

ENROLLED HOUSE
BILL NO. 3025

By: Hamilton and Settle of
the House

and

Haney and Hobson of the
Senate

An Act relating to regulation of natural resources; making appropriations to the Oklahoma Conservation Commission; stating purposes; providing for duties and compensation of employees; limiting salary of the Executive Director; providing certain budgetary limitations; requiring budgeting of funds in certain categories and amounts; making certain employee positions contingent on certain funding; making such employees unclassified and exempt from certain rules; making appropriations to the Department of Environmental Quality; stating purposes; providing for duties and compensation of employees; limiting salary of Executive Director; providing budgetary limitations; requiring budgeting of funds in certain categories and amounts; requiring certain expenditures; requiring utilization of certain funds; providing for use of certain positions; making appropriations to the Department of Mines; stating purposes; providing for duties and compensation of employees; limiting salary of Executive Director; providing budgetary limitations; requiring budgeting of funds in certain categories and amounts; making appropriations to the Oklahoma Water Resources Board; stating purposes; providing for duties and compensation of employees; limiting salary of Executive Director; providing budgetary limitations; requiring budgeting of funds in certain categories and amounts; making certain employee positions contingent on certain funding; making certain funding contingent on contractual services; making certain appropriations nonfiscal; 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, 1999, the sum of Five Hundred Sixty-eight Thousand Thirty-five Dollars (\$568,035.00) or so much thereof as may be necessary to perform the duties imposed upon the Oklahoma Conservation Commission by law.

SECTION 2. 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 the Commission. The salary of the Executive Director shall not exceed Fifty-eight Thousand One Hundred Eighty-four Dollars (\$58,184.00) per annum, payable monthly for the fiscal year ending June 30, 1999. The Oklahoma Conservation Commission for the fiscal year ending June 30, 1999, 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	17.0
Lease-Purchase Agreements	\$20,000.00

SECTION 3. For the fiscal year ending June 30, 1999, the Oklahoma Conservation Commission shall budget all funds in the following categories and amounts:

<u>Category</u>	<u>Appropriation</u>	<u>Total</u>
Administration	\$ 948,913.00	\$ 1,073,913.00
Watershed Operation and Maintenance	680,000.00	1,500,000.00
Field Service	5,169,503.00	6,169,503.00
Abandoned Mine Land Reclamation	0.00	2,246,000.00
Water Quality/Wetlands	<u>115,000.00</u>	<u>4,500,000.00</u>
TOTAL	\$6,913,416.00	\$15,489,416.00

SECTION 4. Of the seventeen (17) full-time-equivalent employee positions authorized in Section 2 of this act, six full-time-equivalent employee positions shall be filled contingent upon the procurement of federal funds for the Abandoned Mine Lands Programs. Said six full-time-equivalent employee positions supported by these federal funds shall be terminated when federal support is discontinued. Said six full-time-equivalent employees shall be unclassified and, except for leave regulations, shall be exempt for the rules of the Merit System of Personnel Administration.

DEPARTMENT OF ENVIRONMENTAL QUALITY

SECTION 5. 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, 1999, the sum of Two Hundred Ten Thousand Nine Hundred Thirty-eight Dollars (\$210,938.00) or so much thereof as may be necessary to perform the duties imposed upon the Department of Environmental Quality by law.

SECTION 6. 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-four Thousand Dollars (\$74,000.00) per annum, payable monthly for the fiscal year ending June 30, 1999. The Department of Environmental Quality, for the fiscal year ending June 30, 1999, 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	592.00
Lease-Purchase Agreements	\$150,000.00

SECTION 7. For the fiscal year ending June 30, 1999, the Department of Environmental Quality shall budget all funds in the following categories and amounts:

<u>Category</u>	<u>Appropriation</u>	<u>Total</u>
Administration Services Division	\$0.00	\$ 3,988,500.00
Air Quality Division	208,528.00	6,273,553.00
Customer Service Division	1,423,425.00	5,830,490.00
Environmental Complaints and Local Services (ECLS)	3,219,579.00	
	5,741,546.00	
Water Quality Division	1,717,270.00	6,894,700.00
Waste Management Division	156,811.00	8,503,010.00
TOTAL	\$6,725,613.00	\$37,231,799.00

SECTION 8. From funds available, the Department of Environmental Quality shall expend the amount of One Hundred Thirty Thousand Five Hundred Dollars (\$130,500.00) or so much thereof as may be necessary for the purpose of employing five (5) clerical personnel to provide telephone coverage in local district offices.

SECTION 9. From funds available, the Department of Environmental Quality shall, in cooperation with other state agencies, expend such funds as may be necessary to protect eastern Oklahoma water supply reservoirs from excessive eutrophication.

SECTION 10. The Department of Environment Quality shall provide from any funds available contractual services to the Oklahoma Rural Water Association for technical assistance programs to rural water system operators.

