

ENROLLED SENATE  
BILL NO. 914

By: Taylor and Haney of the  
Senate

and

Hamilton (James) and  
Steidley of the House

An Act relating to business regulatory entities; making appropriations to the State Department of Agriculture; stating purposes; requiring certain work plan and reports; designating funds and limiting certain grants; specifying requirements for certain designated funds; providing for duties and compensation of employees; limiting the salary of the Commissioner; providing budgetary limitations; providing for certain contracted responsibilities; specifying purposes; authorizing disallowance of certain expenditures; requiring certain audit; authorizing certain expenditure of appropriation regardless of prior purpose; making appropriations to the Oklahoma Horse Racing Commission; providing for duties and compensation of employees; limiting the salary of the Director; providing budgetary limitations; authorizing certain expenditure of appropriation regardless of prior purpose; making appropriations to the State Insurance Department; providing for duties and compensation of employees; providing budgetary limitations; excluding certain expenditures from certain budgetary limitations; authorizing certain expenditure of appropriation regardless of prior purpose; making appropriations to the Department of Labor; specifying the purpose of certain funds; providing for duties and compensation of employees; providing budgetary limitations; making certain positions contingent on federal funds; requiring certain reports and specifying content; requiring cooperation between certain agencies; authorizing certain expenditure of appropriation regardless of prior purpose; making appropriations to the Oklahoma Board of Private Vocational Schools; providing for duties and compensation of employees; limiting the salary of the Director; providing budgetary limitations; authorizing certain expenditure of appropriation regardless of prior purpose; and providing a lapse date.

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

STATE DEPARTMENT OF AGRICULTURE

SECTION 1. There is hereby appropriated to the State 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, 1995, the sum of One Million One Hundred Forty-five Thousand Three Hundred Eighty-six Dollars (\$1,145,386.00) or so much thereof as may be necessary to perform the duties imposed upon the State Department of Agriculture by law.

SECTION 2. Of the funds appropriated by Section 1 of this act and by Section 85 of Enrolled Senate Bill No. 896 of the 2nd Session of the 44th Oklahoma Legislature, the following amounts shall be expended in the following categories:

Administration Division	\$2,045,417.00
Statistical Reporting Division	72,731.00
Animal Industry Division	3,589,422.00
Predatory Animal Control Program	517,174.00
Brucellosis Depopulation and other Brucellosis-related Expenses	
142,575.00	
Forestry Division	4,401,979.00
Rural Fire Fighter Coordinators	494,000.00
Operational Grants to Rural Fire Departments	200,000.00
Rural Fire Protection Program	200,000.00
Dry Fire Hydrant Program	50,000.00
Plant Industry and Consumer Services	
Division	1,017,192.00
Agricultural Laboratory Division	1,319,311.00
Market Development Division	554,133.00
Rural Development Services	49,489.00
AGLink/Mediation Program	163,386.00
Oklahoma State University for the Statewide Intensive Financial	
Management Assistance Program	117,562.00
Oklahoma State University Animal Diagnostic Laboratory Equipment	
47,525.00	
Poultry Research and Disease Control Research Programs and	
Employment of a State Poultry Veterinarian and an Area Poultry	
Specialist	237,625.00
Tick Research	50,970.00
Wheat Root Rot/Nematode Complex Research	20,645.00
Peanut Pod Rot and Field Demonstration Research	35,001.00
National Wheat Harvest Festival	10,000.00
Poultry Show	5,000.00
Center for International Trade Program	80,000.00
TOTAL	<u>\$15,421,137.00</u>

SECTION 3. 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. The funds designated for Operational Grants to Rural Fire Departments pursuant to Section 2 of this act shall be expended to provide operational grants to rural fire departments. The grants funded by this section shall be limited to One Thousand Five Hundred Dollars (\$1,500.00) per municipality.

SECTION 5. The funds designated for Rural Fire Protection Grants pursuant to Section 2 of this act shall be expended to provide the state share for grants to rural fire protection coordination districts pursuant to the Rural Fire Protection Program Fund Act.

These funds shall only be expended for the purposes specified by Section 901.56 of Title 19 of the Oklahoma Statutes.

SECTION 6. The funds designated for the Dry Fire Hydrant Program pursuant to Section 2 of this act shall be expended for the purposes of the statewide dry fire hydrant program in conjunction with substate planning districts with no such district to receive more than Five Thousand Dollars (\$5,000.00) under this section. State resources shall be matched on a one-to-one basis with nonstate resources.

