

ENROLLED SENATE  
BILL NO. 814

By: Haney and Hobson of the  
Senate

and

Hamilton and Steidley of  
the House

An Act relating to business regulatory entities; making an appropriation to the State Department of Agriculture; stating purposes; requiring certain funds to be expended in certain categories and amounts; requiring certain work plan and reports; designating funds and limiting certain grants; specifying purposes; specifying requirements for certain designated funds; requiring certain funds to be used for certain personnel costs; providing for duties and compensation of employees; limiting the salary of the Commissioner; providing budgetary limitations; providing for certain contracted responsibilities; making an appropriation to the Oklahoma Horse Racing Commission; requiring certain funds to be expended in certain categories and amounts; providing for duties and compensation of employees; limiting the salary of the Director; providing budgetary limitations; providing for transfer of certain monies from certain fund; requiring certain funds to be expended in certain categories and amounts; providing for duties and compensation of employees; providing budgetary limitations; making an appropriation to the Department of Labor; requiring certain funds to be expended in certain categories and amounts; specifying the purpose of certain funds; providing for duties and compensation of employees; providing budgetary limitations; setting maximum salary of the Boxing Administrator; making certain positions contingent on federal funds; requiring certain reports and specifying content; requiring cooperation between certain agencies; making an appropriation to the Oklahoma Board of Private Vocational Schools; requiring certain funds to be expended in certain categories and amounts; specifying purpose; providing for duties and compensation of employees; limiting the salary of the Director; providing budgetary limitations; requiring and authorizing certain budgeting; providing lapse dates; and providing an effective 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, 1997, the sum of Six Hundred Ninety-two Thousand Five Hundred Fifty-five Dollars (\$692,555.00) 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 General Revenue Fund of the State Treasury for the fiscal year ending June 30, 1995, the sum of Two Hundred Fifty Thousand Dollars (\$250,000.00) or so much thereof as may be necessary to establish rural fire training centers.

SECTION 3. 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 Twenty Thousand Dollars (\$20,000.00) or so much thereof as may be necessary for the Agriculture and Mediation Program.

SECTION 4. 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 Hundred Thousand Dollars (\$100,000.00) or so much thereof as may be necessary for the Oklahoma State University Swine Diagnostic Laboratory.

SECTION 5. 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 Thirty Thousand Dollars (\$30,000.00) or so much thereof as may be necessary for the Rural Development Council.

SECTION 6. 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 Four Hundred Ninety-six Thousand Five Hundred Dollars (\$496,500.00) or so much thereof as may be necessary for the Rural Fire 80/20 Match Program.

SECTION 7. 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 Three Hundred Thousand Dollars (\$300,000.00) or so much thereof as may be necessary for Operation Grants to Rural Fire Departments Program.

SECTION 8. 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 Forty-five Thousand Dollars (\$45,000.00) or so much thereof as may be necessary for an A.C.O.G. Rural Fire Coordinator.

SECTION 9. 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 Three Hundred Seventy Thousand Dollars (\$370,000.00) or so much thereof as may be necessary for the Center for International Trade.

SECTION 10. 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 Fifteen Thousand Dollars (\$15,000.00) or so much thereof as may be necessary for the Economics of Agriculture Conference and Capital Special Event.

SECTION 11. 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 Three Hundred Thousand Dollars (\$300,000.00) or so much thereof as may be necessary to perform the duties as imposed upon the State Department of Agriculture by law.

SECTION 12. For the fiscal year ending June 30, 1997, the State Department of Agriculture shall budget all funds in the following categories and amounts:

<u>Category</u>	<u>Appropriation</u>	<u>Total</u>
Administration Division	\$ 1,746,787.00	\$
3,901,000.00		
Statistical Reporting Division	75,367.00	127,000.00
Animal Industry Division	3,396,651.00	
	5,508,000.00	
Predatory Animal Control Program	540,626.00	
	1,011,000.00	
Brucellosis Depopulation and other Brucellosis-related Expenses	142,575.00	142,575.00
Forestry Division	4,549,997.00	
	8,583,000.00	
Rural Fire Coordinators	639,000.00	639,000.00
Operation Grants to Rural Fire Departments	2,600,000.00	
	2,600,000.00	
Rural Fire 80/20 Match Program	726,500.00	
926,500.00		
Fire Hydrant Program	50,000.00	50,000.00
Plant Industry and Consumer Services Division	1,206,500.00	
	4,898,000.00	
Agricultural Laboratory Division	1,151,227.00	
1,535,000.00		
Market Development Division	561,444.00	
1,124,000.00		
Agriculture Mediation Program	120,000.00	287,000.00
Oklahoma State University for the Statewide Intensive Financial Management Assistance Program	117,562.00	117,562.00
Oklahoma State University		

