

STATE OF OKLAHOMA

1st Session of the 47th Legislature (1999)

CONFERENCE COMMITTEE SUBSTITUTE  
FOR ENGROSSED  
HOUSE BILL NO. 1534

By: Settle and Begley of  
the House

and

Haney and Hobson of  
the Senate

CONFERENCE COMMITTEE SUBSTITUTE

An Act relating to business regulatory entities; making appropriations to the State Department of Agriculture; stating purposes; requiring certain funds to be budgeted in certain categories and amounts; requiring certain work plan and reports; designating funds and limiting certain grants; specifying purposes for which certain funds may be expended; providing legislative intent; specifying requirements for certain designated funds; providing for duties and compensation of employees; limiting the salary of the Commissioner; providing budgetary limitations; requiring certain expenditure; providing for certain contracted responsibilities; requiring certain reports and audits; providing for disallowance of expenditures; making an appropriation to the Oklahoma Horse Racing Commission; stating purposes; requiring certain funds to be budgeted in certain categories and amounts; providing for duties and compensation of employees; limiting the salary of the Director; providing budgetary limitations; making an appropriation to the Insurance Department; stating purpose; requiring certain funds to be budgeted in certain categories and amounts; providing for duties and compensation of employees; providing budgetary limitations; making an appropriation to the Department of Labor; stating purpose; requiring certain funds to be budgeted in certain categories and amounts; providing for duties and compensation of employees; providing budgetary limitations; limiting maximum salary of the Boxing Administrator; making certain positions contingent on federal funds; requiring certain report and specifying content; requiring cooperation between certain agencies; making an appropriation to the Oklahoma Board of Private Vocational Schools; stating purpose; requiring certain funds to be budgeted in certain categories and amounts; exempting certain monies from budgetary limitations; providing for duties and compensation of employees; limiting the salary of the Director; providing budgetary limitations; requiring budgeting of certain funds in certain years; providing certain budgeting procedures; providing lapse dates; and providing an effective date.

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

2 STATE DEPARTMENT OF AGRICULTURE

3 SECTION 1. There is hereby appropriated to the State Department  
4 of Agriculture from any monies not otherwise appropriated from the  
5 General Revenue Fund of the State Treasury for the fiscal year  
6 ending June 30, 2000, the sum of Seven Hundred Seventy-three  
7 Thousand Forty-four Dollars (\$773,044.00) or so much thereof as may  
8 be necessary to perform the duties imposed upon the State Department  
9 of Agriculture by law.

10 SECTION 2. There is hereby appropriated to the State Department  
11 of Agriculture from any monies not otherwise appropriated from the  
12 General Revenue Fund of the State Treasury for the fiscal year  
13 ending June 30, 2000, the sum of One Million Two Hundred Seventy  
14 Thousand Four Hundred Forty-five Dollars (\$1,270,445.00) or so much  
15 thereof as may be necessary for the Rural Fire 80/20 Match Program.

16 SECTION 3. There is hereby appropriated to the State Department  
17 of Agriculture from any monies not otherwise appropriated from the  
18 General Revenue Fund of the State Treasury for the fiscal year  
19 ending June 30, 2000, the sum of One Hundred Fifty Thousand Dollars  
20 (\$150,000.00) or so much thereof as may be necessary to implement  
21 the Oklahoma Agriculture Enhancement and Diversification Act.

22 SECTION 4. There is hereby appropriated to the State Department  
23 of Agriculture from any monies not otherwise appropriated from the  
24 General Revenue Fund of the State Treasury for the fiscal year  
25 ending June 30, 2000, the sum of Two Hundred Two Thousand Seven  
26 Hundred Fifty Dollars (\$202,750.00) or so much thereof as may be  
27 necessary for rural fire protection and training programs.

28 SECTION 5. There is hereby appropriated to the State Department  
29 of Agriculture from any monies not otherwise appropriated from the  
30 General Revenue Fund of the State Treasury for the fiscal year  
31 ending June 30, 2000, the sum of Eighty-five Thousand Three Hundred  
32 Eighty Dollars (\$85,380.00) or so much thereof as may be necessary

1 for the operations and duties of the Plant Industry and Consumer  
2 Services Division.

3 SECTION 6. There is hereby appropriated to the State Department  
4 of Agriculture from any monies not otherwise appropriated from the  
5 General Revenue Fund of the State Treasury for the fiscal year  
6 ending June 30, 2000, the sum of Three Hundred Thirty-five Thousand  
7 Dollars (\$335,000.00) or so much thereof as may be necessary for the  
8 operations and duties of the Wildlife Services.

