

ENROLLED SENATE  
BILL NO. 393

By: Taylor and Haney of the  
Senate

and

Hamilton (James) and  
Steidley of the House

An Act relating to natural resource and regulatory agencies; amending Sections 3, 20, 48, 49, 50, 53, 57, 58 and 59 of Enrolled Senate Bill No. 575 of the 1st Session of the 44th Oklahoma Legislature, Section 62 of Enrolled Senate Bill No. 383 of the 1st Session of the 44th Oklahoma Legislature, as amended by Section 1 of Enrolled House Bill No. 1831 of the 1st Session of the 44th Oklahoma Legislature, Sections 2, 8, 19, 22, 28, 35 and 43 of Enrolled House Bill No. 1831 of the 1st Session of the 44th Oklahoma Legislature, 14A O.S. 1991, Section 3-506, as amended by Section 24 of Enrolled House Bill No. 1831 of the 1st Session of the 44th Oklahoma Legislature (14A O.S. Supp. 1992, Section 3-506), 74 O.S. 1991, Section 5017, as amended by Section 1, Chapter 198, O.S.L. 1992 (74 O.S. Supp. 1992, Section 5017), and Section 24 of Enrolled House Bill No. 1829 of the 1st Session of the 44th Oklahoma Legislature, which relate to appropriations and budgetary limits for the Department of Agriculture, the State Banking Department, Community Action Agencies, the Commission on Consumer Credit, the Department of Environmental Quality, the Oklahoma Horse Racing Commission, the State Insurance Department, the Department of Labor, the Department of Mines, the Oklahoma Tourism and Recreation Department and the Oklahoma Water Resources Board, the transfer of funds by the Oklahoma Employment Security Commission, additional functions and responsibilities of the Department of Commerce and certain activities of the Commission on Consumer Credit; modifying appropriation; modifying budgetary limits; making technical corrections; clarifying language; providing for flexibility with regard to certain fee; modifying salary limit for certain Executive Director; excluding certain expenditures from budgetary limits; providing for the transfer of certain monies between certain revolving funds; modifying certain trade center program requirements; authorizing certain expenditure of certain funds; modifying purposes of certain appropriation; removing certain limit; making

certain appropriations nonfiscal; providing lapse date; and providing an effective date.

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

SECTION 1. AMENDATORY Section 3 of Enrolled Senate Bill No. 575 of the 1st Session of the 44th Oklahoma Legislature, is amended to read as follows:

Section 3. Of the funds appropriated in Sections 1 and 2 of this act, the following amounts shall be expended in the following categories:

|  |                 |
|--|-----------------|
| Administration Division  | \$1,685,832.00  |
| Statistical Reporting Division   | \$70,910.00     |
| Animal Industry Division   | \$3,508,383.00  |
| Plant Industry and Consumer Services Division  | \$653,328.00    |
| Forestry Division  | \$4,305,460.00  |
| Agriculture Laboratory Division  | \$1,121,481.00  |
| Predatory Animal Control Division  | \$504,730.00    |
| Market Development Division  | \$647,456.00    |
| Rural Development Service  | \$48,882.00     |
| Brucellosis Depopulation and <u>other Brucellosis related</u> Expenses   | \$142,575.00    |
| Oklahoma State University for the Statewide Intensive Financial Management Assistance Program  | \$117,562.00    |
| Poultry Research and Disease Control Research Programs and Employment of a State Poultry Veterinarian and an Area Poultry Specialist | \$237,625.00    |
| Tick Research  | \$20,970.00     |
| Wheat Root Rot/Nematode Complex Research   | \$20,645.00     |
| Peanut Pod Rot and Field Demonstration Research  | \$35,001.00     |
| Total Research Programs  | \$76,617.00     |
| TOTAL  | \$13,120,841.00 |

SECTION 2. AMENDATORY Section 62 of Enrolled Senate Bill No. 383 of the 1st Session of the 44th Oklahoma Legislature, as amended by Section 1 of Enrolled House Bill No. 1831 of the 1st

Session of the 44th Oklahoma Legislature, is amended to read as follows:

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, 1994, the sum of ~~Two Million Two Hundred Twenty-two Thousand Seven Hundred Fifty Dollars (\$2,222,750.00)~~ Two Million One Hundred Eighty-seven Thousand Four Hundred Twenty-seven Dollars (\$2,187,427.00) or so much thereof as may be necessary to perform the duties imposed upon the State Banking Department by law.