Animal Diagnostic Laboratory Equipment	47,525.00	47,525.00
Oklahoma State University Swine Diagnostic Laboratory	100,000.00	100,000.00
Poultry Research and Disease Control Research Programs and Employment of a State Poultry Veterinarian and an Area Poultry Specialist	237,625.00	237,625.00
Tick Eradication	43,700.00	43,700.00
Wheat Root Rot/Nematode Complex Research	20,645.00	20,645.00
Peanut Pod Rot and Field Research Demonstration	35,001.00	35,001.00
Center for International Trade Program	450,000.00	450,000.00
Oklahoma Milk and Milk Products Program	408,499.00	697,000.00
Rural Development Council	30,000.00	30,000.00
Rural Enterprise Institute	300,000.00	300,000.00
Economics of Agriculture Conference and Special Events	15,000.00	15,000.00
Rural Fire Training Centers		<u>250,000.00</u>
<u>250,000.00</u>		
TOTAL	\$19,562,231.00	\$33,676,133.00

SECTION 13. The State Board of Agriculture shall require a budget work plan and monthly reports on the expenditures and workload of the Agriculture Mediation Program.

SECTION 14. The funds designated for Operational Grants to Rural Fire Departments pursuant to Section 2 of this act and Section 81 of Enrolled Senate Bill No. 837 of the 2nd Session of the 45th Oklahoma Legislature, shall be expended to provide operational grants to rural fire departments and shall be limited to One Thousand Five Hundred Dollars (\$1,500.00) per municipality. This limitation shall not include the appropriations to this program from the Constitutional Reserve Fund as provided in Section 4 of Enrolled House Bill No. 2824 of the 2nd Session of the 45th Oklahoma Legislature.

SECTION 15. The funds designated for the Rural Fire 80/20 Match Program 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 and for other rural fire protection purposes.

SECTION 16. The funds designated for the Fire Hydrant Program shall be expended for the purposes of the statewide fire hydrant program in conjunction with substate planning districts with no such district to receive more than Five Thousand Dollars (\$5,000.00).

State resources shall be matched on a one-to-one basis with nonstate resources.

SECTION 17. It is the intent of the Legislature that from any monies appropriated in Section 1 of this act and in Section 81 of Enrolled Senate Bill No. 837 of the 2nd Session of the 45th Oklahoma Legislature, 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-equivalent employees.

SECTION 18. 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-eight Thousand Dollars (\$68,000.00) per annum, payable monthly for the fiscal year ending June 30, 1997. The State Department of Agriculture, for the fiscal year ending June 30, 1997, 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	521.0
Lease-Purchase Agreements	\$100,000.00

SECTION 19. 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 businesses 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 20. 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, 1997, the sum of Three Hundred Three Thousand One Hundred Seventy Dollars (\$303,170.00) or so much thereof as may be necessary to perform the duties imposed upon the Oklahoma Horse Racing Commission by law.

SECTION 21. For the fiscal year ending June 30, 1997, the Oklahoma Horse Racing Commission shall budget all funds in the following categories and amounts:

<u>Category</u>	<u>Appropriation</u>	<u>Total</u>
General Operations	\$ 528,755.00	\$ 762,755.00
Race Day Expenses	1,359,330.00	1,715,330.00
Law Enforcement	387,370.00	387,370.00
TOTAL	\$2,275,455.00	\$2,865,455.00

SECTION 22. 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-three Thousand Fifty-nine Dollars (\$63,059.00) per annum, payable monthly for the fiscal year ending June 30, 1997. The Oklahoma Horse Racing Commission, for the fiscal year ending June 30, 1997, 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	41.0
Lease-Purchase Agreements	\$0.00

STATE INSURANCE DEPARTMENT

SECTION 23. 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, 1997, the sum of One Hundred Fifty-two Thousand Five Hundred Sixty-four Dollars (\$152,564.00) or so much as may be necessary to perform the duties imposed upon the State Insurance Department by law.

