year, as levied pursuant to subsection (b) of Section 9 of Article X of the Oklahoma Constitution, and
  - (3) Motor Vehicle Collections, and
  - (4) Gross Production Tax, and
  - (5) State Apportionment, and

(6) R.E.A. Tax, and

(7) Dependent transfer fees to be received for students served during the preceding school year.

The items listed in divisions (3), (4), (5), and (6) shall consist of the amounts actually collected from such sources during the second preceding fiscal year calculated on a per capita basis on the unit provided for by law for the distribution of each such revenue.

2. The Transportation Supplement shall be equal to the average daily haul times the per capita allowance times the appropriate transportation factor.

a. The average daily haul shall be the number of children in a district who are legally transported and who live one and one-half (1 1/2) miles or more from school;

b. The per capita allowance shall be determined using the following chart:

DENSITY FIGURE	PER CAPITA ALLOWANCE	DENSITY FIGURE	PER CAPITA ALLOWANCE
.3000 - .3083	\$167.00	.9334 - .9599	\$99.00
.3084 - .3249	\$165.00	.9600 - .9866	\$97.00
.3250 - .3416	\$163.00	.9867 - 1.1071	\$95.00
.3417 - .3583	\$161.00	1.1072 - 1.3214	\$92.00
.3584 - .3749	\$158.00	1.3215 - 1.5357	\$90.00
.3750 - .3916	\$156.00	1.5358 - 1.7499	\$88.00
.3917 - .4083	\$154.00	1.7500 - 1.9642	\$86.00
.4084 - .4249	\$152.00	1.9643 - 2.1785	\$84.00
.4250 - .4416	\$150.00	2.1786 - 2.3928	\$81.00
.4417 - .4583	\$147.00	2.3929 - 2.6249	\$79.00
.4584 - .4749	\$145.00	2.6250 - 2.8749	\$77.00
.4750 - .4916	\$143.00	2.8750 - 3.1249	\$75.00
.4917 - .5083	\$141.00	3.1250 - 3.3749	\$73.00
.5084 - .5249	\$139.00	3.3750 - 3.6666	\$70.00
.5250 - .5416	\$136.00	3.6667 - 3.9999	\$68.00
.5417 - .5583	\$134.00	4.0000 - 4.3333	\$66.00
.5584 - .5749	\$132.00	4.3334 - 4.6666	\$64.00
.5750 - .5916	\$130.00	4.6667 - 4.9999	\$62.00
.5917 - .6133	\$128.00	5.0000 - 5.5000	\$59.00
.6134 - .6399	\$125.00	5.5001 - 6.0000	\$57.00
.6400 - .6666	\$123.00	6.0001 - 6.5000	\$55.00
.6667 - .6933	\$121.00	6.5001 - 7.0000	\$53.00
.6934 - .7199	\$119.00	7.0001 - 7.3333	\$51.00
.7200 - .7466	\$117.00	7.3334 - 7.6667	\$48.00
.7467 - .7733	\$114.00	7.6668 - 8.0000	\$46.00
.7734 - .7999	\$112.00	8.0001 - 8.3333	\$44.00
.8000 - .8266	\$110.00	8.3334 - 8.6667	\$42.00
.8267 - .8533	\$108.00	8.6668 - 9.0000	\$40.00
.8534 - .8799	\$106.00	9.0001 - 9.3333	\$37.00
.8800 - .9066	\$103.00	9.3334 - 9.6667	\$35.00
.9067 - .9333	\$101.00	9.6668 or more	\$33.00

c. The formula transportation factor shall be 1.39.

3. Salary Incentive Aid shall be determined as follows:

a. Multiply the Incentive Aid guarantee by the district's weighted average daily membership as determined by the provisions of subsection A of Section 18-201 of this title and paragraphs 1, 2, 3 and 4 of subsection B of Section 18-201 of this title. For the 1990-91 school year, the Incentive Aid guarantee shall be Forty-seven Dollars and sixty-nine cents (\$47.69).

b. Divide the district's adjusted assessed valuation by one thousand (1,000) and subtract the quotient from the product of subparagraph a. The remainder shall not be less than zero (0).

- c. Multiply the number of mills levied for general fund purposes above the fifteen (15) mills required to support Foundation Aid, not including the county four-mill levy, by the remainder of subparagraph b. The product shall be the Salary Incentive Aid of the district.

