

SHORT TITLE: Business regulatory entities and making appropriations thereto; stating purposes; authorizing expenditures; providing limits; lapse date; operative date; emergency.

STATE OF OKLAHOMA

2nd Session of the 44th Legislature (1994)

SENATE BILL NO. 914

By: Taylor and Haney of the
Senate

and

Hamilton (James) and
Steidley of the House

AS INTRODUCED

An Act relating to business regulatory entities;
making appropriations to the State Department of
Agriculture; specifying certain expenditures and
categories; 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;
making appropriations to the Oklahoma Horse Racing
Commission; specifying certain expenditures and
categories; providing for duties and compensation
of employees; limiting the salary of the Director;
providing budgetary limitations; making
appropriations to the State Insurance Department;
specifying certain expenditures and categories;
providing for duties and compensation of employees;
providing budgetary limitations; excluding certain
expenditures; 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; 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; providing a lapse date; providing an operative date; and declaring an emergency.

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 _____ Dollars (\$0.00) or so much thereof as may be necessary to perform the duties imposed upon the State Department of Agriculture by law.

SECTION 2. There is hereby appropriated to the State Department of Agriculture from any monies not otherwise appropriated from the Special Cash Fund of the State Treasury, the sum of _____ Dollars (\$0.00) or so much thereof as may be necessary to perform the duties imposed upon the State Department of Agriculture by law.

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	\$0.00
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Statistical Reporting Division	0.00
Animal Industry Division	0.00
Predatory Animal Control Program	0.00
Brucellosis Depopulation and other Brucellosis-related Expenses	
0.00	
Forestry Division	0.00
Rural Fire Fighter Coordinators	0.00
Operational Grants to Rural Fire Departments	0.00
Rural Fire Protection Program Fund Act	0.00
Dry Fire Hydrant Program	0.00
McGee Creek Fire Protection Program	0.00
Plant Industry and Consumer Division	0.00
Agricultural Laboratory Division	0.00
Market Development Division	0.00
Rural Development Services	0.00
AGLink/Mediation Program	0.00
Oklahoma State University for the Statewide Intensive Financial	
Management Assistance Program	0.00
Oklahoma State University Animal Diagnostic Laboratory Equipment	
0.00	
Poultry Research and Disease Control Research Programs and	
Employment of a State Poultry Veterinarian and an Area Poultry	
Specialist	0.00
Tick Research	0.00
Wheat Root Rot/Nematode Complex Research	0.00
Peanut Pod Rot and Field Demonstration Research	<u>0.00</u>
TOTAL	\$0.00

SECTION 4. The funds appropriated by Sections 1 and 2 of this act shall be expended in the following categories and amounts:

Personal Services	\$0.00
Other Operating Expenses	<u>0.00</u>
TOTAL	\$0.00

SECTION 5. 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 6. The funds designated for Operational Grants to Rural Fire Departments as provided by Section 3 of this act shall be limited to One Thousand Five Hundred Dollars (\$1,500.00) per municipality.

SECTION 7. The funds designated for Rural Fire Protection Grants as provided by Section 3 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 8. The funds designated for the Dry Fire Hydrant Program as provided by Section 3 of this act shall be expended for the purposes of the 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.

SECTION 9. The funds designated for the McGee Creek Fire Protection Program as provided by Section 3 of this act shall be used for salaries, benefits and other personnel costs of the eight (8) McGee Creek Fire Protection full-time employees.

SECTION 10. 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	532.0
Payroll, Salaries or Wages, Including Tax-sheltered Deferment Contracts and Longevity Payments Authorized by State Statutes	\$0.00
Professional and Personal Services Contracts	\$0.00
Purchase of Equipment	\$0.00
Lease-Purchase Agreements	\$0.00
Receipt of Federal Funds	\$0.00
Total Expenditures for Operations	\$0.00

SECTION 11. 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.