SECTION 3. AMENDATORY Section 2 of Enrolled House Bill No. 1831 of the 1st Session of the 44th Oklahoma Legislature, is amended to read as follows:

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, 1994, 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<br>Tax-sheltered Deferment Contracts<br>and Longevity Payments Authorized<br>by State Statutes | \$1,665,000.00                                     |
| Professional and Personal Services Contracts   | \$2,500.00   |
| Lease-Purchase Agreements  | \$0.00   |
| Purchase of Equipment  | \$40,000.00  |
| Expenditure of Revolving Funds   | \$560,000.00                                       |
| Expenditure of Federal Funds   | \$0.00   |
| Total Expenditures for Operations  | <del>\$2,886,450.00</del><br><u>\$2,978,342.00</u> |

SECTION 4. AMENDATORY Section 8 of Enrolled House Bill No. 1831 of the 1st Session of the 44th Oklahoma Legislature, is amended to read as follows:

Section 8. A. Of the One Million Five Hundred Eighty-seven Thousand Seven Hundred Sixty-nine Dollars (\$1,587,769.00) appropriated to the Department of Commerce for the purpose of funding Community Action Agencies in Section 5 of this act, Eight Hundred Nine Thousand Nine Hundred Fourteen Dollars (\$809,914.00) shall be distributed by formula to the Headstart Programs operated by Community Action Agencies less an amount to those Community Action Agencies who do not administer the Headstart Program. This amount shall be based on the regular formula. The distribution of the remaining Seven Hundred Seventy-seven Thousand Eight Hundred Fifty-five Dollars (\$777,855.00) shall be based on the regular formula. The Oklahoma Department of Commerce shall determine the Headstart Program and the regular formulas by referencing historical

data such as poverty population, elderly poor, geographic service area and criteria used by the U.S. Department of Health and Human Services in the distribution of federal funds appropriated for the Headstart Program.

B. From within the funds appropriated in Section 5 of this act, the Oklahoma Department of Commerce may establish a Headstart Coordination Program to coordinate the Headstart activities operated by community action agencies. The Department may establish a contract with the Oklahoma Association of Community Action Agencies. The contractor shall submit an annual report as required by the rules and regulations of the Oklahoma Department of Commerce. The contract shall be exempt from the Central Purchasing Act.

SECTION 5. AMENDATORY 74 O.S. 1991, Section 5017, as amended by Section 1, Chapter 198, O.S.L. 1992 (74 O.S. Supp. 1992, Section 5017), is amended to read as follows:

Section 5017. In addition to other functions and responsibilities of the Oklahoma Department of Commerce, the Department shall:

1. Administer or coordinate state programs and projects relating to economic or community issues for the planning and carrying out of the acquisition, preservation, use and development of land and provision of public facilities and services for fully carrying out the state's role in related federal grant or loan programs;

2. Administer and coordinate state programs and projects relating to economic opportunity, manpower planning and federal public service employment for fully carrying out the state's role in related federal grant or loan programs;

3. Where not otherwise authorized by state law, provide state participation with cities, towns, counties and other municipal corporations in financing public works projects and service programs. The assisted projects and programs shall be consistent with local, regional and state comprehensive plans and policies;

4. Coordinate and review applications for federal assistance as required by the federal government and review all other applications for participation in any federal grant or loan program by any public body.

