

STATE OF OKLAHOMA

2nd Session of the 47th Legislature (2000)

CONFERENCE COMMITTEE SUBSTITUTE  
FOR ENGROSSED  
HOUSE BILL NO. 2235

By: Settle and Begley of the  
House

and

Haney and Hobson of the  
Senate

CONFERENCE COMMITTEE SUBSTITUTE

An Act relating to natural resources; making an appropriation to the Oklahoma Conservation Commission; specifying purpose; requiring certain budgeting of certain categories and amounts; providing for duties and compensation of employees; providing maximum salary limitation for Executive Director; increasing salary of Executive Director; specifying certain budgetary limitations; providing for filing of certain positions contingent on certain funds; providing for termination of employees upon discontinuation of certain funds; making certain employees unclassified and exempt from certain rules; authorizing certain expenditures from small watersheds flood control; making an appropriation to the Department of Environmental Quality; specifying purpose; requiring budgeting of certain categories and amounts; providing for duties and compensation of employees; setting maximum limitation on salary of Executive Director; increasing salary of Executive Director; providing certain budgetary limitations; providing for certain technical assistance programs; requiring certain expenditures; specifying purpose; making an appropriation to the Oklahoma Department of Mines; requiring the Department of Mines to budget in certain categories and amounts; providing for duties and compensation of employees; setting maximum salary of Executive Director; increasing salary of Executive Director; providing certain budgetary limitations; requiring the Oklahoma Water Resources Board to budget in certain categories and amounts; requiring certain use of monies; providing for technical assistance and training; prohibiting certain use; providing for duties and compensation of employees; setting maximum salary limitation of Executive Director; increasing salary of Executive Director; providing certain budgetary limitations; authorizing certain budgetary purposes; providing exception; providing lapse date; limiting time period for encumbrance of certain funds; prohibiting certain budgeting; requiring certain work programs; requiring certain approval; 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 Special Cash Fund of the State Treasury for the fiscal year ending June 30, 2001, the sum of Twenty-five Thousand Dollars (\$25,000.00) or so much thereof as may be necessary to perform the duties imposed upon the Oklahoma Conservation Commission by law.

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

| <u>Category</u>                        | <u>Appropriation</u> | <u>Total</u>        |
|--|----------------------|---------------------|
| Administration                         | \$937,413.00         | \$1,363,500.00      |
| Watershed Operation<br>and Maintenance | 681,500.00           | 2,500,000.00        |
| Field Service                          | 5,738,191.00         | 6,880,573.00        |
| Abandoned Mine Land Reclamation        | 0.00                 | 6,500,000.00        |
| Water Quality/Wetlands                 | <u>115,000.00</u>    | <u>7,500,000.00</u> |
| TOTAL                                  | \$7,472,104.00       | \$24,744,073.00     |

SECTION 3. 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 Executive Director of the Commission. The salary of the Executive Director of the Oklahoma Conservation Commission shall not exceed Fifty-eight Thousand One Hundred Eighty-four Dollars (\$58,184.00) per annum, payable monthly for the months of July, August and September, 2000. Effective October 1, 2000 the salary of the Executive Director shall not exceed Sixty Thousand One Hundred Eighty-four Dollars (\$60,184.00) per annum, payable monthly for the remainder of the fiscal year ending June 30, 2001. The Oklahoma Conservation Commission 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:

| <u>Budgetary Limitation</u>    | <u>Amount</u> |
|--------------------------------|---------------|
| Full-time-equivalent Employees | 17.0          |
| Lease-Purchase Agreements      | \$20,000.00   |

SECTION 4. Of the seventeen (17) full-time-equivalent employee positions authorized in Section 4 of this act, six (6) full-time-equivalent employee positions shall be filled contingent upon procurement of federal funds for the Abandoned Mine Lands Program. Such six (6) full-time-equivalent employee positions supported by federal funds shall be terminated upon the discontinuation of federal funds dedicated to the Abandoned Mine Lands programs. Such six (6) full-time-equivalent employee positions shall be unclassified and, except for leave regulations, shall be exempt from the rules of the Merit System of Personnel Administration.

SECTION 5. Notwithstanding the purpose and limitations specified by Sections 3-3-407, 3-3-408, 3-3-409 of Title 27A of the Oklahoma Statutes, the Oklahoma Conservation Commission is hereby authorizing to expend an amount not to exceed Two Hundred Thousand Dollars (\$200,000.00) from the Small Watersheds Flood Control for flood control, safety and agency operations during the fiscal year ending June 30, 2001.

DEPARTMENT OF ENVIRONMENTAL QUALITY

SECTION 6. AMENDATORY Section 104 of Enrolled House Bill No. 2260 of the 2nd Session of the 47th Oklahoma Legislature, is amended to read as follows:

Section 104. 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, 2001, the sum of ~~Seven Million Six Hundred~~

~~Fifty-one Thousand Two Hundred Seventy-six Dollars (\$7,651,276.00)~~  
Seven Million Four Hundred Fifty-one Thousand Two Hundred Seventy-six Dollars (\$7,451,276.00) or so much thereof as may be necessary to perform the duties imposed upon the Department of Environmental Quality by law.