SECTION 24. TRANSFER The Director of State Finance, on the effective date of this act, shall transfer the sum of One Million Dollars (\$1,000,000.00) from the State Insurance Commissioner Revolving Fund to the Special Cash Fund of the State Treasury for the fiscal year ending June 30, 1997.

SECTION 25. For the fiscal year ending June 30, 1997, the State Insurance Department shall budget all funds in the following categories and amounts:

<u>Category</u>	<u>Appropriation</u>	<u>Total</u>
Administration	\$ 741,346.00	\$1,303,206.00
Regulatory/Enforcement	1,697,293.00	4,414,865.00
Federal Program	6,103.00	267,373.00
TOTAL	<u>\$2,444,742.00</u>	<u>\$5,985,444.00</u>

SECTION 26. 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, 1997, 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
Lease-Purchase Agreements	\$0.00

DEPARTMENT OF LABOR

SECTION 27. 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, 1997, the sum of Two Hundred Fourteen Thousand Five Hundred Eighty-eight Dollars (\$214,588.00) or so much thereof as may be necessary to perform the duties imposed upon the Oklahoma Department of Labor by law.

SECTION 28. For the fiscal year ending June 30, 1997, the Department of Labor shall budget all funds in the following categories and amounts:

<u>Category</u>	<u>Appropriation</u>	<u>Total</u>
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Administration	\$ 607,561.00	\$1,140,506.00
Prevailing Wage Unit	222,017.00	222,017.00
Asbestos Abatement	532,745.00	557,745.00
Regulation & Enforcement	1,746,481.00	2,354,246.00
Workers Compensation		
Compliance	0.00	860,459.00
School to Work	0.00	0.00
Occupational Safety and Health		<u>385,855.00</u>
		<u>2,203,450.00</u>
TOTAL	\$3,494,659.00	\$7,338,423.00

SECTION 29. Of the funds appropriated to the Oklahoma Department of Labor, the sum of Two Hundred Twenty-two Thousand Seventeen Dollars (\$222,017.00) shall be expended to support six (6) full-time-equivalent employees of the Prevailing Wage Unit.

SECTION 30. 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, 1997, 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	138.0
Lease-Purchase Agreements	\$0.00

SECTION 31. The maximum annual salary of the Boxing Administrator shall not exceed Thirty-three Thousand Three Hundred Thirty Dollars (\$33,330.00), payable monthly for the fiscal year ending June 30, 1997.

SECTION 32. Of the one hundred thirty-eight (138) full-time-equivalent employee positions authorized for the Oklahoma Department of Labor in 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 33. 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.

#### OKLAHOMA BOARD OF PRIVATE VOCATIONAL SCHOOLS

SECTION 34. 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, 1997, the sum of Six Thousand Five Hundred Ninety-one Dollars (\$6,591.00) or so much thereof as may be

necessary to perform the duties imposed upon the Oklahoma Board of Private Vocational Schools by law.

SECTION 35. For the fiscal year ending June 30, 1997, the Oklahoma Board of Private Vocational Schools shall budget all funds in the following categories and amounts:

<u>Category</u>	<u>Appropriation</u>	<u>Total</u>
Licensing/Investigative Operations	\$119,817.00	\$126,745.00
 TOTAL	 \$119,817.00	 \$126,745.00

SECTION 36. 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-two Thousand Nine Hundred Twenty-four Dollars (\$32,924.00) per annum, payable monthly for the fiscal year ending June 30, 1997. The Oklahoma Board of Private Vocational Schools, for the fiscal year ending June 30, 1997, shall be subject to the following budgetary limitations on full-time-equivalent employees 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

SECTION 37. Appropriations made by this act to agencies for the operations of state government 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 38. This act shall become effective September 1, 1996.  
Passed the Senate the 23rd day of May, 1996.

President                      of the Senate

Passed the House of Representatives the 24th day of May, 1996.

Speaker                      of the House of  
Representatives