Provided, however, that nothing in this section shall be construed to grant the Department the authority to disapprove such application;

5. Cooperate with and provide technical and financial assistance to counties, cities, municipal corporations and agencies owned and controlled by them, governmental conferences or councils, regional planning commissions, community development groups, community action agencies, Indian tribes and similar agencies created for the purposes of aiding and encouraging an orderly, productive and coordinated development of the state, and to strengthen local planning responsibility and capability;

6. ~~Provide~~ Coordinate a program on an experimental basis ~~from June 1, 1993, through three full market cycles ending May 31, 1996, for the establishment of market space of not less than six hundred (600) square feet~~ in world trade centers in contiguous states for Oklahoma gift manufacturers. ~~The Department shall require reimbursement~~ Reimbursement may be required from gift manufacturers participating in such market space program for funds expended for such purposes. It is the intent of the Legislature that the ~~Department of Commerce~~ program:

- a. limit the experimental market space program to Oklahoma gift manufacturers which employ no more than fifty employees; and

- b. limit the amount of reimbursement required from the gift manufacturers participating in such market space program to an amount not to exceed twenty percent (20%) of the gross sales of such manufacturer or not to exceed the normal and customary amount received by market space representatives in contiguous states.

~~The Department of Commerce shall promulgate appropriate rules and regulations for the implementation of this paragraph.~~

For purposes of this paragraph, "gift manufacturer" means any Oklahoma manufacturer who manufactures apparel products, lumber and wood products, furniture and fixtures, ceramics, paper and allied products, rubber and miscellaneous plastic products, leather and leather products, stone, clay, and glass products, fabricated metal and other similar items normally sold to persons for gift purposes;

7. Assist the Governor in coordinating the activities of state agencies which have an impact on the solution of economic or community development problems and the implementation of economic or community plans;

8. Encourage and, when requested, assist the efforts of local governments to develop mutual and cooperative solutions to their common problems;

9. Study existing legal provisions that affect the structure and financing of local government and those state activities which involve significant relations with local governmental units in cooperation with local governments and agencies owned by them and recommend to the Governor and the Legislature such changes in these provisions and activities as may seem necessary to strengthen local government;

10. Carry out continuing studies and analyses of the problems faced by communities within the state and develop such recommendations for administrative or legislative action as would appear necessary. In carrying out such studies and analyses, particular attention should be paid to the problems of regional, metropolitan, urban, suburban, rural and other areas in which economic and population factors are rapidly changing;

11. Develop and test model or demonstration programs and projects, which may include contracting to administer certain functions or services of the state for such purposes and otherwise provide a program of practical research in the solution of community problems;

12. Collect reasonable personnel costs for staff time spent in the search for and duplication of records if such time exceeds one hour; and

13. Collect reasonable fees for informational publications and materials produced by Department of Commerce in accomplishing its mission.

SECTION 6. From the funds appropriated in Section 4 of Enrolled House Bill No. 1831 of the 1st Session of the 44th Oklahoma Legislature, the Oklahoma Department of Commerce may expend up to Seventy-five Thousand Dollars (\$75,000.00) for the purpose of district area marketing programs. An agreement may be developed with the Oklahoma Department of Agriculture to accomplish this purpose.

SECTION 7. AMENDATORY Section 20 of Enrolled Senate Bill No. 575 of the 1st Session of the 44th Oklahoma Legislature, is amended to read as follows:

Section 20. Of the amount in Section 19 of ~~this act~~ Enrolled Senate Bill No. 575 of the 1st Session of the 44th Oklahoma Legislature for Field Service, the amount of One Hundred Thousand Dollars (\$100,000.00) shall be used for purposes of ~~supporting~~

marketing and rural development. The Oklahoma Conservation Commission shall be authorized to support 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 nonstate resources by the counties.

SECTION 8. AMENDATORY Section 22 of Enrolled House Bill No. 1831 of the 1st Session of the 44th Oklahoma Legislature, is amended to read as follows:

Section 22. The funds appropriated by Section 65 of Enrolled Senate Bill No. 383 of the 1st Session of the 44th Oklahoma Legislature, as amended by Section 21 of this act, shall be expended the following categories and amounts:

|                          |  |
|--------------------------|--|
| Personal Services        | <del>\$535,000.00</del><br><u>\$533,987.00</u> |
| Other Operating Expenses | <u>131,656.00</u>                              |
| TOTAL                    | \$665,643.00                                   |

