

STATE OF OKLAHOMA

2nd Session of the 43rd Legislature (1992)

SENATE BILL NO. 725

BY: TAYLOR and HANEY of the  
SENATE

and

HAMILTON (James) and  
STEIDLEY of the HOUSE

AS INTRODUCED

AN ACT RELATING TO VARIOUS STATE AGENCIES; MAKING  
APPROPRIATIONS TO THE DEPARTMENT OF AGRICULTURE;  
STATING PURPOSES; PROVIDING LEGISLATIVE INTENT;  
PROVIDING FOR DUTIES AND COMPENSATION OF EMPLOYEES;  
LIMITING THE SALARY OF THE DIRECTOR; PROVIDING  
BUDGETARY LIMITATIONS; MAKING AN APPROPRIATION TO  
THE COMMISSION ON CONSUMER CREDIT; STATING PURPOSE;  
PROVIDING FOR DUTIES AND COMPENSATION OF EMPLOYEES;  
LIMITING THE SALARY OF THE DIRECTOR; PROVIDING  
BUDGETARY LIMITATIONS; MAKING AN APPROPRIATION TO  
THE CORPORATION COMMISSION; AUTHORIZING THE  
EXPENDITURE OF MONIES IN THE CONSERVATION FUND AND  
THE CORPORATION COMMISSION REVOLVING FUND FOR  
CERTAIN PURPOSES; LIMITING REIMBURSEMENT FROM THE  
PETROLEUM STORAGE TANK RELEASE ENVIRONMENTAL  
CLEANUP INDEMNITY FUND; REQUIRING WRITTEN REPORTS;  
SPECIFYING NUMBER AND MAXIMUM ANNUAL SALARY FOR  
CERTAIN UNCLASSIFIED CORPORATION COMMISSION  
EMPLOYEES; DIRECTING THE EXPENDITURE OF CERTAIN  
FUNDS FOR A POLLUTION RESPONSE TEAM; PROVIDING  
LEGISLATIVE INTENT; PROVIDING FOR DUTIES AND  
COMPENSATION OF EMPLOYEES; PROVIDING BUDGETARY

LIMITATIONS; DIRECTING THE UTILIZATION OF AUTHORIZED FULL-TIME-EQUIVALENT EMPLOYEES FOR CERTAIN PURPOSES; MAKING AN APPROPRIATION TO THE OKLAHOMA HORSE RACING COMMISSION; STATING PURPOSE; PROVIDING FOR DUTIES AND COMPENSATION OF EMPLOYEES; LIMITING THE SALARY OF THE DIRECTOR; PROVIDING BUDGETARY LIMITATIONS; MAKING AN APPROPRIATION TO THE STATE INSURANCE DEPARTMENT; STATING PURPOSE; PROVIDING FOR DUTIES AND COMPENSATION OF EMPLOYEES; PROVIDING BUDGETARY LIMITATIONS; MAKING AN APPROPRIATION TO THE OKLAHOMA LIQUEFIED PETROLEUM GAS BOARD; STATING PURPOSE; PROVIDING FOR DUTIES AND COMPENSATION OF EMPLOYEES; LIMITING THE SALARY OF THE ADMINISTRATOR; PROVIDING BUDGETARY LIMITATIONS; MAKING AN APPROPRIATION TO THE DEPARTMENT OF MINES; STATING PURPOSE; PROVIDING FOR DUTIES AND COMPENSATION OF EMPLOYEES; LIMITING THE SALARY OF THE EXECUTIVE DIRECTOR; PROVIDING BUDGETARY LIMITATIONS; MAKING AN APPROPRIATION TO THE OKLAHOMA SECURITIES COMMISSION; STATING PURPOSE; PROVIDING FOR DUTIES AND COMPENSATION OF EMPLOYEES; LIMITING THE SALARY OF THE ADMINISTRATOR; PROVIDING BUDGETARY LIMITATIONS; PROVIDING LAPSE DATE; PROVIDING AN EFFECTIVE DATE; AND DECLARING AN EMERGENCY.

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

DEPARTMENT OF AGRICULTURE

SECTION 1. There is hereby appropriated to the Department of Agriculture 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 Two Hundred Seventy-three Thousand One Hundred Thirty-one Dollars (\$14,273,131.00) or so much thereof as may be required to perform the duties imposed upon the Department of Agriculture by law.

SECTION 2. There is hereby appropriated to the Department of Agriculture 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 Hundred Thousand Dollars (\$500,000.00) or so much thereof as may be required to perform the duties imposed upon the Department of Agriculture by law.