C. For the 1990-91 school year, and for each school year thereafter, any school district with a membership that is at least one and one-half percent ( 1 1/2%) greater than the higher membership of the preceding two (2) years of the school district shall receive a midterm supplement in State Aid to be determined as follows:

1. For the 1990-91 school year, and for each school year thereafter, for each additional pupil in membership which equals or exceeds the one and one-half percent (1 1/2%) increase over the higher number of pupils in membership of the preceding two years, the district shall receive funding to be determined as follows:
  - a. Multiply each additional pupil in membership as provided in this paragraph by the Base Foundation Support Level for the current school year, and
  - b. Multiply each additional pupil in membership as provided in this paragraph by the Incentive Aid guarantee for the current school year times twenty (20), and
  - c. Sum the products of subparagraphs a and b of this paragraph.

Data used for the calculation for the midterm supplement shall be that which is reported on the Accrediting Report of the school district on September 15th and received by the State Department of Education by October 1st of the school year for which the midterm supplement is to be paid as compared to the Accrediting Report data for the higher of the two (2) preceding years.

The data contained in the Accrediting Report for all qualifying school districts shall be audited by the State Department of Education. If a district does not qualify for a midterm supplement using the Accrediting Report data they may request an audit of the data by the State Department of Education. If, based on the post-audit data, the district is entitled to receive a midterm supplement, or if any school district's post-audit midterm supplement calculation differs from the amount of the supplement paid, the State Department of Education shall adjust the district's State Aid payments during the remainder of the school year for which the midterm supplement was paid in order to reconcile the supplement with the post-audit calculation.

2. Pupils shall not be included in the membership calculation if such pupils are enrolled for the current year in a grade level which was not taught in that school district during the preceding school year.

3. School districts which have been involved in any annexation or consolidation with other school districts during the school year for which the midterm supplement is to be calculated, or in the preceding school year, shall qualify for midterm growth as if annexed or consolidated membership had been enrolled in the current district for the preceding two (2) years.

4. For any district qualifying for the midterm supplement, if the funds received pursuant to the provisions of Section 18-112.2 of Title 70 of the Oklahoma Statutes are in excess of the funds to be received pursuant to the provisions of this subsection, the district shall receive no midterm supplement. If the funds received pursuant to the provisions of Section 18-112.2 of Title 70 of the Oklahoma Statutes are less than the funds to be received pursuant to the provisions of this subsection, the midterm supplement shall be the difference between these two amounts.

5. Beginning with the 1992-93 school year, and for each year thereafter, any district which qualifies for a midterm supplement shall have deducted from the supplement an amount equal to the amount of carryover in the district's general fund as of June 30 for the most recent fiscal year data is available that is in excess of the standards set out in subsection E of this section.

6. If funds appropriated to the State Board of Education for the purpose of paying the midterm supplement in State Aid are not sufficient to fully fund the amount determined by this subsection, each school district which qualifies for such funding shall receive a proportionate reduction in funding.

D. In the event that ad valorem taxes of a school district are determined to be uncollectible because of bankruptcy, clerical error, or a successful tax protest, and the amount of such taxes deemed uncollectible exceeds Fifty Thousand Dollars (\$50,000.00) or an amount greater than twenty-five percent (25%) of ad valorem taxes per tax year, the school district's State Aid shall be determined by subtracting the net assessed valuation of the property upon which taxes were deemed uncollectible from the assessed valuation of the school district and the state. Upon request of the local board of education, it shall be the duty of the county assessor to certify to the Director of Finance of the State Department of Education the net assessed valuation of the property upon which taxes were determined uncollectible.

E. Beginning with the 1992-93 school year, and for each year thereafter, notwithstanding the provisions of Section 18-112.2 of this title, a school district shall have its State Aid reduced by an amount equal to the amount of carryover in the district's general fund as of June 30 for the most recent fiscal year data is available, that is in excess of the following standards:

Total Amount of General Fund	Amount of General Fund Balance Allowable
Less than \$1,000,000	40%
\$1,000,000 to \$4,999,999	20%
\$5,000,000 to \$10,000,000	12%
More than \$10,000,000	8%

F. For the purposes of paying State Aid for the 1990-91 school year, no child shall be included in the average daily membership of a school district for the 1988-89 or 1989-90 school year if the child is being served during the 1990-91 school year through the provisions of the Oklahoma Early Intervention Act. Funds generated by the State Aid Formula on behalf of students who are served through the provisions of the Oklahoma Early Intervention Act shall be transferred from Financial Support of Public Schools to the Oklahoma Early Intervention Revolving Fund created pursuant to Section 13-124.1 of this title.