SECTION 9. AMENDATORY 14A O.S. 1991, Section 3-506, as amended by Section 24 of Enrolled House Bill No. 1831 of the 1st Session of the 44th Oklahoma Legislature, is amended to read as follows:

Section 3-506. (1) At such times as the Administrator shall deem necessary, the Administrator or his duly authorized representative shall make an examination of the place or places of business of each licensee and shall inquire into and examine the loans, transactions, books, accounts, papers, correspondence, and records of such licensee insofar as they pertain to the business regulated by this act. In the course of such examination, the Administrator or his duly authorized representative shall have free access to the office, place of business, files, safes and vaults of such licensee, and shall have the right to make copies of such books, accounts, papers, correspondence and records. The Administrator or his duly authorized representative may, during the course of such examination, administer oaths and examine any person under oath upon any subject pertinent to any matter about which the Administrator is authorized or required by this act to consider, investigate, or secure information. Any licensee who shall fail or refuse to let the Administrator or his duly authorized representative examine or make copies of such books, or other relevant documents shall thereby be deemed in violation of this act and such failure or refusal shall constitute grounds for the suspension or revocation of such license. The information obtained in the course of such examination shall be confidential. Each licensee shall pay to the Administrator an amount assessed by the Administrator to cover the direct and indirect cost of such examination and a proportionate share of general administrative expense, ~~and~~ not to exceed Three Hundred Dollars (\$300.00); provided, however, that for any examination which lasts in excess of eight (8) hours, the Administrator shall charge an additional fee of Fifty Dollars (\$50.00) per hour for each examiner required to complete such an examination; provided, further, that the Administrator may waive the examination fee for any examination which takes one (1) hour or less. No licensee shall be assessed and charged an examination fee in excess of Six Hundred Dollars (\$600.00) for each licensed office in any one (1) calendar year.

(2) For the purpose of discovering violations of this act or of securing information required hereunder, the Administrator or his duly authorized representative may investigate the books, accounts, papers, correspondence and records of any licensee or other person whom the Administrator has reasonable cause to believe is violating any provision of this act whether or not such person shall claim to be within the authority or scope of this part. For the purpose of this part any person who advertises for, solicits or holds himself out as willing to make loans on which the loan finance charge exceeds ten percent (10%) per year as determined according to the provisions on loan finance charges for consumer loans, ~~(Section 3-201)~~ of this title, shall be presumed to be engaged in the business of making supervised loans.

(3) Each licensee shall keep or make available in this state such books and records relating to loans made under this act as are necessary to enable the Administrator to determine whether the licensee is complying with this act. Such books and records shall be consistent with accepted accounting practices.

(4) Each licensee shall preserve or make available such books and records in this state relating to each of its loans for four (4) years from the date of the loan, or two (2) years from the date of the final entry made thereon, whichever is later. Each licensee's system of records shall be accepted if it discloses such information as may be reasonably required under this act. All obligations signed by borrowers shall be kept at an office in this state designated by the licensee, except when transferred under an agreement which gives the Administrator access thereto.

(5) Each licensee shall, annually on or before the first day of May or other date thereafter fixed by the Administrator, file a report with the Administrator setting forth such relevant information as the Administrator may reasonably require concerning the business and operations during the preceding calendar year for each licensed place of business conducted by such licensee with the state. Such report shall be made under oath and shall be in the form prescribed by the Administrator, who shall make and publish annually a consolidated analysis and recapitulation of such reports, but the individual reports shall be held confidential.

(6) The Administrator may ~~make regulations~~ promulgate rules necessary for the enforcement of this act and consistent with all of its provisions. Each such ~~regulation rule~~ shall refer to the part, section or subsection to which it applies. Before ~~making~~ adopting a regulation rule the Administrator shall give every licensee at least thirty (30) days' written notice of a public hearing, stating the time and place thereof and the terms or substance of the proposed ~~regulation rule~~. At the hearing, any licensee or other person may be heard and introduce evidence, data, or arguments or place the same on file. The Administrator shall adopt and promulgate every ~~regulation rule~~ in written form stating the date of adoption and the date of promulgation. Each ~~regulation rule~~ shall be entered in a permanent book which shall be a public record and be kept in the Administrator's office. A copy of every ~~regulation rule~~ shall be mailed to each licensee and no ~~regulation rule~~ shall become effective until the expiration of at least twenty (20) days after such mailing.