SECTION 11. The Department of Environmental Quality is directed to utilize an amount not to exceed One Million Dollars (\$1,000,000.00) from solid waste fee collections by the Department of Environmental Quality for the purpose of compensation, benefits and other necessary expenditures incurred during the fiscal year ending June 30, 1999, associated with the transfer of thirty-one (31.0) full time equivalent employees from the Oklahoma and Tulsa City-County Health Departments to the Department of Environmental Quality, as authorized by law. The said transferred positions shall be those which have been assigned and used by the City-County Health Departments to execute the programs of the Department of Environmental Quality.

DEPARTMENT OF MINES

SECTION 12. There is hereby appropriated to the 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, 1999, the sum of Fifty-four Thousand Six Hundred Seventy-one Dollars (\$54,671.00) or so much thereof as may be necessary to perform the duties imposed upon the Department of Mines by law.

SECTION 13. 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 Fifty Thousand Eight Hundred Nineteen Dollars (\$50,819.00) per annum, payable monthly for the fiscal year ending June 30, 1999. The Department of Mines for the fiscal year ending June 30, 1999, 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	51.5
Lease-Purchase Agreements	\$0.00

SECTION 14. For the fiscal year ending June 30, 1999, the Department of Mines shall budget all funds in the following categories and amounts:

<u>Category</u>	<u>Appropriation</u>	<u>Total</u>
Administration	\$190,866.00	\$ 800,000.00
Coal Programs	95,500.00	1,700,000.00
Noncoal Program	511,200.00	600,000.00
Oklahoma Miner Training	0.00	200,000.00
TOTAL	\$797,566.00	\$3,300,000.00

OKLAHOMA WATER RESOURCES BOARD

SECTION 15. 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, 1999, the sum of One Hundred Seventy-four Thousand Seven Hundred Sixteen Dollars (\$174,716.00) or so much thereof as may be necessary to perform the duties imposed upon the Oklahoma Water Resources Board by law.

SECTION 16. 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-four Thousand Seven Hundred Forty-four Dollars (\$64,744.00) per annum, payable monthly for the fiscal year ending June 30, 1999. The Oklahoma Water Resources Board for the fiscal year ending June 30, 1999, 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	89.0
Lease-Purchase Agreements	\$0.00

SECTION 17. For the fiscal year ending June 30, 1999, the Oklahoma Water Resources Board shall budget all funds in the following categories and amounts:

<u>Category</u>	<u>Appropriation</u>	<u>Total</u>
Administrative Services	\$1,465,094.00	\$ 3,159,666.00
Water Quality Programs	498,893.00	1,241,611.00
Financial Assistance Programs	1,449,324.00	4,326,862.00
Planning and Management	112,280.00	1,288,624.00
Office of the Secretary of Environment	311,752.00	
<u>7,331,752.00</u>		
TOTAL	\$3,837,343.00	\$17,348,515.00

SECTION 18. Of the eighty-nine (89.0) full-time-equivalent employee positions authorized in Section 16 of this act, three (3.0) full-time-equivalent employee positions shall be filled contingent upon receipt of federal funds as authorized in Section 314 of the Federal Clean Water Act.

SECTION 19. Of the eighty-nine (89.0) full-time-equivalent employee positions authorized in Section 16 of this act, three (3.0) full-time-equivalent employee positions shall be filled contingent upon sufficient funding available in the Statewide Water Development Revolving Fund, Safe Drinking Water Revolving Fund and monies received from the federal government for the purposes set forth in

Sections 1085.52, 1085.74, and 1085.77 of Title 82 of the Oklahoma Statutes.

SECTION 20. Of the funds appropriated by Section 86 of Enrolled House Bill No. 3050 of the 2nd Session of the 46th Oklahoma Legislature, the sum of One Hundred Thirty-nine Thousand Five Hundred Dollars (\$139,500.00) to the Secretary of the Environment shall be used for the purpose of contracting for technical training and education to rural water and wastewater system operators or board members. No part of these funds can be used to pay any portion of the compensation of the executive director of the organization providing contractual services.

SECTION 21. Appropriations made by this act may be budgeted for the fiscal year ending June 30, 1999 (hereafter FY-99) or may be budgeted for the fiscal year ending June 30, 2000 (hereafter FY-00). Funds budgeted for FY-99 may be encumbered only through June 30, 1999, and must be expended by November 15, 1999. Any funds remaining after November 15, 1999, and not budgeted for FY-00, shall lapse to the credit of the proper fund for the then current fiscal year. Funds budgeted for FY-00 may be encumbered only through June 30, 2000. Any funds remaining after November 15, 2000, 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-99, and not required to pay obligations for that fiscal year, may be budgeted for FY-00, after the agencies have prepared and submitted a budget work program revision removing these funds from the FY-99 budget work program and after such revision has been approved by the Office of State Finance.

SECTION 22. This act shall become effective September 1, 1998.
Passed the House of Representatives the 20th day of May, 1998.

Speaker of the House of
Representatives

Passed the Senate the 20th day of May, 1998.

President of the Senate