G. State Aid shall be reallocated after the first nine (9) weeks of the 1990-91 school year based upon child counts for early childhood education programs pursuant to Section 61 of this act.

SECTION 3. The Director of the Office of State Finance shall transfer the sum of Four Million Seven Hundred Ninety-seven Thousand Four Hundred Seventy-one Dollars (\$4,797,471.00) of the monies appropriated from the Constitutional Reserve Fund of the State Treasury to the School Consolidation Fund for the purpose of assisting voluntary annexation or consolidation of school districts to the Special Cash Fund for appropriation as provided in Section 4 and 5 of this act.

SECTION 4. There is hereby appropriated to the Water Resources Board, for transfer to the Statewide Water Development Revolving Fund created by Section 1085.40 of Title 82 of the Oklahoma

Statutes, from any monies not otherwise appropriated from the Special Cash Fund the sum of Four Million Three Hundred Fourteen Thousand Three Hundred Thirteen Dollars (\$4,314,313.00) for the purpose of matching United States Environmental Protection Agency capitalization grants for revolving loans for wastewater system improvements.

SECTION 5. There is hereby appropriated to the State Emergency Fund created pursuant to Section 139.42 of Title 62 of the Oklahoma Statutes from any monies not otherwise appropriated from the Special Cash Fund the sum of Four Hundred Eighty-three Thousand One Hundred Fifty-eight Dollars (\$483,158.00) for state emergencies.

Of the amount appropriated in this section, Two Hundred Thirty-three Thousand One Hundred Fifty-eight Dollars (\$233,158.00) shall be used to match Federal Emergency Management Agency grants to Oklahoma counties for the flooding of 1990, provided that the state match shall be allocated only when the counties have paid their match requirement.

SECTION 6. There is hereby appropriated to the Oklahoma School of Science and Mathematics 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 Seven Hundred Fifty Thousand Dollars (\$750,000.00) or so much thereof as may be necessary for renovation and construction costs of the Lincoln School site. The funds appropriated in this section shall not be expended unless at least One Million Five Hundred Thousand Dollars (\$1,500,000.00) from other sources is committed to the same project.

SECTION 7. There is hereby appropriated to the State Board of Vocational and Technical 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 "090 Fund", the sum of Three Hundred Seventy-two Thousand Eight Hundred Eighty-six Dollars (\$372,886.00) to be transferred to the State Vocational-Technical Fund created pursuant to Section 14-105 of Title 70 of the Oklahoma Statutes. The State Board of Vocational and Technical Education shall make the funds available to the following schools and in the following amounts for expenditure on capital projects and equipment:

Wes Watkins Area Vocational Technical School, Twenty-five Thousand Two Hundred Eighty Dollars (\$25,280.00); Pontotoc County Area Vocational Technical School, Twenty-five Thousand Two Hundred Eighty Dollars (\$25,280.00); Western Oklahoma Area Vocational Technical School, Twenty-five Thousand Two Hundred Eighty Dollars (\$25,280.00); Chisholm Trail Area Vocational Technical School, Twenty-five Thousand Two Hundred Eighty Dollars (\$25,280.00); Gordon Cooper Area Vocational Technical School, Twenty-five Thousand Two Hundred Eighty Dollars (\$25,280.00); Kiamichi Area Vocational Technical School - Poteau campus, Twenty-five Thousand Two Hundred Eighty Dollars (\$25,280.00); Kiamichi Area Vocational Technical School - Stigler campus, Ninety-four Thousand Eight Hundred Three Dollars (\$94,803.00); Southwest Area Vocational Technical School, One Hundred Twenty-six Thousand Four Hundred Three Dollars (\$126,403.00).

SECTION 8. AMENDATORY Section 138, Chapter 263, O.S.L. 1990, is amended to read as follows:

Section 138. There is hereby appropriated to the State Board of Vocational and Technical 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 "090 Fund", the sum of One Million Eight Hundred Twenty-one Thousand Nine Hundred Eighty-four Dollars (\$1,821,984.00) and from the Capital Preservation and Economic Enhancement Fund of the State Treasury for the fiscal year ending June 30, 1990, the sum of Five Million Eight

Hundred Fifty-five Thousand Nine Hundred Sixteen Dollars (\$5,855,916.00) or so much thereof as may be necessary to perform the duties imposed upon the State Board of Vocational and Technical Education and the State Department of Vocational and Technical Education by law and to accomplish the support of vocational and technical school activities .