SECTION 7. It is the intent of the Legislature that from any monies appropriated in Section 1 of this act and by Section 85 of Enrolled Senate Bill No. 896 of the 2nd Session of the 44th Oklahoma Legislature, at least the sum of One Hundred Eighty-eight Thousand Twenty Dollars (\$188,020.00) be used for salaries, benefits and other personnel costs of the eight (8) 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 Commissioner. The salary of the Commissioner shall not exceed Sixty-three Thousand Dollars (\$63,000.00) per annum, payable monthly for the fiscal year ending June 30, 1995. The State Department of Agriculture, for the fiscal year ending June 30, 1995, 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	534.5
Payroll, Salaries or Wages, Including Tax-sheltered Deferment Contracts and Longevity Payments Authorized by State Statutes	\$14,120,000.00
Professional and Personal Services Contracts	\$1,494,000.00
Purchase of Equipment	\$1,969,000.00
Lease-Purchase Agreements	\$100,000.00
Receipt of Federal Funds	\$6,911,000.00
Total Expenditures for Operations	\$27,557,000.00

SECTION 9. The State Department of Agriculture shall expend so much 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. Contractors shall submit quarterly reports of activities and expenditures to the State Department of Agriculture. The Department may disallow any expenditures for activities not within the scope of contractual responsibilities pursuant to an approved work plan. Contractors shall submit an annual audit as required by the State Department of Agriculture which may be paid from allocated, appropriated funds.

SECTION 10. Funds appropriated to the Department of Agriculture in Section 61, Chapter 117, O.S.L. 1993, as amended by Section 1, Chapter 278, O.S.L. 1993 and in Section 2, Chapter 278, O.S.L. 1993 may be budgeted and expended for the fiscal year ending June 30, 1995, and may be budgeted and expended for the general operating expenses of the Department of Agriculture regardless of the purpose for which the funds were budgeted by the agency for the fiscal year ending June 30, 1994.

OKLAHOMA HORSE RACING COMMISSION

SECTION 11. 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, 1995, the sum of Thirty-eight Thousand Five Hundred Fifty-one Dollars (\$38,551.00) or so much thereof as may be necessary to perform the duties imposed upon the Oklahoma Horse Racing Commission by law.

SECTION 12. 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, 1995. The Oklahoma Horse Racing Commission, for the fiscal year ending June 30, 1995, 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 \$1,679,722.00	
Professional and Personal Services Contracts	\$98,900.00
Purchase of Equipment	\$60,100.00
Lease-Purchase Agreements	\$0.00
Expenditure of Revolving Funds	\$550,000.00
Expenditure of Federal Funds	\$0.00
Total Expenditures for Operations	\$2,563,291.00

SECTION 13. Funds appropriated to the Oklahoma Horse Racing Commission in Section 68, Chapter 117, O.S.L. 1993, as amended by Section 26, Chapter 270, O.S.L. 1993 may be budgeted and expended for the fiscal year ending June 30, 1995, and may be budgeted and expended for the general operating expenses of the Oklahoma Horse Racing Commission regardless of the purpose for which the funds were budgeted by the agency for the fiscal year ending June 30, 1994.

STATE INSURANCE DEPARTMENT

SECTION 14. 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, 1995, the sum of Seventy Thousand Six Hundred Eight Dollars (\$70,608.00) or so much thereof as may be necessary to perform the duties imposed upon the State Insurance Department by law.

SECTION 15. 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, 1995, 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	116.0
Payroll, Salaries or Wages, Including Tax-sheltered Deferment Contracts and Longevity Payments Authorized by State Statutes \$3,379,854.00	

Professional and Personal Services Contracts	\$100,000.00
Purchase of Equipment	\$140,115.00
Lease-Purchase Agreements	\$0.00
Lease of Office Space	\$313,689.00
Expenditure of Federal Funds	\$266,401.00
Expenditure of Revolving Funds	\$2,957,574.00
Total Expenditures for Operations	\$6,154,467.00

SECTION 16. Funds appropriated to the State Insurance Department in Section 69, Chapter 117, O.S.L. 1993, as amended by Section 33, Chapter 270, O.S.L. 1993 may be budgeted and expended for the fiscal year ending June 30, 1995, and may be budgeted and expended for the general operating expenses of the State Insurance Department regardless of the purpose for which the funds were budgeted by the agency for the fiscal year ending June 30, 1994.

