

STATE OF OKLAHOMA

2nd Session of the 43rd Legislature (1992)

HOUSE BILL NO. 2475

BY: HAMILTON (James) and
STEIDLEY of the HOUSE

and

TAYLOR and HANEY of the
SENATE

AS INTRODUCED

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 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;
REQUIRING CERTAIN REPORTS AND AUDITS; EXEMPTING
CERTAIN CONTRACTS FROM CENTRAL PURCHASING ACT;
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; 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 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; 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;
PROHIBITING CERTAIN CLOSURE OF CERTAIN PARKS;
PROVIDING FOR DEDICATION OF CERTAIN REVENUES;
PROVIDING FOR ALLOCATION; PROVIDING FOR
DETERMINATION OF ALLOCATION; MAKING APPROPRIATIONS
TO THE OKLAHOMA WATER RESOURCES BOARD; STATING
PURPOSES; 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 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 Five Hundred Thirty-six

Thousand Nine Hundred Sixty-one Dollars (\$2,536,961.00) 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	
\$1,665,000.00	
Professional and Personal Services Contracts	\$2,500.00
Lease-Purchase Agreements	\$0.00
Purchase of Equipment	\$20,000.00
Expenditure of Revolving Funds	\$29,999.00
Expenditure of Federal Funds	\$0.00
Total Expenditures for Operations	\$2,566,960.00

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

TITLE	MINIMUM	MAXIMUM
	SALARY	SALARY
Deputy Commissioner	\$36,666.00	\$52,750.00
Attorney	\$38,256.00	\$53,151.00
Administrative Assistant	\$15,540.00	\$39,040.00

Area Examiner	\$35,666.00	\$50,730.00
Budget Director	\$15,540.00	\$39,040.00
Supervisory Examiner	\$30,226.00	\$46,249.00
Commissioned Examiner	\$29,526.00	\$42,186.00
Senior Examiner	\$27,493.00	\$41,219.00
Senior Assistant Examiner	\$22,773.00	\$35,141.00
Assistant Examiner	\$20,623.00	\$31,318.00
Examiner Trainee	\$19,325.00	\$27,948.00

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

DEPARTMENT OF COMMERCE

SECTION 4. There is hereby appropriated to the Oklahoma Department of Commerce from any monies not otherwise appropriated from the General Revenue Fund of the State Treasury for the fiscal year ending June 30, 1993, the sum of Fourteen Million Five Hundred Fifty-two Thousand Nine Hundred Sixty-three Dollars (\$14,552,963.00) or so much thereof as may be necessary to perform the duties imposed upon the Oklahoma Department of Commerce by law.

SECTION 5. The 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>
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Full-time-equivalent Employees	205.0
Payroll, Salaries or Wages, Including Tax-sheltered Deferment Contracts and Longevity Payments Authorized by State Statutes	\$6,924,181.00
Professional and Personal Services Contracts	\$1,096,757.00
Lease-Purchase Agreements	\$0.00
Purchase of Equipment	\$298,765.00
Expenditure of Revolving Funds	\$1,445,597.00
Expenditure of Federal Funds	\$36,522,266.00
Total Expenditures for Operations	\$52,530,826.00

SECTION 6. It is the intent of the Legislature that of the funds appropriated in Section 4 of this act, One Million Forty-six Thousand Two Hundred Fifty-eight Dollars (\$1,046,258.00) or so much thereof, shall be expended for the following items in the following amounts:

	<u>Amount</u>
1. Inventors Assistance Program Revolving Fund	\$228,371.00
2. Minority Business Development Program Revolving Fund	\$241,970.00
3. Little Dixie Community Action Agency for the Statewide Youth Restitution Program	\$33,876.00
4. Southeastern Oklahoma State University for the Statewide Small Business Development Centers Program	\$542,041.00

SECTION 7. The Oklahoma Department of Commerce may expend so much thereof as herein appropriated as may be necessary to accomplish contractual responsibilities with Rural Enterprises, Inc. for the Central Industrial Applications Center (CIAC), thus enabling CIAC to be a National Aeronautics and Space Administration (NASA) designated regional industrial applications center. Contractor shall make quarterly financial reports to the Oklahoma Department of Commerce indicating the purposes for which these funds have been

spent. Contractor shall cooperate with the Oklahoma Department of Commerce to improve industrial technology, foster expansion of existing industry, assist in attracting highly technical industries to the state and disseminate all NASA information to industry. Contractor shall submit an annual audit as required by the Oklahoma Department of Commerce. Any contracts authorized under this appropriation shall be exempt from the Central Purchasing Act.