OKLAHOMA HORSE RACING COMMISSION

SECTION 12. 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 _____ Dollars (\$0.00) or so much thereof as may be necessary to perform the duties imposed upon the Oklahoma Horse Racing Commission by law.

SECTION 13. The funds appropriated by Section 12 of this act shall be expended in the following categories and amounts:

Personal Services	\$0.00
Other Operating Expenses	<u>0.00</u>
TOTAL	\$0.00

SECTION 14. 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	\$0.00
Professional and Personal Services Contracts	\$0.00
Purchase of Equipment	\$0.00
Lease-Purchase Agreements	\$0.00
Expenditure of Revolving Funds	\$0.00

Expenditure of Federal Funds	\$0.00
Total Expenditures for Operations	\$0.00

STATE INSURANCE DEPARTMENT

SECTION 15. 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 _____ Dollars (\$0.00) or so much thereof as may be necessary to perform the duties imposed upon the State Insurance Department by law.

SECTION 16. The funds appropriated by Section 15 of this act shall be expended in the following categories and amounts:

Personal Services	\$0.00
Other Operating Expenses	<u>0.00</u>
TOTAL	\$0.00

SECTION 17. 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	115.0
Payroll, Salaries or Wages, Including Tax-sheltered Deferment Contracts and Longevity Payments Authorized by State Statutes	\$0.00
Professional and Personal Services Contracts	\$0.00
Purchase of Equipment	\$0.00
Lease-Purchase Agreements	\$0.00
Lease of Office Space	\$0.00

Expenditure of Federal Funds	\$0.00
Expenditure of Revolving Funds	\$0.00
Total Expenditures for Operations	\$0.00

DEPARTMENT OF LABOR

SECTION 18. 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 _____ Dollars (\$0.00) or so much thereof as may be necessary to perform the duties imposed upon the Oklahoma Department of Labor by law.

SECTION 19. There is hereby appropriated to the Oklahoma Department of Labor from any monies not otherwise appropriated from the Special Occupational Health and Safety Fund of the State Treasury for the fiscal year ending June 30, 1995, the sum of _____ Dollars (\$0.00) or so much thereof as may be necessary to perform the duties imposed upon the Oklahoma Department of Labor by law.

SECTION 20. There is hereby appropriated to the Oklahoma Department of Labor from any monies not otherwise appropriated from the Special Occupational Health and Safety Fund of the State Treasury for the fiscal year ending June 30, 1993, the sum of _____ Dollars (\$0.00) or so much thereof as may be necessary to perform the duties imposed upon the Oklahoma Department of Labor by law.

SECTION 21. Of the funds appropriated to the Oklahoma Department of Labor by Section 18 of this act, the sum of Two Hundred Twenty-four Thousand Five Hundred Dollars (\$224,500.00) shall be expended to support six (6) full-time-equivalent employees of the Prevailing Wage Unit.

SECTION 22. 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	132.0
Payroll, Salaries or Wages, Including Tax-sheltered Deferment Contracts and Longevity Payments Authorized by State Statutes	\$0.00
Professional and Personal Services Contracts	\$0.00
Lease-Purchase Agreements	\$0.00
Purchase of Equipment	\$0.00
Expenditure of Revolving Funds	\$0.00
Expenditure of Federal Funds	\$0.00
Total Expenditures for Operations	\$0.00

SECTION 23. Of the one hundred thirty-two (132) full-time-equivalent employee positions authorized in Section 22 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 24. 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, number of agency employees used in the programs, and 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.

OKLAHOMA BOARD OF PRIVATE VOCATIONAL SCHOOLS

SECTION 25. 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 _____ Dollars (\$0.00) or so much thereof as may be necessary to perform the duties imposed upon the Oklahoma Board of Private Vocational Schools by law.

SECTION 26. 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	\$0.00
Purchase of Equipment	\$0.00
Total Expenditures for Operations	\$0.00

SECTION 27. 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.

SECTION 28. This act shall become operative July 1, 1994.

SECTION 29. 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.

44-2-1763

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