SECTION 3. There is hereby appropriated to the State Department of Agriculture the sum of One Hundred Seventy Thousand Dollars (\$170,000.00) from any monies not otherwise appropriated from the General Revenue Fund of the State Treasury for the fiscal year ending June 30, 1993, or so much thereof as may be required for the purposes of the AGLINK/Agriculture Mediation Program. The State Board of Agriculture shall require a budget work plan and monthly reports on the expenditures and workload of the AGLINK/Agriculture Mediation Program.

SECTION 4. There is hereby appropriated to the State Department of Agriculture the sum of Two Hundred Thousand Dollars (\$200,000.00) from any monies not otherwise appropriated from the General Revenue Fund of the State Treasury for the fiscal year ending June 30, 1993, to provide operational grants to rural fire departments.

It is the intent of the Legislature that the grants funded by the appropriation made in this section be limited to One Thousand Five Hundred Dollars (\$1,500.00) per municipality. Rural Fire Departments organized under Titles 18 and 19 of the Oklahoma Statutes and municipalities with a population of three thousand (3,000) or below are eligible for these grants. A municipality's grant shall be reduced by one percent (1%) of the total grant amount for each One Thousand Dollars (\$1,000.00) of sales tax collected

annually by the municipality. These grants shall be expended only for workers' compensation insurance, vehicle insurance, protective clothing costs, or other operating costs.

SECTION 5. There is hereby appropriated to the State Department of Agriculture the sum of Two Hundred Thousand Dollars (\$200,000.00) from any monies not otherwise appropriated from the General Revenue Fund of the State Treasury for the fiscal year ending June 30, 1993, and the sum of Five Hundred Thousand Dollars (\$500,000.00) from any monies not otherwise appropriated from the General Revenue Fund of the State Treasury for the fiscal year ending June 30, 1991, to provide the state share for grants to rural fire protection coordination districts pursuant to the Rural Fire Protection Program Fund Act.

It is the intent of the Legislature that these funds shall be only expended for the purposes specified by Section 901.56 of Title 19 of the Oklahoma Statutes.

SECTION 6. There is hereby appropriated to the State Department of Agriculture the sum of Fifty Thousand Dollars (\$50,000.00) from any monies not otherwise appropriated from the General Revenue Fund of the State Treasury for the fiscal year ending June 30, 1993, for purposes of establishing a statewide dry fire hydrant program in conjunction with substate planning districts with no district 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 nonstate resources by the districts.

SECTION 7. It is the intent of the Legislature that from any monies appropriated, Two Hundred Eight Thousand Dollars (\$208,000.00) shall be used for salaries, benefits and other personnel costs of the eight McGee Creek Fire Protection full-time employees.

SECTION 8. The duties and compensation of employees, not otherwise prescribed by law, necessary to perform the duties imposed

upon the State Department of Agriculture by law shall be set by the Director. The salary of the Director shall not exceed Sixty-three Thousand Dollars (\$63,000.00) per annum, payable monthly for the fiscal year ending June 30, 1993. The State Department of Agriculture, 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 Part-time Employees in the Forestry, Plant, and Animal Industry Divisions and Fruit and Vegetable Graders	540.0
Payroll, Salaries or Wages, Including Tax-sheltered Deferment Contracts and Longevity Payments Authorized by State Statutes	\$13,403,984.00
Professional and Personal Services Contracts	\$1,162,120.00
Purchase of Equipment	\$786,145.00
Lease-Purchase Agreements	\$19,710.00
Receipt of Federal Funds	\$4,117,000.00
Total Expenditures for Operations	\$24,429,362.00

COMMISSION ON CONSUMER CREDIT

SECTION 9. There is hereby appropriated to the Commission on Consumer Credit 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 Seven Hundred Forty-one Thousand Six Hundred Fifty-six Dollars (\$741,656.00) or so much thereof as may be required to perform the duties imposed upon the Commission on Consumer Credit by law.

SECTION 10. The duties and compensation of employees, not otherwise prescribed by law, necessary to perform the duties imposed upon the Commission on Consumer Credit by law shall be set by the Director. 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 Commission on Consumer Credit, 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	17.0
Payroll, Salaries or Wages, Including Tax-sheltered Deferment Contracts and Longevity Payments Authorized by State Statutes	\$445,000.00
Professional and Personal Services Contracts	\$44,700.00
Purchase of Equipment	\$7,386.00
Lease-Purchase Agreements	\$0.00
Expenditure of Federal Funds	\$0.00
Expenditure of Revolving Funds	\$22,000.00
Total Expenditures for Operations	\$771,656.00

CORPORATION COMMISSION

SECTION 11. There is hereby appropriated to the Corporation 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 Twenty-six Thousand One Hundred Sixty-one Dollars (\$5,026,161.00) or so much thereof as may be necessary to perform the duties imposed upon the Corporation Commission by law.