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

SECTION 9. The Oklahoma Department of Commerce may 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	\$ 40,877.00
2 - EODD	41,198.00
3 - KEDDO	40,601.00
4 - SODA	40,877.00
5 - COEDD	40,969.00

6 - INCOG	44,685.00
7 - NODA	40,969.00
8 - ACOG	46,979.00
9 - ASCOG	41,840.00
10 - SWODA	40,236.00
11 - OEDA	<u>39,547.00</u>
TOTAL	\$458,778.00

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 10. All funds appropriated by this act to the Oklahoma Department of Commerce 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 11. The Oklahoma Department of Commerce may expend so much as herein appropriated as may be necessary to accomplish contractual responsibilities for statewide dissemination of intensive financial management technical assistance by Oklahoma State University's extension service thus enabling businessmen and students of business to benefit from direct professional assistance provided by professors, associates and staff of the University and to improve and complement technical assistance provided by the Department. Contractor shall submit quarterly reports of activities and expenditures to the Oklahoma Department of Commerce. The Department may disallow any expenditures for activities not within the scope of contractual responsibilities pursuant to an approved work plan. Contractor shall submit an annual audit as required by the Department of Commerce which may be paid from allocated, appropriated funds.

SECTION 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 may expend so much as herein appropriated as may be necessary to accomplish contractual responsibilities with Little Dixie Community Action Agency, Contractor, for the purpose of coordinating and operating a

statewide juvenile restitution program and in order to provide state supplement to federal funds received to operate the program. The contractor shall submit an annual budget work program which must receive prior approval of the Department. The contractor shall submit monthly expenditures reports. The Department may disallow expenditures and withhold funds accordingly, if expenditure reports reflect noncompliance with the approved budget work program. The contractor must provide an annual audit, as directed by the Department of Commerce, which may be paid from allocated, appropriated funds. Any contracts authorized under this appropriation shall be exempt from the Central Purchasing Act.

SECTION 14. The Oklahoma Department of Commerce may 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 15. The Oklahoma Employment Security Commission shall transfer One Hundred Twenty-five Thousand Dollars (\$125,000.00) 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 16. 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 may 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 17. 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 Five Million Fifty-seven Thousand Eight Hundred Twenty-five Dollars (\$5,057,825.00) or so much thereof as may be necessary to perform the duties imposed upon the Oklahoma Conservation Commission by law.

SECTION 18. 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-two Thousand Eight Hundred Twenty-four Dollars (\$52,824.00) per annum, payable monthly for the fiscal year ending June 30, 1993. The Oklahoma Conservation Commission, for the fiscal year ending June 30, 1993, shall be subject to the following budgetary limitations on full-time-equivalent employees and expenditures excluding expenditures for capital and special projects, except as may be authorized pursuant to the provisions of Section 3603 of Title 74 of the Oklahoma Statutes:

<u>Budgetary Limitation</u>	<u>Amount</u>
Full-time-equivalent Employees	18.0
Payroll, Salaries or Wages, Including Tax-sheltered Deferment Contracts and Longevity Payments Authorized by State Statutes	\$611,000.00
Professional and Personal Services Contracts	\$130,000.00
Lease-Purchase Agreements	\$42,000.00
Purchase of Equipment	\$135,000.00
Expenditure of Revolving Funds	\$8,000.00

Expenditure of Federal Funds	\$3,644,860.00
Total Expenditures for Operations	\$8,710,685.00

SECTION 19. Of the eighteen (18) full-time-equivalent employee positions authorized in Section 18 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 20. Of the amount appropriated in Section 17 of this act, the sum of One Hundred Thousand Dollars (\$100,000.00) shall be used for the purpose 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 17 of this act, the sum of Ninety-five Thousand Dollars (\$95,000.00) shall be used for the purpose 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 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, 1993.

Of the amount authorized for expenditure in this section the Executive Director of the Oklahoma Conservation Commission is hereby

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

SECTION 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 Eight Hundred Six Thousand Three Hundred Ninety Dollars (\$1,806,390.00) 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 Special Occupational Health and Safety Fund of the State Treasury for the fiscal year ending June 30, 1993, the sum of One Million Three Hundred Seventy-nine Thousand Four Hundred Ninety-five Dollars (\$1,379,495.00) 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, 1991, the sum of Three Hundred Forty-four Thousand Eight Hundred Nine Dollars (\$344,809.00) or so much thereof as may be necessary to perform the duties imposed upon the Department of Labor by law.