SECTION 7. For the fiscal year ending June 30, 2001, the Department of Environmental Quality shall budget all funds in the following categories and amounts:

| <u>Category</u>              | <u>Appropriation</u> | <u>Total</u>        |
|------------------------------|----------------------|---------------------|
| Administrative               |                      |                     |
| Services Division            | \$132,071.00         | \$4,295,571.00      |
| Air Quality Division         | 307,686.00           | 7,031,718.00        |
| Customer Services Division   | 1,465,436.00         | 6,071,813.00        |
| Environmental Complaints and |                      |                     |
| Local Services (ECLS)        | 3,617,356.00         | 6,399,600.00        |
| Water Quality Division       | 1,767,288.00         | 8,788,190.00        |
| Waste Management Division    | <u>161,439.00</u>    | <u>8,719,116.00</u> |
| TOTAL                        | \$7,451,276.00       | \$41,306,008.00     |

SECTION 8. 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 of the Department of Environmental Quality. The salary of the Executive Director of the Department of Environmental Quality shall not exceed Eighty Thousand Dollars (\$80,000.00) per annum, payable monthly for the months of July, August and September, 2000. Effective October 1, 2000, the salary of the Executive Director shall not exceed Eighty-two Thousand Dollars (\$82,000.00) per annum, payable monthly for the remainder of the fiscal year ending June 30, 2001. The Department of Environmental Quality 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:

| <u>Budgetary Limitation</u>    | <u>Amount</u> |
|--------------------------------|---------------|
| Full-time-equivalent Employees | 600.0         |
| Lease-Purchase Agreements      | \$150,000.00  |

SECTION 9. The Department of Environmental 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 10. The Department of Environmental Quality is directed to expend an amount not to exceed One Million Dollars (\$1,000,000.00) from solid waste fee collections by the Department for the purpose of compensation, benefits and other necessary expenses during the fiscal year ending June 30, 2001, 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.

#### DEPARTMENT OF MINES

SECTION 11. There is hereby appropriated to the Oklahoma Department of Mines from any monies not otherwise appropriated from the Special Cash Fund of the State Treasury for the fiscal year ending June 30, 2001, the sum of Thirty-five Thousand Dollars (\$35,000.00) or so much thereof as may be necessary to perform the duties imposed upon the Oklahoma Department of Mines by law.

SECTION 12. For the fiscal year ending June 30, 2001, the Department of Mines shall budget all funds in the following categories and amounts:

| <u>Category</u>   | <u>Appropriation</u> | <u>Total</u> |
|-------------------|----------------------|--------------|
| Administration    | \$212,282.00         | \$800,000.00 |
| Coal Programs     | 110,000.00           | 1,600,000.00 |
| Non-Coal Programs | 580,000.00           | 835,000.00   |

|                         |                  |                   |
|-------------------------|------------------|-------------------|
| Oklahoma Miner Training | <u>40,000.00</u> | <u>250,000.00</u> |
| TOTAL                   | \$942,282.00     | \$3,485,000.00    |

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 of the Department of Mines. The salary of the Executive Director of the Department of Mines shall not exceed Fifty-one Thousand Dollars (\$51,000.00) per annum, payable monthly for July, August and September 2000. Effective October 1, 2000, the salary of the Executive Director shall not exceed Fifty-three Thousand Dollars (\$53,000.00) per annum, payable monthly for the remainder of the fiscal year ending June 30, 2001. The Department of Mines 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:

| <u>Budgetary Limitation</u>    | <u>Amount</u> |
|--------------------------------|---------------|
| Full-time-equivalent Employees | 51.5          |
| Lease-Purchase Agreements      | \$0.00        |

OKLAHOMA WATER RESOURCES BOARD

SECTION 14. For the fiscal year ending June 30, 2001, 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                       | \$1,514,158.00       | \$3,214,158.00      |
| Financial Assistance                          | 88,564.00            | 1,788,564.00        |
| Water Quality Programs                        | 531,560.00           | 2,006,560.00        |
| Planning and Management                       | 1,395,148.00         | 3,495,148.00        |
| Weather Modification                          | 0.00                 | 3,000,000.00        |
| Office of the Secretary of<br>the Environment | <u>364,168.00</u>    | <u>8,064,168.00</u> |

TOTAL \$3,893,598.00 \$21,568,598.00

SECTION 15. Of the funds appropriated to the Oklahoma Water Resources Board, the sum of One Hundred Eighty-nine Thousand Five Hundred Dollars (\$189,500.00) shall be used for the purpose of providing contractual services with the Oklahoma Rural Water Association, to provide technical assistance and training to rural water system operators. No part of these funds can be used to pay any portion of the compensation of the Oklahoma Rural Water Association Executive Director.

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 of the Oklahoma Water Resources Board shall not exceed Sixty-eight Thousand Dollars (\$68,000.00) per annum, payable monthly for the months of July, August and September, 2000. Effective October 1, 2000, the salary of the Executive Director shall not exceed Seventy Thousand Dollars (\$70,000.00) per annum payable monthly for the remainder of the fiscal year ending June 30, 2001. The Oklahoma Water Resources 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:

| <u>Budgetary Limitation</u>    | <u>Amount</u> |
|--------------------------------|---------------|
| Full-time-equivalent Employees | 89.0          |
| Lease-Purchase Agreements      | \$0.00        |

SECTION 17. 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 18. This act shall become effective September 1, 2000.

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