SECTION 9. There is hereby appropriated to the Oklahoma Historical Society from the Cash-Flow Reserve Fund, designated by the Office of State Finance as the "090 Fund", the sum of Forty-seven Thousand Seven Hundred Ninety-two Dollars (\$47,792.00) to perform the duties imposed upon the Oklahoma Historical Society by law. Of funds appropriated for the fiscal year ending June 30, 1991, the Oklahoma Historical Society shall expend Thirty-five Thousand Dollars (\$35,000.00) or so much thereof as may be necessary to fund salary and benefit costs arising from reclassification of personnel previously approved by the Office of Personnel Management, and Twelve Thousand Seven Hundred Ninety-two Dollars (\$12,792.00) or so much thereof as may be necessary to pay assessments levied by the Office of Public Affairs for risk management costs.

SECTION 10. AMENDATORY Section 2, Chapter 41, O.S.L. 1990, as amended by Section 101, Chapter 263, O.S.L. 1990, is amended to read as follows:

Section 101. The duties and compensation of employees, not otherwise prescribed by law, necessary to perform the duties imposed upon the Oklahoma Historical Society by law shall be set by the Director. The salary of the Director shall not exceed Forty-nine Thousand Four Hundred Dollars (\$49,400.00) per annum, payable monthly for the fiscal year ending June 30, 1991. The Oklahoma Historical Society for the fiscal year ending June 30, 1991, 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:

Budgetary Limitation	Amount
Full-time-equivalent Employees	116.0
Payroll, Salaries or Wages, Including Tax-sheltered Deferment Contracts and Longevity Payments Authorized by State Statutes	\$2,480,404.00
Professional and Personal Services Contracts	\$120,000.00
Purchase of Equipment	\$87,452.00
Lease Purchase	\$25,000.00
Expenditure of Revolving Funds	\$350,000.00
Expenditure of Federal Funds	\$120,000.00
Total Expenditures for Operations	\$4,060,600.00

SECTION 11. There is hereby appropriated to the Will Rogers Memorial Commission from the Cash-Flow Reserve Fund, designated by the Office of State Finance as the "090 Fund", the sum of Two Hundred Six Thousand Four Hundred Ninety-seven Dollars (\$206,497.00) to perform the duties imposed upon the Will Rogers Memorial Commission by law. Of the amount appropriated in this section, the Will Rogers Memorial Commission shall expend Two Hundred Thousand Dollars (\$200,000.00) or so much as may be necessary for expenses of the Will Rogers Commission, and Six Thousand Four Hundred Ninety-seven Dollars (\$6,497.00) or so much therefore as may be necessary to pay assessments levied by the Office of Public Affairs for risk management costs.

SECTION 12. AMENDATORY Section 2, Chapter 55, O.S.L. 1990, as amended by Section 135, Chapter 263, O.S.L. 1990, is amended to read as follows:

Section 135. The duties and compensation of employees, not otherwise prescribed by law, necessary to perform the duties imposed upon the Will Rogers Memorial Commission by law shall be set by the Commission. The Will Rogers Memorial Commission for the fiscal year ending June 30, 1991, 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:

Budgetary Limitation	Amount
Full-time-equivalent Employees	16.5
Payroll, Salaries or Wages, Including Tax-sheltered Deferment Contracts and Longevity Payments Authorized by State Statutes	\$398,209.00
Professional and Personal Services Contracts	\$0.00
Purchase of Equipment	\$47,000.00
Lease Purchase	\$0.00
Expenditure of Federal Funds	\$0.00
Total Expenditures for Operations	\$881,732.00

SECTION 13. There is hereby appropriated to the State Department of Health 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 One Hundred Forty-seven Thousand Dollars (\$147,000.00) or so much thereof as may be necessary to purchase vaccines for the Immunization Program.