SECTION 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	\$3,067,270.00
Professional and Personal Services Contracts	\$5,000.00
Lease-Purchase Agreements	\$7,000.00
Purchase of Equipment	\$86,803.00
Expenditure of Revolving Funds	\$305,500.00
Expenditure of Federal Funds	\$998,673.00
Total Expenditures for Operations	\$4,834,867.00

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

SECTION 31. 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 Fifty Thousand Three Hundred Sixteen Dollars (\$50,316.00) per annum, payable monthly for the fiscal year ending June 30, 1993. The State Department of Pollution Control for the fiscal year ending June 30, 1993, shall be subject to the following budgetary limitations on full-time-equivalent employees and expenditures excluding expenditures for capital and special projects, except as may be authorized pursuant to the provisions of Section 3603 of Title 74 of the Oklahoma Statutes:

<u>Budgetary Limitation</u>	<u>Amount</u>
Full-time-equivalent Employees	8.0
Payroll, Salaries or Wages, Including Tax-sheltered Deferment Contracts and Longevity Payments Authorized by State Statutes \$251,685.00	
Professional and Personal Services Contracts	\$.00
Lease-Purchase Agreements	\$15,400.00
Purchase of Equipment	\$30,000.00
Expenditure of Revolving Funds	\$2,000.00
Expenditure of Federal Funds	\$1,950,000.00
Total Expenditures for Operations	\$2,125,510.00

OKLAHOMA TOURISM AND RECREATION DEPARTMENT

SECTION 32. There is hereby appropriated to the Oklahoma Tourism and Recreation Department from any monies not otherwise appropriated from the General Revenue Fund of the State Treasury for the fiscal year ending June 30, 1993, the sum of Twenty-three Million Seven Hundred Sixty-eight Thousand Two Hundred Three Dollars (\$23,768,203.00) or so much thereof as may be necessary to perform the duties imposed upon the Oklahoma Tourism and Recreation Department by law.

SECTION 33. 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	848.5
Payroll, Salaries or Wages, Including Tax-sheltered Deferment Contracts and Longevity Payments Authorized by State Statutes	\$19,646,931.00
Professional and Personal Services Contracts	\$180,250.00
Lease-Purchase Agreements	\$105,916.00
Purchase of Equipment	\$1,743,535.00
Expenditure of Revolving Funds	\$20,381,191.00
Expenditure of Federal Funds	\$926,322.00
Total Expenditures for Operations	\$44,829,496.00

SECTION 34. 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	\$63,441.00
Executive Assistant	\$46,116.00
Deputy Director	\$53,991.00
Administrative Services Division	
Assistant Director	\$40,551.00
Park Division Director	\$51,891.00
Assistant Director	\$42,441.00
Resort Division Director	\$51,891.00
Assistant Director	\$42,441.00
Marketing Division Director	\$50,421.00
Assistant Director	\$40,551.00
Planning and Development Director	\$50,421.00
Assistant Director	\$40,551.00

SECTION 35. 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 36. 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 37. There is hereby appropriated to the Oklahoma Water Resources Board from any monies not otherwise appropriated from the General Revenue Fund of the State Treasury for the fiscal year ending June 30, 1993, the sum of Three Million Eight Hundred Eighty-nine Thousand Thirty-two Dollars (\$3,889,032.00) or so much thereof as may be necessary to perform the duties imposed upon the Oklahoma Water Resources Board by law.

SECTION 38. 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-nine Thousand Six Hundred Sixty-one

Dollars (\$59,661.00) 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	116.0
Payroll, Salaries or Wages, Including Tax-sheltered Deferment Contracts and Longevity Payments	
Authorized by State Statutes	\$3,818,987.00
Professional and Personal Services Contracts	\$876,881.00
Lease-Purchase Agreements	\$12,732.00
Purchase of Equipment	\$370,470.00
Expenditure of Revolving Funds	\$1,468,980.00
Expenditure of Federal Funds	\$2,126,258.00
Total Expenditures for Operations	\$7,484,270.00

SECTION 39. 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, 1991, the sum of Five Million Dollars (\$5,000,000.00) to be transferred to the Statewide Water Development Revolving Fund created by Section 9, Chapter 306, O.S.L. 1982, as amended by Section 4, Chapter 346, O.S.L. 1985 (82 O.S. Supp. 1991, Section 1085.40) for expenditure in accordance with state law.

SECTION 40. 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 41. This act shall become effective July 1, 1992.

SECTION 42. 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.

43-2-9444

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