

STATE OF OKLAHOMA

1st Session of the 45th Legislature (1995)

CONFERENCE COMMITTEE SUBSTITUTE

FOR ENGROSSED

SENATE BILL NO. 203

By: Haney and Hobson of the
Senate

and

Hamilton and Steidley of
the House

CONFERENCE COMMITTEE SUBSTITUTE

An Act relating to regulation of natural resources; making an appropriation to the Oklahoma Conservation Commission; stating purpose; designating certain uses; providing for purpose; providing for deposits and expenditures; requiring certain match; authorizing and requiring certain expenditures; providing for duties and compensation of employees; limiting salary of the Executive Director; providing certain budgetary limitations; making certain employee positions contingent on certain funding; making such employees unclassified and exempt from certain rules; providing exception; requiring allotment of certain funds for certain employees; providing for determinations; amending Section 114 of Enrolled House Bill No. 1716 of the 1st Session of the 45th Oklahoma Legislature, which relates to an appropriation to the Department of Environmental Quality; stating purpose; providing for duties and compensation of employees; limiting salary of Executive Director; providing budgetary limitations; providing for duties and compensation of employees of the Department of Mines; setting maximum limit of salary of the Executive Director; providing budgetary limitations; authorizing and requiring certain expenditures for the Oklahoma Water Resources Board; limiting use of certain funds; providing for duties and compensation of employees; limiting salary of Executive Director; providing budgetary limitations; making certain employee positions contingent on certain funding; setting budgeting categories; providing lapse dates; and providing an effective date.

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

OKLAHOMA CONSERVATION COMMISSION

SECTION 1. 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, 1996, the sum of Three Hundred Sixty Thousand Dollars (\$360,000.00) or so much thereof as may be necessary to perform the duties imposed upon the Oklahoma Conservation Commission by law.

SECTION 2. The Conservation Commission is hereby authorized to provide technical assistance to producers for design costs of collection and storage facilities for concentrated animal feeding operation (CAFO) projects. Said assistance shall require a ten percent (10%) cost-share match by the producer, at least five percent (5%) of which shall be in cash to be deposited in the "Concentrated Animal Feeding Operation Revolving Fund".

SECTION 3. The Oklahoma Conservation Commission is hereby authorized to support 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 4. The duties and compensation of employees, not otherwise prescribed by law, necessary to perform the duties imposed upon the Oklahoma Conservation Commission by law shall be set by the Commission. The salary of the Executive Director shall not exceed Fifty-two Thousand Three Hundred Sixty-six Dollars (\$52,366.00) per annum, payable monthly for the fiscal year ending June 30, 1996. The Oklahoma Conservation Commission, for the fiscal year ending June 30, 1996, 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	18.0
Lease-Purchase Agreements	0.00

SECTION 5. Of the eighteen (18) full-time-equivalent employee positions authorized in Section 4 of this act, six (6) full-time-equivalent employee positions shall be filled contingent upon the procurement of federal funds for the Abandoned Mine Lands Program. Said six (6) full-time-equivalent employee positions supported by these federal funds shall be terminated when federal support is

discontinued. Said six (6) full-time-equivalent employees shall be unclassified and, except for leave regulations, shall be exempt from the rules of the Merit System of Personnel Administration.

SECTION 6. 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.

SECTION 7. Funds appropriated to the Oklahoma Conservation Commission in Section 88, Chapter 187, O.S.L. 1994, as amended by Section 1, Chapter 251, O.S.L. 1994, may be budgeted and expended for the fiscal year ending June 30, 1996, and may be budgeted and expended for the general operating expenses of the Oklahoma Conservation Commission regardless of the purpose for which the funds were budgeted by the agency for the fiscal year ending June 30, 1995.

DEPARTMENT OF ENVIRONMENTAL QUALITY

SECTION 8. AMENDATORY Section 114 of Enrolled House Bill No. 1716 of the 1st Session of the 45th Oklahoma Legislature is amended to read as follows:

Section 114. There is hereby appropriated to the 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, 1996, the sum of ~~Seven Million Two Hundred Fourteen Thousand Nine Hundred Forty-four Dollars (\$7,214,944.00)~~ Six Million Four Hundred Fifty Thousand Five Hundred Seventy-seven Dollars (\$6,450,577.00) or so much thereof as may be necessary to perform the duties imposed upon the Department of Environmental Quality by law.

SECTION 9. 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 Eight Hundred Dollars (\$70,800.00) per annum, payable monthly for the fiscal year ending June 30, 1996. The Department of Environmental Quality, for the fiscal year ending June 30, 1996, 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	611.0
Lease-Purchase Agreements	\$125,000.00

SECTION 10. Funds appropriated to the Department of Environmental Quality in Section 91, Chapter 187, O.S.L. 1994, as amended by Section 12, Chapter 251, O.S.L. 1994, may be budgeted and expended for the fiscal year ending June 30, 1996, and may be budgeted and expended for the general operating expenses of the Department of Environmental Quality regardless of the purpose for which the funds were budgeted by the agency for the fiscal year ending June 30, 1995.

DEPARTMENT OF MINES

SECTION 11. 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-six Thousand Five Hundred Thirty-eight Dollars (\$46,538.00) per annum, payable monthly for the fiscal year ending June 30, 1996. The Department of Mines for the fiscal year ending June 30, 1996, 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	56.5
Lease-Purchase Agreements	0.00

SECTION 12. Funds appropriated to the Department of Mines in Section 98, Chapter 187, O.S.L. 1994, as amended by Section 15, Chapter 251, O.S.L. 1994, may be budgeted and expended for the fiscal year ending June 30, 1996, and may be budgeted and expended for the general operating expenses of the Department of Mines regardless of the purpose for which the funds were budgeted by the agency for the fiscal year ending June 30, 1995.

OKLAHOMA WATER RESOURCES BOARD

SECTION 13. 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 Sixty Thousand Four Hundred Sixty-one Dollars (\$60,461.00) per annum, payable monthly for the fiscal year ending June 30, 1996. The Oklahoma Water Resources Board for the fiscal year ending June 30, 1996, 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	91.0
Lease-Purchase Agreements	\$31,200.00

SECTION 14. Of the ninety-one (91.0) full-time-equivalent employee positions authorized in Section 13 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 15. Funds appropriated to the Water Resources Board in Section 101, Chapter 187, O.S.L. 1994, as amended by Section 18, Chapter 251, O.S.L. 1994, may be budgeted and expended for the fiscal year ending June 30, 1996, and may be budgeted and expended for the general operating expenses of the Water Resources Board regardless of the purpose for which the funds were budgeted by the agency for the fiscal year ending June 30, 1995.

SECTION 16. Appropriations made by this act to agencies for the operations of state government may be budgeted for the fiscal year ending June 30, 1996 (hereafter FY-96) or may be budgeted for the fiscal year ending June 30, 1997 (hereafter FY-97). Funds budgeted for FY-96 may be encumbered only through June 30, 1996, and must be expended by November 15, 1996. Any funds remaining after November 15, 1996, and not budgeted for FY-97, shall lapse to the credit of the proper fund for the then current fiscal year. Funds budgeted for FY-97 may be encumbered only through June 30, 1997. Any funds remaining after November 15, 1997, shall 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-96, and not required to pay obligations for that fiscal year, may be budgeted for FY-97, after the agencies have prepared and submitted a budget work program revision removing these funds from the FY-96 budget work program and after such revision has been approved by the Office of State Finance.

SECTION 17. This act shall become effective September 1, 1995.

45-1-1366

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