DEPARTMENT OF LABOR

SECTION 17. There is hereby appropriated to the Oklahoma 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, 1995, the sum of One Hundred Fifty-nine Thousand Seven Hundred Eighty-five Dollars (\$159,785.00) or so much thereof as may be necessary to perform the duties imposed upon the Oklahoma Department of Labor by law.

SECTION 18. Of the funds appropriated to the Oklahoma Department of Labor by Section 17 of this act and by Section 94 of Enrolled Senate Bill No. 896 of the 2nd Session of the 44th Oklahoma Legislature, the sum of Two Hundred Seventy-five Thousand Dollars (\$275,000.00) shall be expended to support six (6) full-time-equivalent employees of the Prevailing Wage Unit.

SECTION 19. The duties and compensation of employees, not otherwise prescribed by law, necessary to perform the duties imposed upon the Oklahoma Department of Labor by law shall be set by the Commissioner of Labor. The Oklahoma Department of Labor for the fiscal year ending June 30, 1995, 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	145.0
Payroll, Salaries or Wages, Including Tax-sheltered Deferment Contracts and Longevity Payments Authorized by State Statutes	\$4,204,447.00
Professional and Personal Services Contracts	\$250,000.00
Lease-Purchase Agreements	\$0.00
Purchase of Equipment	\$300,000.00
Expenditure of Revolving Funds	\$1,305,500.00
Expenditure of Federal Funds	\$1,200,000.00
Total Expenditures for Operations	\$6,827,530.00

SECTION 20. Of the one hundred forty-five (145) full-time-equivalent employee positions authorized in Section 19 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 21. A. By February 1 of each year, the Oklahoma 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, the number of agency

employees used in the programs, and the projected needs for the next succeeding fiscal year.

B. The Department of Central Services, the Department of Corrections, the Department of Human Services and the Oklahoma State Regents for Higher Education and any other appropriate state agency involved in asbestos abatement shall cooperate with the Oklahoma Department of Labor to provide the information required pursuant to the provisions of this section.

SECTION 22. Funds appropriated to the Department of Labor in Section 70, Chapter 117, O.S.L. 1993, as amended by Section 41, Chapter 270, O.S.L. 1993 and Section 71, Chapter 117, O.S.L. 1993, may be budgeted and expended for the fiscal year ending June 30, 1995, and may be budgeted and expended for the general operating expenses of the Department of Labor regardless of the purpose for which the funds were budgeted by the agency for the fiscal year ending June 30, 1994.

OKLAHOMA BOARD OF PRIVATE VOCATIONAL SCHOOLS

SECTION 23. There is hereby appropriated to the Oklahoma Board of Private Vocational Schools from any monies not otherwise appropriated from the General Revenue Fund of the State Treasury for the fiscal year ending June 30, 1995, the sum of Two Thousand One Hundred Eighty-one Dollars (\$2,181.00) or so much thereof as may be necessary to perform the duties imposed upon the Oklahoma Board of Private Vocational Schools by law.

SECTION 24. The duties and compensation of employees, not otherwise prescribed by law, necessary to perform the duties imposed upon the Oklahoma Board of Private Vocational Schools by law shall be set by the Director. The salary of the Director shall not exceed Thirty Thousand Nine Hundred Twenty-four Dollars (\$30,924.00) per annum, payable monthly for the fiscal year ending June 30, 1995. The Oklahoma Board of Private Vocational Schools, for the fiscal year ending June 30, 1995, 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	3.0
Payroll, Salaries or Wages, Including Tax-sheltered Deferment Contracts and Longevity Payments Authorized by State Statutes \$78,110.00	
Purchase of Equipment	\$1,000.00
Total Expenditures for Operations	\$121,315.00

SECTION 25. Funds appropriated to the Board of Private Vocational Schools in Section 15, Chapter 117, O.S.L. 1993 and Section 12, Chapter 258, O.S.L. 1993 may be budgeted and expended for the fiscal year ending June 30, 1995, and may be budgeted and expended for the general operating expenses of the Board of Private Vocational Schools regardless of the purpose for which the funds were budgeted by the agency for the fiscal year ending June 30, 1994.

SECTION 26. The appropriations made by this act shall be subject to fiscal year limitations and may be encumbered through June 30, 1995. Any unexpended funds remaining after November 15, 1995, shall lapse and be transferred to the credit of the proper fund for the then current fiscal year.

Passed the Senate the 19th day of May, 1994.

President of the Senate  
Passed the House of Representatives the 19th day of May, 1994.

Speaker of the House of  
Representatives