SECTION 14. AMENDATORY Section 4, Chapter 265, O.S.L. 1990, is amended to read as follows:

Section 4. Funds appropriated to the Department of Human Services in Sections 1, 2 and 3 of this act and Section 53 of Engrossed Senate Bill No. 806 of the 2nd Session of the 42nd Oklahoma Legislature, shall be expended in the following amounts and categories:

1. Services to Children and Youth	\$66,987,274.00
2. Oklahoma Youth Services Agencies	10,040,000.00
3. Services to the Mentally Retarded and Developmentally Disabled	62,308,001.00
4. Rehabilitative and Visual Services	10,799,762.00
5. School for the Blind	3,943,606.00
6. Services for the Deaf and Hearing Impaired	4,981,408.00
7. Title XIX Medical Payments	230,105,259.00
8. Aid to Families with Dependent Children (AFDC) Entitlements	6,809,147.00
9. Aid to Aged, Blind and Disabled (AABD) State Supplement Payments	36,817,557.00
10. Day Care Payments	22,337,054.00
11. Family Support Services and	

Field Operations	53,466,833.00
12. Child Support Enforcement	3,764,191.00
13. Aging Services	14,754,394.00
14. Administration and the Management Information Division	6,641,803.00
15. George Nigh Rehabilitation Center	2,679,708.00
16. Oklahoma Medical Center	<u>36,669,082.00</u>
TOTAL	\$613,105,079.00

SECTION 15. AMENDATORY Section 5, Chapter 265, O.S.L. 1990, is amended to read as follows:

Section 5. Expenditures by the Department of Human Services from all sources of revenue during the fiscal year ending June 30, 1991, excluding expenditures for capital and special projects, shall not exceed the following:

1. Services to Children and Youth	\$111,493,662.00
2. Services to the Mentally Retarded and Developmentally Disabled	145,818,322.00
3. Rehabilitative and Visual Services	37,440,257.00
4. School for the Blind	3,958,517.00
5. Services for the Deaf and Hearing Impaired	5,125,512.00
6. Disability Determination (Federal)	10,179,745.00
7. Title XIX Medical Payments	828,586,036.00
8. Medical Services Administration and Claims Processing	22,329,609.00
9. Aid to Families with Dependent Children (AFDC) Entitlements	155,279,501.00
10. Aid to Aged, Blind and Disabled (AABD) State Supplement Payments	36,817,557.00
11. Day Care Payments	33,889,126.00
12. Family Support Services	99,082,176.00
13. Child Support Enforcement	14,778,924.00
14. Field Operations	21,182,990.00
15. Aging Services	31,576,475.00
16. Administration	38,634,496.00
17. Management Information Division	16,934,463.00
18. George Nigh Rehabilitation Center	4,124,651.00

19. Oklahoma Medical Center	<u>184,128,714.00</u>
TOTAL	\$1,801,360,733.00

Receipt and expenditure of discretionary federal grant funds, exclusive of block grant funds, awarded after July 1, 1990, 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 16. AMENDATORY Section 6, Chapter 265, O.S.L. 1990, is amended to read as follows:

Section 6. 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, 1991, 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:

Budgetary Limitations	Amount
Average Full-time-equivalent Employees, Excluding Medical Residents	13,795.3
Payroll, Salaries or Wages, Including Tax-sheltered Deferment Contracts and Longevity Payments Authorized by State Statute, and Excluding Medical Residents	\$316,895,734.00
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	\$6,665,546.00
Purchase of Equipment	\$20,495,990.00
Lease Purchase Agreements	\$9,792,000.00
Expenditure of Federal Funds	\$947,679,867.00
Total Expenditures for Operations	\$1,801,360,733.00

SECTION 17. There is hereby appropriated to the Water Resources Board 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 One Hundred Eleven Thousand Three Hundred Sixty-five Dollars (\$111,365.00) or so much thereof as may be necessary to perform the duties imposed upon the Board by law. Of the funds appropriated for the fiscal year ending June 30, 1991, the Water Resources Board shall expend One Hundred Eleven Thousand Three Hundred Sixty-five Dollars (\$111,365.00) or so much thereof as may be necessary to pay salary and benefit costs arising from reclassification of engineering personnel previously approved by the Office of Personnel Management.

SECTION 18. AMENDATORY Section 3, Chapter 49, O.S.L. 1990, as amended by Section 89, Chapter 266, O.S.L. 1990, is amended to read as follows:

Section 89. 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 Four Hundred Dollars (\$56,400.00) per annum, payable monthly for the fiscal year ending June 30, 1991. The Oklahoma Water Resources Board for the fiscal year ending June 30, 1991, 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:

Budgetary Limitation	Amount
Full-time-equivalent Employees	101.0
Payroll, Salaries or Wages, Including Tax-sheltered Deferment Contracts and Longevity Payments Authorized by State Statutes	\$3,147,172.00
Professional and Personal Services Contracts	\$1,027,887.00
Purchase of Equipment	\$339,738.00
Lease Purchase Agreements	\$12,732.00
Expenditure of Revolving Funds	\$2,456,632.00
Expenditure of Federal Funds	\$2,151,487.00
Total Expenditures for Operations	\$8,312,928.00