SECTION 12. The Corporation Commission is hereby authorized to expend from any monies available in the Conservation Fund of the State Treasury and the Corporation Commission Revolving Fund an amount not to exceed Five Hundred Thousand Dollars (\$500,000.00), to plug or repair any oil, gas, injection or disposal well which is causing surface or subsurface pollution, pursuant to the provisions of Section 318 of Title 52 of the Oklahoma Statutes.

SECTION 13. A. Reimbursement from the Petroleum Storage Tank Release Environmental Cleanup Indemnity Fund for costs incurred by the Corporation Commission for the administration of the Indemnity Fund shall not exceed Seven Hundred Thousand Dollars (\$700,000.00) for the fiscal year ending June 30, 1993.

B. The Commission shall make written reports on a quarterly basis to the Speaker of the House of Representatives and the President Pro Tempore of the Senate detailing expenditures on agency or fund personnel and equipment and investigation expenses concerning and incurred as a result of administering such Indemnity Fund.

SECTION 14. The authorized number and maximum annual salary, payable monthly, for the unclassified employee positions utilized in the operation of the Corporation Commission shall be as set forth below. The amounts listed do not constitute an appropriation but are listed to establish salary maximums only for the fiscal year ending June 30, 1993.

TITLE	NUMBER AUTHORIZED	MAXIMUM SALARY
Senior Rate Analyst	1	\$44,646.00
General Administrator	1	\$55,162.00
Director, Data Processing	1	\$55,162.00
Administrative Aide	3	\$39,969.00

SECTION 15. From any monies appropriated in this act to the Corporation Commission, One Hundred Thousand Dollars (\$100,000.00)

inclusive of salaries shall be expended for a pollution response team to respond to and investigate reports of pollution.

SECTION 16. It is the intent of the Legislature that One Hundred Twenty Thousand Dollars (\$120,000.00) shall be spent from any monies available in the Corporation Commission Revolving Fund to implement the provisions of Section 40.1 of Title 17 of the Oklahoma Statutes.

SECTION 17. 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, 1993, 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	377.9
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	\$1,570,310.00
Purchase of Equipment	\$138,830.00
Lease-Purchase Agreements	\$155,500.00
Expenditure of Federal Funds	\$1,371,329.00
Total Expenditures for Operations	\$17,819,801.00

SECTION 18. Of the three hundred seventy-seven and nine-tenths (377.9) full-time-equivalent employees authorized in Section 17 of

this act, seven (7.0) shall be utilized to perform Underground Storage Tank duties as authorized in the Oklahoma Underground Storage Tank Regulation Act and the Oklahoma Petroleum Underground Release Indemnity Program. The continuation of these full-time-equivalent employees is contingent upon sufficient funding under the Underground Storage Tank Regulation Act, and the Oklahoma Petroleum Underground Release Indemnity Program, to support them.

SECTION 19. Of the three hundred seventy-seven and nine-tenths (377.9) full-time-equivalent employees authorized in Section 17 of this act, fourteen (14.0) shall perform duties in accordance with the Underground Injection Control Program, five (5.0) shall perform duties in accordance with the Underground Storage Tank Program and two (2.0) shall perform duties in accordance with the Leaking Underground Storage Tank Program. The continuation of these full-time-equivalent employees is contingent upon sufficient federal funding to support them.

#### OKLAHOMA HORSE RACING COMMISSION

SECTION 20. There is hereby appropriated to the Oklahoma Horse Racing 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 Two Million Six Hundred Fifteen Thousand Three Hundred Seventy-one Dollars (\$2,615,371.00) or so much thereof as may be required to perform the duties imposed upon the Oklahoma Horse Racing Commission by law.

SECTION 21. 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 Sixty-two Thousand Five Hundred Forty-nine Dollars (\$62,549.00) per annum, payable monthly for the fiscal year ending June 30, 1993. The Oklahoma Horse Racing 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 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:

<u>Budgetary Limitation</u>	<u>Amount</u>
Total Race Days	545
Full-time-equivalent Employees	50.8
Payroll, Salaries or Wages, Including Tax-sheltered Deferment Contracts and Longevity Payments Authorized by State Statutes \$1,984,255.00	
Professional and Personal Services Contracts	\$84,000.00
Purchase of Equipment	\$59,096.00
Lease-Purchase Agreements	\$0.00
Expenditure of Revolving Funds	\$282,500.00
Expenditure of Federal Funds	\$0.00
Total Expenditures for Operations	\$2,897,871.00

STATE INSURANCE DEPARTMENT

SECTION 22. There is hereby appropriated to the State Insurance 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 Seven Hundred Fifty-six Thousand Five Hundred Six Dollars (\$2,756,506.00) or so much thereof as may be required to perform the duties imposed upon the State Insurance Department by law.

