

SHORT TITLE: Natural resource regulatory agencies and making appropriations thereto; stating purposes; authorizing expenditures, providing limits; lapse date; operative date; emergency.

STATE OF OKLAHOMA

1st Session of the 44th Legislature (1993)

SENATE BILL NO. 575

By: Taylor and Haney of the  
Senate

and

Hamilton (James) and  
Steidley of the House

AS INTRODUCED

An Act relating to state natural resource regulatory agencies; making appropriations to the Department of Agriculture; providing purposes; authorizing and limiting certain grants; specifying certain uses; requiring certain matching; providing for certain purchases and certain personnel costs; providing personal services cap; providing for certain contractual responsibilities and specifying purposes; authorizing disallowance of certain expenditures; requiring annual audits, reports and payments; making an appropriation to the Oklahoma Conservation Commission; specifying certain purposes; requiring certain matching; providing for certain programs; providing personal services cap; authorizing certain expenditures; providing for determining number of employees per local conservation district; providing certain guides; making appropriations to the Corporation Commission; specifying purposes; limiting reimbursement from certain fund; requiring reports; authorizing certain expenditures for certain purposes; providing personal services cap; making an appropriation to the Department of Environmental

Quality; providing purposes; providing personal services cap; making an appropriation to the Department of Mines; providing purpose; providing personal services cap; making an appropriation to the Oklahoma Water Resources Board; providing purposes; prohibiting certain uses; providing personal services cap; making certain appropriations subject to fiscal year limitations; providing lapse date; providing an operative 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, 1994, the sum of Fourteen Million One Hundred Thirty-eight Thousand Three Hundred One Dollars (\$14,138,301.00) or so much thereof as may be necessary 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, 1992, the sum of Five Hundred Thousand Dollars (\$500,000.00) or so much thereof as may be necessary to perform the duties imposed upon the Department of Agriculture by law.

SECTION 3. The State Department of Agriculture may transfer the sum of One Hundred Seventy Thousand Dollars (\$170,000.00) for the purposes of the AGLink/Agriculture Mediation Program from monies appropriated in Section 1 of this Act. 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 State Department of Agriculture may transfer the sum of Two Hundred Thousand Dollars (\$200,000.00) to provide operational grants to rural fire departments from monies appropriated by Section 1 of this Act.

The grants funded by this section shall be limited to One Thousand Five Hundred Dollars (\$1,500.00) per municipality.

SECTION 5. The State Department of Agriculture may transfer, the sum of Two Hundred Thousand Dollars (\$200,000.00) to provide the state share for grants to rural fire protection coordination districts pursuant to the Rural Fire Protection Program Fund Act from monies appropriated in Section 1 of this 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 State Department of Agriculture may transfer the sum of Fifty Thousand Dollars (\$50,000.00) for the purposes of the statewide dry fire hydrant program in conjunction with substate from monies appropriated in Section 1 of this Act. State resources must be matched on a one-to-one basis with nonstate resources.

SECTION 7. The State Department of Agriculture may transfer the sum of Fifty Thousand Dollars (\$50,000.00) for the purpose of purchasing equipment for the Oklahoma State University Animal Diagnostic Laboratory from monies appropriated in Section 1 of this Act.

SECTION 8. The Department of Agriculture shall be subject to the following limitation on the expenditure of funds for personal services (hereafter Personal Services Cap) for the fiscal year ending June 30, 1994 (hereafter FY-94). Personal services expenditures are defined as all expenditures coded with object of expenditure codes 1100 through 1999 as established in the Office of

State Finance Procedures Manual. This limitation shall apply to the FY-94 operating budget work program submitted by the agency to the Office of State Finance. Capital Outlay accounts as defined in the Office of State Finance Procedures Manual shall not be subject to this limitation.

	Amount
FY-94 Personal Services Cap	\$18,112,093.00

SECTION 9. Of the funds appropriated in Section 1 of this act, 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. Contractor shall submit quarterly reports of activities and expenditures to the Department of Agriculture. 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 Agriculture which may be paid from allocated, appropriated funds.