SECTION 19. There is hereby appropriated to the Horse Racing Commission from any monies not otherwise appropriated from the Cash-Flow Reserve Fund, designated by the Office of State Finance as the "090 Fund", the sum of Forty-eight Thousand Four Hundred Twenty-seven Dollars (\$48,427.00) or so much thereof as may be necessary to fund overtime compensation as agreed previously between the United States Department of Labor and the Horse Racing Commission. Said funds shall not be expended until such time as the Director of the Office of State Finance certifies to the Governor, the Speaker of the House of Representatives and the President Pro Tempore of the Senate that the Commission has expended for the same purpose no less than Fifty-two Thousand Sixty-two Dollars (\$52,062.00) from other funds available to the Commission.

SECTION 20. AMENDATORY Section 3, Chapter 37, O.S.L. 1990, as amended by Section 58, Chapter 266, O.S.L. 1990, is amended to read as follows:

Section 58. The duties and compensation of employees, not otherwise prescribed by law, necessary to perform the duties imposed upon the Oklahoma Horse Racing Commission by law shall be set by the Director. The salary of the Director shall not exceed Fifty-nine Thousand One Hundred Fifty Dollars (\$59,150.00) per annum, payable monthly for the fiscal year ending June 30, 1991. The Oklahoma Horse Racing Commission, for the fiscal year ending June 30, 1991, shall be subject to the following budgetary limitations on full-time-equivalent employees and expenditures excluding expenditures from the Oklahoma Breeding Development Revolving Fund, except as may be authorized pursuant to the provisions of Section 3603 of Title 74 of the Oklahoma Statutes:

Budgetary Limitation	Amount
Total Race Days	597.0
Full-time-equivalent Employees	71.0
Payroll, Salaries or Wages, Including Tax-sheltered Deferment Contracts and Longevity Payments Authorized by State Statutes	\$2,000,321.00

Professional and Personal Services Contracts	\$80,505.00
Purchase of Equipment	\$60,515.00
Lease Purchase Agreements	\$0.00
Expenditure of Federal Funds	\$0.00
Total Expenditures for Operations	\$3,097,066.00

SECTION 21. There is hereby appropriated to the Department of Corrections from any monies not otherwise appropriated from the Cash-Flow Reserve Fund, designated by the Office of State Finance as the "090 Fund", the following amount or so much thereof as may be necessary to perform the duties imposed upon the Department of Corrections by law:

Personal Services	\$2,000,000.00
Other Operating Expenses	<u>331,680.00</u>
TOTAL	\$2,331,680.00

SECTION 22. AMENDATORY Section 4, Chapter 23, O.S.L. 1990, as amended by Section 13, Chapter 258, O.S.L. 1990, is amended to read as follows:

Section 13. The duties and compensation of employees, not otherwise prescribed by law, necessary to perform the duties imposed upon the Department of Corrections by law shall be set by the Director. The salary of the Director shall not exceed Seventy Thousand Dollars (\$70,000.00) per annum, payable monthly for the fiscal year ending June 30, 1991. The Department of Corrections for the fiscal year ending June 30, 1991, 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:

Budgetary Limitation	Amount
Full-time-equivalent Employees	4,172.0

Payroll, Salaries or Wages, Including Tax-sheltered Deferment Contracts and Longevity Payments Authorized by State Statutes	\$96,528,253.00
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Professional and Personal Services Contracts	\$4,531,839.00
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Purchase of Equipment	\$4,739,781.00
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Lease Purchase	\$600,000.00
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Expenditure of Federal Funds	\$1,810,000.00
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Expenditure of Industries Revolving Fund	\$14,500,000.00
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Expenditure of Department of Corrections Revolving Fund	\$4,800,000.00
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Total Expenditures for Operations	\$176,858,313.00
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SECTION 23. Pursuant to the requirements of Section 541 of Title 57 of the Oklahoma Statutes, there is hereby appropriated to the Department of Corrections from any monies not otherwise appropriated from the Industries Revolving Fund for the Department of Corrections, an amount not to exceed Five Hundred Thousand Dollars (\$500,000.00) or so much thereof as may be necessary to perform the duties imposed upon the Department of Corrections by law.