(7) On application of any person and payment of the costs therefor, the Administrator shall furnish under his seal and signed by him or his assistants, a certificate of good standing or a certified copy of any license, ~~regulation rule~~ or order.

(8) Any transcript of any hearing held by the Administrator under this act shall be a public record and open to inspection at all reasonable times.

(9) Upon failure without lawful excuse to obey a subpoena or to give testimony and upon reasonable notice to all persons affected thereby, the Administrator may apply to a court for an order compelling compliance, as provided by the ~~general act of this state governing administrative procedures (Title 75, Oklahoma Statutes, Chapters 7 and 8)~~ Administrative Procedures Act.

SECTION 10. AMENDATORY Section 48 of Enrolled Senate Bill No. 575 of the 1st Session of the 44th Oklahoma Legislature, is amended to read as follows:

Section 48. The duties and compensation of employees, not otherwise prescribed by law, necessary to perform the duties imposed upon the Department of Environmental Quality by law shall be set by the Executive Director. The salary of the Executive Director shall not exceed Seventy Thousand Dollars (\$70,000.00) per annum payable monthly for the fiscal year ending June 30, 1994. The Department of Environmental Quality, for the fiscal year ending June 30, 1994, 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   | 548.0           |
| Payroll, Salaries or Wages, Including<br>Tax-sheltered Deferment Contracts and<br>Longevity Payments<br>Authorized by State Statutes | \$19,736,733.00 |
| Professional and Personal Services<br>Contracts  | \$3,200,000.00  |
| Purchase of Equipment  | \$1,750,000.00  |
| Lease-Purchase Agreements  | \$105,000.00    |
| Expenditure of Federal Funds   | \$9,200,000.00  |
| Expenditure of Revolving Funds   | \$15,300,000.00 |
| Total Expenditures for Operations  | \$31,757,726.00 |

SECTION 11. AMENDATORY Section 49 of Enrolled Senate Bill No. 575 of the 1st Session of the 44th Oklahoma Legislature, is amended to read as follows:

Section 49. The Department of Environmental Quality is hereby directed to spend One Hundred Fifty Thousand Dollars (\$150,000.00) or so much thereof as may be necessary to contract for the services of a recognized management consultant to conduct a study to recommend an organizational structure and determine the personnel and other resource requirements to fulfill the demonstrated reasonable costs of operating the permit program established by 63 O.S. Supp. 1992, Section ~~1-814~~ 1-1814, as amended, and as required by the Federal Clean Air Act. The funding for the required study shall come from the Ten Dollars (\$10.00) per ton of regulated

contaminant fee established by 63 O.S. Supp. 1992, Section ~~1-814~~ 1-1814.

SECTION 12. AMENDATORY Section 50 of Enrolled Senate Bill No. 575 of the 1st Session of the 44th Oklahoma Legislature, is amended to read as follows:

Section 50. Positions authorized pursuant to Section 48 of ~~this act~~ Enrolled Senate Bill No. 575 of the 1st Session of the 44th Oklahoma Legislature shall be reviewed by the Environmental Management Oversight Task Force created pursuant to Section 349 of Enrolled House Bill No. 1002 of the 1st Session of the 44th Oklahoma Legislature. In addition to other unclassified positions as provided by law, the Executive Director of the Department of Environmental Quality may establish unclassified positions within the Office of Local Government Assistance, the Office of ~~Public~~ Citizen Assistance, and the Office of Business Assistance. Administrative and professional staff proposed to be in the unclassified service shall be subject to review by the Task Force.

The Office of Personnel Management is hereby directed to assist the Task Force in evaluating the job classifications and salary structure of the Department. On or before December 31, 1993, the Task Force shall issue a report making its recommendations concerning the job classifications.