#### OKLAHOMA CONSERVATION COMMISSION

SECTION 10. 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, 1994, the sum of Four Million Seven Hundred Forty-three Thousand Six Hundred Seventy-one Dollars (\$4,743,671.00) or so much thereof as may be necessary to perform the duties imposed upon the Oklahoma Conservation Commission by law.

SECTION 11. Of the amount in Section 15 of this act for Field Service, the amount of Three Million Seven Hundred Forty-one

Thousand Six Hundred Thirty-seven Dollars (\$3,741,637.00) may be used for purposes of supporting a roadside erosion program in conjunction with the county commissioners. State resources must be matched on a one-to-one basis with nonstate resources by the counties.

SECTION 12. Of the amount in Section 15 of this act for Field Service, the amount of Eighty-five Thousand Eight Hundred Seventy-three Dollars (\$85,873.00) may be used for purposes of supporting a Water Quality Cost Share Program.

SECTION 13. The Oklahoma Conservation Commission shall be subject to the following limitation on the expenditure of funds for personal services (hereafter Personal Services Cap) for the fiscal year ending June 30, 1994 (hereafter FY-94). Personal services expenditures are defined as all expenditures coded with object of expenditure codes 1100 through 1999 as established in the Office of State Finance Procedures Manual. This limitation shall apply to the FY-94 operating budget work program submitted by the agency to the Office of State Finance. Capital Outlay accounts as defined in the Office of State Finance Procedures Manual shall not be subject to this limitation.

	Amount
FY-94 Personal Services Cap	\$889,868.00

SECTION 14. 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 Ninety-five Thousand Dollars (\$295,000.00) from the Small Watersheds Flood Control Fund for flood control, safety and agency operations during the fiscal year ending June 30, 1994.

SECTION 15. 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.

#### CORPORATION COMMISSION

SECTION 16. 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, 1994, the sum of Three Million Three Hundred Ninety Thousand Seven Hundred Sixty Dollars (\$3,390,760.00) or so much thereof as may be necessary to perform the duties imposed upon the Corporation Commission by law.

SECTION 17. There is hereby appropriated to the Corporation Commission from any monies not otherwise appropriated from the General Revenue of the State Treasury for the fiscal year ending June 30, 1992, the sum of Two Million Dollars (\$2,000,000.00) or so much thereof as may be necessary to perform the duties imposed upon the Corporation Commission by law.

SECTION 18. 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 may not exceed Seven Hundred Thousand Dollars (\$700,000.00) for the fiscal year ending June 30, 1994.

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 19. One Hundred Twenty Thousand Dollars (\$120,000.00) may be spent from monies available in the Corporation Commission Revolving Fund to implement the provisions of Section 40.1 of Title 17 of the Oklahoma Statutes.

SECTION 20. In addition to any other monies dedicated to well plugging, 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 21. The Corporation Commission shall be subject to the following limitation on the expenditure of funds for personal services (hereafter Personal Services Cap) for the fiscal year ending June 30, 1994 (hereafter FY-94). Personal services expenditures are defined as all expenditures coded with object of expenditure codes 1100 through 1999 as established in the Office of State Finance Procedures Manual. This limitation shall apply to the FY-94 operating budget work program submitted by the agency to the Office of State Finance. Capital Outlay accounts as defined in the Office of State Finance Procedures Manual shall not be subject to this limitation.

	Amount
FY-94 Personal Services Cap	\$16,224,715.00

DEPARTMENT OF ENVIRONMENTAL QUALITY

SECTION 22. There is hereby appropriated to the Oklahoma Department of Environmental Quality 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 Seven Million One Hundred Seventy-one Thousand One Hundred Forty-nine Dollars (\$7,171,149.00) or so much thereof as may be necessary to perform

the duties imposed upon the Department of Environmental Quality by law.