SECTION 24. There is hereby appropriated to the Department of Public Safety from any monies not otherwise appropriated from the Cash-Flow Reserve Fund, designated by the Office of State Finance as the "090 Fund", the sum of Three Hundred Thirty-seven Thousand Six

Hundred Sixty Dollars (\$337,660.00) or so much thereof as may be necessary to perform the duties imposed upon the Department of Public Safety by law. Of the funds appropriated for the fiscal year ending June 30, 1991, the Department of Public Safety shall expend Thirty-seven Thousand Six Hundred Sixty Dollars (\$37,660.00) or so much thereof as may be necessary to pay for increased costs related to data transmission, and Three Hundred Thousand Dollars (\$300,000.00) or so much thereof as may be necessary to pay for increased fuel costs.

SECTION 25. AMENDATORY Section 58, Chapter 258, O.S.L. 1990, is amended to read as follows:

Section 58. The duties and compensation of employees, not otherwise prescribed by law, necessary to perform the duties imposed upon the Department of Public Safety by law shall be set by the Commissioner of Public Safety. The Department of Public Safety for the fiscal year ending June 30, 1991, 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:

Budgetary Limitation	Amount
Full-time-equivalent Employees	1,363.0
Payroll, Salaries or Wages, Including Tax-sheltered Deferment Contracts and Longevity Payments Authorized by State Statutes	\$37,948,000.00
Professional and Personal Services Contracts	\$230,500.00
Purchase of Equipment	\$3,855,000.00
Lease Purchase Agreements	\$457,000.00
Expenditure of Federal Funds	\$3,390,000.00
Expenditure of Revolving Funds	\$6,200,000.00
Total Expenditures for Operations	\$60,845,482.00

SECTION 26. There is hereby appropriated to the Office of the State Fire Marshal from any monies not otherwise appropriated from the Cash-Flow Reserve Fund, designated by the Office of State Finance as the "090 Fund", the sum of Twenty-four Thousand Six Hundred Twenty-one Dollars (\$24,621.00) for duties imposed upon the Office of the State Fire Marshal. Of the funds appropriated for the fiscal year ending June 30, 1991, the State Fire Marshal shall expend Twenty-four Thousand Six Hundred Twenty-one Dollars (\$24,621.00) or so much thereof as may be necessary to pay the employer retirement contribution for employees not previously eligible for participation in the Oklahoma Public Employees Retirement System.

SECTION 27. AMENDATORY Section 2, Chapter 39, O.S.L. 1990, as amended by Section 28, Chapter 258, O.S.L. 1990, is amended to read as follows:

Section 28. 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-one Thousand Seven Hundred Eighty-five Dollars (\$41,785.00) per annum, payable monthly for the fiscal year ending June 30, 1991. The Office of the State Fire Marshal for the fiscal year ending June 30, 1991, 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:

Budgetary Limitation	Amount
Full-time-equivalent Employees	23.0

Payroll, Salaries or Wages, Including Tax-sheltered Deferment  
Contracts and Longevity Payments Authorized by State Statutes  
\$552,271.00

Professional and Personal Services Contracts	\$0.00
Purchase of Equipment	\$14,200.00
Lease Purchase	\$0.00
Expenditure of Federal Funds	\$20,000.00
Total Expenditures for Operations	\$1,043,367.00

SECTION 28. AMENDATORY Section 10, Chapter 370, O.S.L. 1989, as last amended by Section 73, Chapter 264, O.S.L. 1990 (74 O.S. Supp. 1990, Section 1346), is amended to read as follows:

Section 1346. There is hereby created in the State Treasury a revolving fund for the Office of Personnel Management to be designated the "Flexible Benefit Revolving Fund". The fund shall be a continuing fund, not subject to fiscal year limitations, and shall consist of employee payroll deductions and contributions for flexible spending accounts and, until April 1, 1991, interagency reimbursement for employer Social Security (FICA) savings made pursuant to the State Employees Flexible Benefits Plan Act. After April 1, 1991, all monthly interagency reimbursements for projected employer Social Security (FICA) savings shall be deposited into the General Revenue Fund of the State Treasury pursuant to Section 30 of this act. All monies accruing to the credit of said fund are hereby appropriated and may be budgeted and expended by the Office of Personnel Management for expenses of the state employees flexible benefits plan and for expenses authorized by law. The Office of Personnel Management is authorized to pay employee claim costs associated with the state employees flexible benefits plan from monies accrued for said purpose. Administrative costs to third party administrators shall be paid from monies available to the agency. Expenditures from said funds shall be pursuant to the laws of the state and statutes relating to the state employees flexible benefits plan.