SECTION 23. The duties and compensation of employees, not otherwise prescribed by law, necessary to perform the duties imposed upon the State Insurance Department by law shall be set by the Insurance Commissioner. The State Insurance 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 Full-time-equivalent Employees	108.0
Payroll, Salaries or Wages, Including Tax-sheltered Deferment Contracts and Longevity Payments Authorized by State Statutes	\$2,994,230.00
Professional and Personal Services Contracts	\$50,000.00
Purchase of Equipment	\$63,000.00
Lease-Purchase Agreements	\$0.00
Lease of Office Space	\$307,818.00
Expenditure of Federal Funds	\$0.00
Expenditure of Revolving Funds	\$2,191,678.00
Total Expenditures for Operations	\$4,948,184.00

LIQUEFIED PETROLEUM GAS BOARD

SECTION 24. There is hereby appropriated to the Oklahoma Liquefied Petroleum Gas 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 Four Hundred Nineteen Thousand Eight Hundred Thirty-six Dollars (\$419,836.00) or so much thereof as may be necessary to perform the duties imposed upon the Oklahoma Liquefied Petroleum Gas Board by law.

SECTION 25. The duties and compensation of employees, not otherwise prescribed by law, necessary to perform the duties imposed upon the Oklahoma Liquefied Petroleum Gas Board by law shall be set by the Administrator. The salary of the Administrator shall not exceed Thirty-eight Thousand Nine Hundred Nineteen Dollars (\$38,919.00) per annum, payable monthly for the fiscal year ending June 30, 1993. The Oklahoma Liquefied Petroleum Gas 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	11.0
Payroll, Salaries or Wages, Including Tax-sheltered Deferment Contracts and Longevity Payments Authorized by State Statutes	\$25,110.00
Professional and Personal Services Contracts	\$200.00
Purchase of Equipment	\$1,200.00
Lease-Purchase Agreements	\$0.00
Expenditure of Federal Funds	\$0.00
Total Expenditures for Operations	\$419,836.00

DEPARTMENT OF MINES

SECTION 26. There is hereby appropriated to the Department of Mines 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 Eighty-two Thousand Eight Hundred Eighty-seven Dollars (\$1,082,887.00) or so much thereof as may be necessary to perform the duties imposed upon the Department of Mines 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 Mines by law shall be set by the Director. The salary of the Executive Director shall not exceed Forty-five Thousand Seven Hundred Thirty-eight Dollars (\$45,738.00) per annum payable monthly for the fiscal year ending June 30, 1993. The Department of Mines, for the fiscal year ending June 30, 1993, shall be subject to the following budgetary limitations on full-time-equivalent employees and 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	59.5
Payroll, Salaries or Wages, Including Tax-sheltered Deferment Contracts and Longevity Payments Authorized by State Statutes	\$1,690,084.00
Professional and Personal Services Contracts	\$97,900.00
Purchase of Equipment	\$78,000.00
Lease-Purchase Agreements	\$0.00
Expenditure of Federal Funds	\$1,059,342.00
Expenditure of Revolving Funds	\$769,000.00
Total Expenditures for Operations	\$2,911,229.00

OKLAHOMA SECURITIES COMMISSION

SECTION 28. There is hereby appropriated to the Oklahoma Securities 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 Eight Hundred Fifty-nine Thousand Three Hundred Forty-five Dollars (\$859,345.00) or so much thereof as may be required to perform the duties imposed upon the Oklahoma Securities Commission by law.

SECTION 29. The duties and compensation of employees, not otherwise prescribed by law, necessary to perform the duties imposed upon the Oklahoma Securities Commission by law shall be set by the Administrator. The salary of the Administrator shall not exceed Sixty-three Thousand Dollars (\$63,000.00) per annum, payable monthly for the fiscal year ending June 30, 1993. The Oklahoma Securities 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	39.0

Payroll, Salaries or Wages, Including Tax-sheltered Deferment  
Contracts and Longevity Payments Authorized by State Statutes  
\$1,314,477.00

Professional and Personal Services Contracts	\$11,500.00
Purchase of Equipment	\$26,838.00
Lease-Purchase Agreements	\$9,408.00
Expenditure of Federal Funds	\$0.00
Expenditure of Revolving Funds	\$960,768.00
Total Expenditures for Operations	\$1,820,113.00

SECTION 30. 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 31. This act shall become effective July 1, 1992.

SECTION 32. 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.

43-2-1549            TAD