SECTION 13. AMENDATORY Section 28 of Enrolled House Bill No. 1831 of the 1st Session of the 44th Oklahoma Legislature, 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 Oklahoma Horse Racing Commission by law shall be set by the Director. The salary of the Director shall not exceed Sixty-one Thousand Fifty-nine Dollars (\$61,059.00) per annum, payable monthly for the fiscal year ending June 30, 1994. The Oklahoma Horse Racing Commission, for the fiscal year ending June 30, 1994, 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>                                      |
|---|--|
| Full-time-equivalent Employees  | 48.0   |
| Payroll, Salaries or Wages, Including Tax-sheltered Deferment Contracts and Longevity Payments Authorized by State Statutes<br>\$1,630,956.00 |  |
| Professional and Personal Services Contracts  | \$98,900.00  |
| Purchase of Equipment   | \$60,100.00  |
| Lease-Purchase Agreements   | \$0.00   |
| Expenditure of Revolving Funds  | \$400,000.00                                       |
| Expenditure of Federal Funds  | \$0.00   |
| Total Expenditures for Operations   | <del>\$2,374,740.00</del><br><u>\$2,386,740.00</u> |

SECTION 14. AMENDATORY Section 35 of Enrolled House Bill No. 1831 of the 1st Session of the 44th Oklahoma Legislature, is amended to read as follows:

Section 35. 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, 1994, 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  | 115.0  |
| Payroll, Salaries or Wages, Including Tax-sheltered Deferment Contracts and Longevity Payments Authorized by State Statutes | \$3,286,730.00                                 |
| Professional and Personal Services Contracts  | \$100,000.00                                   |
| Purchase of Equipment   | \$140,115.00                                   |
| Lease-Purchase Agreements   | \$0.00   |
| Lease of Office Space   | <del>\$312,368.00</del><br><u>\$313,650.00</u> |
| Expenditure of Federal Funds  |  |
| \$176,017.00  |  |
| Expenditure of Revolving Funds  | \$2,913,114.00                                 |
| Total Expenditures for Operations   | \$5,746,155.00                                 |

SECTION 15. AMENDATORY Section 43 of Enrolled House Bill No. 1831 of the 1st Session of the 44th Oklahoma Legislature, is amended to read as follows:

Section 43. 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, 1994, 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  | 132.0  |
| Payroll, Salaries or Wages, Including Tax-sheltered Deferment Contracts and Longevity Payments Authorized by State Statutes | <del>\$3,596,059.00</del><br><u>\$3,616,677.00</u> |
| Professional and Personal Services Contracts  | \$115,000.00                                       |
| Lease-Purchase Agreements   | \$0.00   |

|                                   |  |
|-----------------------------------|--|
| Purchase of Equipment             | \$250,000.00                                       |
| Expenditure of Revolving Funds    | <del>\$1,305,500.00</del><br><u>\$1,318,000.00</u> |
| Expenditure of Federal Funds      | \$1,098,673.00                                     |
| Total Expenditures for Operations | <del>\$5,670,342.00</del><br><u>\$5,700,965.00</u> |

SECTION 16. AMENDATORY Section 53 of Enrolled Senate Bill No. 575 of the 1st Session of the 44th Oklahoma Legislature, is amended to read as follows:

Section 53. 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 Executive Director. The salary of the Executive Director shall not exceed ~~Forty-three Thousand Five Hundred Sixty Dollars (\$43,560.00)~~ Forty-five Thousand Seven Hundred Thirty-eight Dollars (\$45,738.00) per annum payable monthly for the fiscal year ending June 30, 1994. The Department of Mines, for the fiscal year ending June 30, 1994, 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>                                      |
|---|--|
| Full-time-equivalent Employees  | <del>58.5</del><br><u>56.5</u>                     |
| 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  | \$100,000.00                                       |
| Purchase of Equipment   | \$100,000.00                                       |
| Lease-Purchase Agreements   | \$0.00   |
| Expenditure of Federal Funds  | \$1,400,000.00                                     |
| Expenditure of Revolving Funds  | <del>\$875,000.00</del><br><u>\$950,000.00</u>     |
| Total Expenditures for Operations   | <del>\$3,194,502.00</del><br><u>\$3,269,502.00</u> |