SECTION 29. AMENDATORY Section 10, Chapter 370, O.S.L. 1989, as amended by Section 14, Chapter 244, O.S.L. 1990 (74 O.S. Supp. 1990, Section 1346), is amended to read as follows:

Section 1346. There is hereby created in the State Treasury a revolving fund for the State and Education Employees Group Insurance Board to be designated the "Flexible Benefit Revolving Fund". The fund shall be a continuing fund, not subject to fiscal year limitations, and shall consist of employee payroll deductions and contributions for flexible spending accounts. All monies accruing to the credit of said fund are hereby appropriated and may be budgeted and expended by the State and Education Employees Group Insurance Board for expenses of the state employees flexible benefits plan and for expenses authorized by law. The State and Education Employees Group Insurance Board is authorized to pay employee claim costs associated with the state employees flexible benefits plan from monies accrued for said purpose. Expenditures from said funds shall be pursuant to the laws of the state and statutes relating to the state employees flexible benefits plan.

SECTION 30. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1347 of Title 74, unless there is created a duplication in numbering, reads as follows:

Beginning April 1, 1991, all monthly interagency reimbursements for projected employer Social Security (FICA) savings made pursuant to the State Employees Flexible Benefits Plan Act shall be deposited into the General Revenue Fund of the State Treasury.

SECTION 31. On April 1, 1991, all unencumbered, or otherwise unobligated monies from the monthly interagency reimbursements for projected employer Social Security (FICA) savings, collected

pursuant to the provisions of Section 1346 of Title 74 of the Oklahoma Statutes, shall be transferred and credited to the Special Cash Fund of the State Treasury. Any unexpended funds for monthly interagency reimbursements for projected employer Social Security (FICA) savings remaining in the Flexible Benefit Revolving Fund after July 1, 1991, shall be transferred to the credit of the Special Cash Fund of the State Treasury to be paid pursuant to law. Before July 1, 1991, the Office of Personnel Management shall transfer to the General Revenue Fund of the State Treasury an amount equal to the funds transferred from employer Social Security (FICA) savings for the purpose of paying employee claim costs associated with the state employees flexible benefits plan, less the amount of said funds previously transferred.

SECTION 32. There is hereby appropriated to the Office of Personnel Management from any monies not otherwise appropriated from the General Revenue Fund of the State Treasury for the fiscal year ending June 30, 1991, the sum of Two Hundred Sixty-eight Thousand Eighty-three Dollars (\$268,083.00) for operations of the Flexible Benefits Program and for expenses authorized by law.

SECTION 33. AMENDATORY Section 3, Chapter 10, O.S.L. 1990, as amended by Section 72, Chapter 264, O.S.L. 1990, is amended to read as follows:

Section 72. The duties and compensation of employees, not otherwise prescribed by law, necessary to perform the duties imposed upon the Office of Personnel Management by law shall be set by the Administrator. The salary of the Administrator shall not exceed Fifty-six Thousand Four Hundred Dollars (\$56,400.00) per annum, payable monthly for the fiscal year ending June 30, 1991. The Office of Personnel Management for the fiscal year ending June 30, 1991, 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:

Budgetary Limitation	Amount
Full-time-equivalent Employees	127.0
Payroll, Salaries or Wages, Including Tax-sheltered Deferment Contracts and Longevity Payments Authorized by State Statutes	\$3,175,055.00
Professional and Personal Services Contracts	\$315,920.00
Purchase of Equipment	\$247,985.00
Lease Purchase Payments	\$0.00
Expenditure of Federal Funds	\$0.00
Total Expenditures for Operations	\$5,041,852.00

SECTION 34. The appropriations made by Sections 1, 4, 5, 6, 7, 9, 11, 13, 17, 19, 21, 24, 26 and 32 of this act shall be subject to fiscal year limitations and may be encumbered through June 30, 1991. Any unexpended funds remaining after November 15, 1991, shall lapse and be transferred to the credit of the proper fund for the then current fiscal year.

SECTION 35. The appropriations made by Section 8 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 36. REPEALER Section 10, Chapter 370, O.S.L. 1989, as last amended by Section 28 of this act (74 O.S. Supp. 1990, Section 1346), which is a duplicate section, is hereby repealed.

SECTION 37. Sections 29 and 36 of this act shall become operative July 1, 1991.

SECTION 38. 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.