STATE OF OKLAHOMA

2nd Session of the 47th Legislature (2000)

CONFERENCE COMMITTEE SUBSTITUTE
FOR ENGROSSED
HOUSE BILL NO. 2210

By: Settle and Begley of the House

and

Haney and Hobson of the Senate

CONFERENCE COMMITTEE SUBSTITUTE

An Act relating to the regulation of energy production and distribution; making an appropriation to the Corporation Commission; stating purpose; requiring budgeting in certain categories and amounts; directing certain expenditure of money; making continuation of employment of certain employees contingent on certain funding; establishing maximum number of certain positions; limiting certain assessment level; providing for duties and compensation of employees; providing budgetary limitations; establishing authorized number and salary maximums for certain unclassified positions; making an appropriation to the Oklahoma Liquefied Petroleum Gas Board; stating purpose; requiring budgeting in certain categories and amounts; providing for duties and compensation of employees; limiting salary of Administrator; providing budgetary limitations; making certain appropriations nonfiscal; providing lapse dates; requiring certain budgeting practices; prohibiting certain budgeting practices; 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 Oklahoma Corporation Commission from any monies not otherwise appropriated from the General Revenue Fund of the State Treasury for the fiscal year ending June 30, 2001, the sum of Two Hundred Thousand Dollars ($200,000.00) or so much thereof as may be necessary to perform the duties imposed upon the Oklahoma Corporation Commission by law.

SECTION 2. For the fiscal year ending June 30, 2001, the Corporation Commission shall budget all funds in the following categories and amounts:

| Category | Appropriation | Total |
|---|---|---|
| Administration | $3,041,652.00 | $4,847,805.00 |
| Consumer Services | $476,563.00 | $934,676.00 |
| Petroleum Storage Tank Division | $0.00 | $5,939,084.00 |
| Oil and Gas Conservation Division | $5,172,936.00 | $8,249,617.00 |
| Office of Administrative Proceedings | $623,635.00 | $2,029,361.00 |
| Public Utility Division | $0.00 | $3,793,510.00 |
| Office of General Counsel | $458,751.00 | $1,913,603.00 |
| Transportation Division | $ 0.00 | $3,715,741.00 |
| TOTAL | $9,773,537.00 | $31,423,397.00 |

SECTION 3. The Corporation Commission shall expend from any monies available the sum of Two Hundred Sixty Thousand Dollars ($260,000.00) for the provisions of Section 40.1 of Title 17 of the Oklahoma Statutes.

SECTION 4. 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 5. Of the four hundred fifty-three (453.0) full-time-equivalent employees authorized in Section 3 of this act, fourteen shall perform duties in accordance with the Underground Control Program, five shall perform duties in accordance with the Underground Storage Tank Program, and two 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 6. Pursuant to subsection F of Section 180.11 of Title 17 of the Oklahoma Statutes, the Corporation Commission shall assess 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, 2001. From any amounts collected 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 Three Hundred Fifty Thousand Ninety-six Dollars ($4,350,096.00) for the costs of the Public Utility Division for the fiscal year ending June 30, 2001. Of the funds expended, it is the intent of the Legislature that Two Hundred Fifty Thousand Dollars ($250,000.00) be used to fund the Public Utility Division portion of the Consumer Services Division. The expenditure limit created pursuant to this section shall not be considered the assessment level of the Public Utilities Division.

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 Corporation 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:

| Budgetary Limitation | Amount |
|---|---|
| Full-time-equivalent Employees | 453.0 |
| Lease-Purchase Agreements | $250,000.00 |

SECTION 8. 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 not exceed the numbers and salary maximums set forth in this section. The amounts listed do not constitute an appropriation but are listed to establish maximums only for the fiscal year ending June 30, 2001.

| Title | Number Authorized | Maximum Salary |
|---|---|---|
| General Administrator | 1.0 | $76,000.00 |
| Administrative Aide | 3.0 | $45,014.00 |
| Executive Secretary | 3.0 | $40,741.00 |
| Senior Rate Analyst | 2.0 | $55,000.00 |
| Director, Data Processing | 1.0 | $62,584.00 |

OKLAHOMA LIQUEFIED PETROLEUM GAS BOARD

SECTION 9. There is hereby appropriated to the Oklahoma Liquefied Petroleum Gas Board from any monies not otherwise appropriated from the General Revenue Fund of the State Treasury for the fiscal year ending June 30, 2001, the sum of Sixteen Thousand Dollars ($16,000.00) or so much thereof as may be necessary to perform the duties imposed upon the Oklahoma Liquefied Petroleum Gas Board by law.

SECTION 10. For the fiscal year ending June 30, 2001, the Oklahoma Liquefied Petroleum Gas Board shall budget all funds in the following categories and amounts:

| Category | Appropriation | Total |
|---|---|---|
| Administration | $187,769.00 | $202,769.00 |
| Inspections | $271,008.00 | $321,008.00 |
| TOTAL | $458,777.00 | $523,777.00 |

SECTION 11. The duties and compensation of employees, not otherwise prescribed by law, necessary to perform the duties imposed upon the Oklahoma Liquefied Petroleum Gas Board by law shall be set

by the Administrator of the Oklahoma Liquefied Petroleum Gas Board. The salary of the Administrator of the Oklahoma Liquefied Petroleum Gas Board shall not exceed Forty-two Thousand Five Hundred fifty-six Dollars ($42,556.00) per annum, payable monthly for the months of July, August and September 2000. Effective October 1, 2000, the salary of the Administrator of the Oklahoma Liquefied Petroleum Gas Board shall not exceed Forty Four Thousand Five Hundred Fifty-six Dollars ($44,556.00) per annum, payable monthly for the remainder of the fiscal year ending June 30, 2001. The Oklahoma Liquefied Petroleum Gas Board, for the fiscal year ending June 30, 2001, 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:

| Budgetary Limitation | Amount |
|---|---|
| Full-time-equivalent Employees | 10.0 |
| Lease-Purchase Agreements | $0.00 |

SECTION 12. Appropriations made by this act, not including appropriations made for capital outlay purposes, may be budgeted for the fiscal year ending June 30, 2001 (hereafter FY-01) or may be budgeted for the fiscal year ending June 30, 2002 (hereafter FY-02). Funds budgeted for FY-01 may be encumbered only through June 30, 2001, and must be expended by November 15, 2001. Any funds remaining after November 15, 2001, and not budgeted for FY-02, shall lapse to the credit of the proper fund for the then current fiscal year. Funds budgeted for FY-02 may be encumbered only through June 30, 2002. Any funds remaining after November 15, 2002, 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-01, and not required to pay obligations for that fiscal year, may be budgeted for FY-02, after

the agency to which the funds have been appropriated has prepared and submitted a budgeted work program revision removing these funds from the FY-01 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, 2000.

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