

ENROLLED HOUSE
BILL NO. 1770

By: Hamilton and Steidley of
the House

and

Haney and Hobson of the
Senate

An Act relating to the regulation of energy production and distribution; making appropriations to the Corporation Commission; stating purposes; establishing salary maximums for certain unclassified positions; directing and authorizing duties and expenditures; providing for duties and compensation of employees; specifying certain budget category limitations; providing certain exclusions; making continuation of employment of certain employees contingent on certain funding; limiting certain expenditures; authorizing and providing budgeting of certain monies; and providing an effective date.

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

CORPORATION COMMISSION

SECTION 1. 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, 1997, the sum of Five Hundred Fifty-eight Thousand Seventy-nine Dollars (\$558,079.00) or so much thereof as may be necessary to perform the duties imposed upon the Corporation Commission by law.

SECTION 2. There is hereby appropriated to the Corporation Commission from any monies not otherwise appropriated from the Special Cash Fund of the State Treasury for the fiscal year ending June 30, 1997, the sum of One Hundred Eighty Thousand Dollars (\$180,000.00) or so much thereof as may be necessary to fund the career ladder system for various positions in the Conservation Division as set forth in the provisions of Section 149 of Title 52 of the Oklahoma Statutes.

SECTION 3. The authorized number and maximum annual salary, payable monthly, for the unclassified employee positions specified in this section utilized in the operation of the Corporation Commission shall be set forth in this section. The amounts listed do not constitute an appropriation but are listed to establish salary maximums only for the fiscal year ending June 30, 1997.

Title	Number Authorized	Maximum Salary
General Administrator	1	\$72,000.00
Senior Rate Analyst	1	\$45,585.00

Director, Data Processing	1	\$55,850.00
Administrative Aide	3	\$41,020.00

SECTION 4. One Hundred Twenty Thousand Dollars (\$120,000.00) shall be spent by the Corporation Commission to implement the provisions of Section 40.1 of Title 17 of the Oklahoma Statutes from any monies available.

SECTION 5. In addition to any 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 6. One Hundred Thousand Dollars (\$100,000.00), inclusive of salaries, shall be spent by the Corporation Commission for a pollution response team to respond to and investigate reports of pollution.

SECTION 7. The duties and compensation of employees, not otherwise prescribed by law, necessary to perform the duties imposed upon the Corporation Commission by law shall be set by the Commission. The Corporation Commission shall be subject to the following budgetary limitations on full-time-equivalent employees and expenditures excluding direct expenditures for well plugging as authorized in Section 310 of Title 52 of the Oklahoma Statutes, pit closure as authorized in Section 140 of Title 52 of the Oklahoma Statutes, and remediation of sites as authorized in Section 353 of Title 17 of the Oklahoma Statutes, and 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	453.0
Lease-Purchase Agreements	\$250,000.00

SECTION 8. For the fiscal year ending June 30, 1997, the Corporation Commission shall budget all funds in the following categories and amounts:

<u>Category</u>	<u>Appropriation</u>	<u>Total</u>
Administration	\$2,191,627.00	\$4,546,064.00
Consumer Services	687,010.00	712,010.00
Indemnity Fund	0.00	1,834,577.00
Oil and Gas Division	180,000.00	6,762,714.00
Office of Administrative Proceedings	544,687.00	1,455,447.00
Public Utility Division	0.00	3,049,220.00
Office of General Counsel	444,957.00	1,472,824.00
Transportation Division	0.00	2,190,194.00
Fuel Division	<u>961,355.00</u>	<u>2,777,636.00</u>
TOTAL	\$5,009,636.00	\$24,800,686.00

SECTION 9. The continuation of full-time-equivalent employees hired pursuant to Sections 360 and 361 of Title 17 of the Oklahoma Statutes shall be contingent upon sufficient funding of the Oklahoma Petroleum Storage Tank Release Indemnity Program.

SECTION 10. Of the four hundred fifty-three (453.0) full-time-equivalent employees authorized in Section 7 of this act, fourteen (14.0) shall perform duties in accordance with the Underground Injection Control Program, five (5.0) shall perform duties in accordance with the Underground Storage Tank Program, and two (2.0) shall perform duties in accordance with the Leaking Underground Storage Tank Program. The continuation of these full-time-equivalent employees is contingent upon sufficient federal funding to support them.

SECTION 11. Pursuant to subsection F of Section 180.11 of Title 17 of the Oklahoma Statutes, the Corporation Commission shall expend no more than Four Million Ninety-six Dollars (\$4,000,096.00) for costs of the Public Utility Division for the fiscal year ending June 30, 1997.

SECTION 12. Appropriations made by this act may be budgeted for the fiscal year ending June 30, 1997 (hereafter FY-97) or may be budgeted for the fiscal year ending June 30, 1998 (hereafter FY-98). Funds budgeted for FY-97 may be encumbered only through June 30, 1997, and must be expended by November 15, 1997. Any funds remaining after November 15, 1997, and not budgeted for FY-98, shall lapse to the credit of the proper fund for the then current fiscal year. Funds budgeted for FY-98 may be encumbered only through June 30, 1998. Any funds remaining after November 15, 1998, 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-97, and not required to pay obligations for that fiscal year, may be budgeted for FY-98, after the agencies have prepared and submitted a budget work program revision removing these funds from the FY-97 budget work program and after such revision has been approved by the Office of State Finance.

SECTION 13. This act shall become effective September 1, 1996.

Passed the House of Representatives the 23rd day of May, 1996.

Speaker of the House of
Representatives

Passed the Senate the 23rd day of May, 1996.

President of the Senate