SECTION 23. The Department of Environmental Quality shall be subject to the following limitation on the expenditure of funds for personal services (hereafter Personal Services Cap) for the fiscal year ending June 30, 1994 (hereafter FY-94). Personal services expenditures are defined as all expenditures coded with object of expenditure codes 1100 through 1999 as established in the Office of State Finance Procedures Manual. This limitation shall apply to the FY-94 operating budget work program submitted by the agency to the Office of State Finance. Capital Outlay accounts as defined in the Office of State Finance Procedures Manual shall not be subject to this limitation.

	Amount
FY-94 Personal Services Cap	\$18,961,569.00

#### DEPARTMENT OF MINES

SECTION 24. There is hereby appropriated to the Oklahoma 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, 1994, the sum of Nine Hundred Eighty-five Thousand Four Hundred Twenty-seven Dollars (\$985,427.00) or so much thereof as may be necessary to perform the duties imposed upon the Department of Mines by law.

SECTION 25. The Department of Mines shall be subject to the following limitation on the expenditure of funds for personal services (hereafter Personal Services Cap) for the fiscal year ending June 30, 1994 (hereafter FY-94). Personal services expenditures are defined as all expenditures coded with object of expenditure codes 1100 through 1999 as established in the Office of State Finance Procedures Manual. This limitation shall apply to the FY-94 operating budget work program submitted by the agency to the Office of State Finance. Capital Outlay accounts as defined in the

Office of State Finance Procedures Manual shall not be subject to this limitation.

	Amount
FY-94 Personal Services Cap	\$2,216,896.00

OKLAHOMA WATER RESOURCES BOARD

SECTION 26. 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, 1994, the sum of Three Million Two Hundred Twenty-nine Thousand Twenty-nine Dollars (\$3,229,029.00) or so much thereof as may be necessary to perform the duties imposed upon the Water Resources Board by law.

SECTION 27. Of the funds appropriated by Sections 26 of this act, the sum of One Hundred Fifty-five Thousand Dollars (\$155,000.00) shall be used for the purpose of providing contractual services with the Oklahoma Rural Water Association, to provide technical assistance and training to rural water system operators. No part of these funds can be used to pay any portion of the compensation of the Oklahoma Rural Water Association Executive Director.

SECTION 28. The Oklahoma Water Resources Board shall be subject to the following limitation on the expenditure of funds for personal services (hereafter Personal Services Cap) for the fiscal year ending June 30, 1994 (hereafter FY-94). Personal services expenditures are defined as all expenditures coded with object of expenditure codes 1100 through 1999 as established in the Office of State Finance Procedures Manual. This limitation shall apply to the FY-94 operating budget work program submitted by the agency to the Office of State Finance. Capital Outlay accounts as defined in the Office of State Finance Procedures Manual shall not be subject to this limitation.

Amount

FY-94 Personal Services Cap

\$5,496,503.00

SECTION 29. The appropriations made by Sections 1 through 28 of this act may be budgeted for the fiscal year ending June 30, 1994 (hereafter FY-94) or may be budgeted for the fiscal year ending June 30, 1995 (hereafter FY-95). Funds budgeted for FY-94 may be encumbered only through June 30, 1994 and must be expended by November 15, 1994. Any funds remaining after November 15, 1994, and not budgeted for FY-95, will lapse to the credit of the proper fund for the then current fiscal year. Funds budgeted for FY-95, may be encumbered only through June 30, 1995, and must be expended by November 15, 1995. Any funds remaining after November 15, 1995 will lapse to the credit of the proper fund for the then current fiscal year. These appropriations may not be budgeted in both fiscal years simultaneously. Funds budgeted in FY-94 and not required to pay obligations for that fiscal year, may be budgeted for FY-95 after the agency to which the funds have been appropriated has prepared and submitted a budget work program revision removing these funds from the FY-94 budget and after such revision has been approved by the Office of State Finance.

SECTION 30. Sections 1 through 28 of this act shall become operative July 1, 1993.

SECTION 31. 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.

44-1-0394

BO