SECTION 17. AMENDATORY Section 24 of Enrolled House Bill No. 1829 of the 1st Session of the 44th Oklahoma Legislature, is amended to read as follows:

Section 24. 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, 1994, 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 825.5                                      |  |
| Payroll, Salaries or Wages, Including Tax-sheltered Deferment Contracts and Longevity Payments Authorized by State Statutes \$19,521,771.00 |  |
| Professional and Personal Services Contracts  | \$443,495.00   |
| Lease-Purchase Agreements   | \$327,388.00   |
| Purchase of Equipment   | \$2,240,516.00                                       |
| Expenditure of Revolving Funds  | <del>\$22,000,000.00</del><br><u>\$22,350,000.00</u> |
| Expenditure of Federal Funds  | \$2,265,000.00                                       |
| Total Expenditures for Operations   | \$46,201,763.00                                      |

SECTION 18. AMENDATORY Section 57 of Enrolled Senate Bill No. 575 of the 1st Session of the 44th Oklahoma Legislature, is amended to read as follows:

Section 57. 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, 1994. The Oklahoma Water Resources Board for the fiscal year ending June 30, 1994, 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   | 90.0   |
| Payroll, Salaries or Wages, Including Tax-sheltered Deferment Contracts and Longevity Payments Authorized by State Statutes<br><del>\$2,914,847.00</del> | <u>\$3,000,000.00</u>                              |
| Professional and Personal Services Contracts   | \$800,000.00                                       |
| Lease-Purchase Agreements  | \$10,680.00  |
| Purchase of Equipment  | \$241,000.00                                       |
| Expenditure of Revolving Funds   | \$1,482,438.00                                     |
| Expenditure of Federal Funds   | <del>\$3,241,966.00</del><br><u>\$3,796,000.00</u> |
| Total Expenditures for Operations  | <del>\$8,035,711.00</del><br><u>\$8,439,745.00</u> |

SECTION 19. AMENDATORY Section 58 of Enrolled Senate Bill No. 575 of the 1st Session of the 44th Oklahoma Legislature, is amended to read as follows:

Section 58. Of the ninety (90) full-time-equivalent employee positions authorized in Section ~~56~~ 57 of this act, five (5.0) full-time-equivalent employee positions shall be filled contingent upon receipt of Federal Clean Lakes Program grant funds as authorized in Section 314 of the Federal Clean Water Act.

SECTION 20. AMENDATORY Section 59 of Enrolled Senate Bill No. 575 of the 1st Session of the 44th Oklahoma Legislature, is amended to read as follows:

Section 59. Funds appropriated to the Oklahoma Water Resources Board in Section ~~70~~ 84 Chapter 234 and Section 37, Chapter 315, O.S.L. 1992, may be budgeted and expended for the fiscal year ending June 30, 1994, and may be budgeted and expended for the general operating expenses of the Oklahoma Water Resources Board regardless of the purpose for which the funds were budgeted by the agency for the fiscal year ending June 30, 1993.

SECTION 21. AMENDATORY Section 19 of Enrolled House Bill No. 1831 of the 1st Session of the 44th Oklahoma Legislature, is amended to read as follows:

Section 19. The Oklahoma Employment Security Commission shall transfer an amount not to exceed ~~Two Hundred Twenty-five Thousand Dollars (\$225,000.00)~~ Eighty Thousand Dollars (\$80,000.00) 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 22. The appropriations made by Sections 20 through 22 of Enrolled House Bill No. 1829 of the 1st Session of the 44th Oklahoma Legislature 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 23. The appropriations made by this act shall be subject to fiscal year limitations and may be encumbered through June 30, 1994. Any unexpended funds remaining after November 15, 1994, shall lapse and be transferred to the credit of the proper fund for the then current fiscal year.

SECTION 24. This act shall become effective September 1, 1993.  
Passed the Senate the 28th day of May, 1993.

President of the Senate

Passed the House of Representatives the 28th day of May, 1993.

Speaker of the House of Representatives