9 SECTION 7. For the fiscal year ending June 30, 2000, the State  
10 Department of Agriculture shall budget all funds in the following  
11 categories and amounts:

12	<u>Category</u>	<u>Appropriation</u>	<u>Total</u>
13	Administration Services	\$1,639,006.00	\$5,337,273.00
14	Legal Services	\$932,297.00	\$1,051,814.00
15	Statistical Reporting Services	\$83,528.00	\$135,775.00
16	Animal Industry Services	\$3,385,014.00	\$5,499,442.00
17	Water Quality Services	\$930,383.00	\$1,708,468.00
18	Wildlife Services	\$1,170,619.00	\$1,873,339.00
19	Brucellosis Depopulation and		
20	Other Brucellosis-related		
21	Expenses	\$142,575.00	\$213,000.00
22	Forestry Services	\$6,850,842.00	\$12,697,088.00
23	Rural Fire Coordinators	\$860,000.00	\$872,750.00
24	Operation Grants to Rural		
25	Fire Departments	\$1,900,000.00	\$1,900,000.00
26	Rural Fire 80/20 Match Program	\$2,687,445.00	\$2,720,445.00
27	Statewide Fire Hydrant Program	\$50,000.00	\$50,000.00
28	Plant Industry and Consumer		
29	Services Division	\$1,161,393.00	\$5,676,309.00
30	Public Information	\$266,136.00	\$318,707.00
31	Agricultural Laboratory Services	\$1,220,964.00	\$1,668,303.00
32	Market Development Services	\$588,070.00	\$1,815,291.00

1	Agriculture Mediation Program	\$100,000.00	\$267,000.00
2	Oklahoma State University for the		
3	Statewide Intensive Financial		
4	Management Assistance Program	\$147,562.00	\$200,000.00
5	Oklahoma State University		
6	Animal Diagnostic Laboratory		
7	Equipment	\$47,525.00	\$55,000.00
8	Poultry Research and Disease		
9	Control Research Programs and		
10	Employment of a State Poultry		
11	Veterinarian and an Area		
12	Poultry Specialist	\$237,625.00	\$275,000.00
13	Tick Eradication	\$59,700.00	\$65,000.00
14	Wheat Root Rot/Nematode Complex		
15	Research	\$20,645.00	\$35,000.00
16	Peanut Pod Rot and Field Research		
17	Demonstration	\$35,001.00	\$40,000.00
18	Oklahoma Milk and Milk Products		
19	Program	\$391,717.00	\$672,600.00
20	Rural Enterprise Institute	<u>\$300,000.00</u>	<u>\$300,000.00</u>
21	TOTAL	\$25,208,047.00	\$45,447,604.00

22 SECTION 8. The State Board of Agriculture shall require a  
23 budget work plan and monthly reports on the expenditures and  
24 workload of the Agriculture Mediation Program.

25 SECTION 9. The funds designated for Operational Grants to Rural  
26 Fire Departments pursuant to this act shall be expended to provide  
27 operational grants to rural fire departments and shall be limited to  
28 not more than Two Thousand Five Hundred Dollars (\$2,500.00) per  
29 municipality.

30 SECTION 10. The funds designated for the Rural Fire 80/20 Match  
31 Program shall be expended to provide the state share for grants to  
32 rural fire protection coordination districts pursuant to the Rural

1 Fire Protection Program Fund Act and for other rural fire protection  
2 purposes.

3 SECTION 11. The funds designated for the Statewide Fire Hydrant  
4 Program shall be expended for the purposes of the statewide fire  
5 hydrant in conjunction with substate planning districts with no such  
6 district to receive more than Five Thousand Dollars (\$5,000.00).  
7 State resources shall be matched on a one-to-one basis with nonstate  
8 resources.

9 SECTION 12. It is the intent of the Legislature that from any  
10 monies appropriated to the State Department of Agriculture, at least  
11 the sum of One Hundred Ninety-five Thousand Five Hundred Forty  
12 Dollars (\$195,540.00) be used for salaries, benefits and other  
13 personnel costs of the eight (8) McGee Creek Fire Protection full-  
14 time-equivalent employees.

15 SECTION 13. The duties and compensation of employees, not  
16 otherwise prescribed by law, necessary to perform the duties imposed  
17 upon the State Department of Agriculture by law shall be set by the  
18 Commissioner. The salary of the Commissioner shall not exceed  
19 Seventy-two Thousand Dollars (\$72,000.00) per annum, payable monthly  
20 for the fiscal year ending June 30, 2000. The State Department of  
21 Agriculture, for the fiscal year ending June 30, 2000, shall be  
22 subject to the following budgetary limitations on full-time-  
23 equivalent employees and expenditures excluding expenditures for  
24 capital and special projects, except as may be authorized pursuant  
25 to the provisions of Section 3603 of Title 74 of the Oklahoma  
26 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

1 Lease-Purchase Agreements \$100,000.00

2 SECTION 14. The State Department of Agriculture shall expend so  
3 much as may be necessary to accomplish contractual responsibilities  
4 for statewide dissemination of intensive financial management  
5 technical assistance by Oklahoma State University's extension  
6 service thus enabling businesses and students of business to benefit  
7 from direct professional assistance provided by professors,  
8 associates and staff of the University and to improve and complement  
9 technical assistance provided by the Department. Contractors shall  
10 submit quarterly reports of activities and expenditures to the State  
11 Department of Agriculture. The Department may disallow any  
12 expenditures for activities not within the scope of contractual  
13 responsibilities pursuant to an approved work plan. Contractors  
14 shall submit an annual audit as required by the State Department of  
15 Agriculture which may be paid from allocated, appropriated funds.

16 OKLAHOMA HORSE RACING COMMISSION

17 SECTION 15. There is hereby appropriated to the Oklahoma Horse  
18 Racing Commission from any monies not otherwise appropriated from  
19 the General Revenue Fund of the State Treasury for the fiscal year  
20 ending June 30, 2000, the sum of Eighty Thousand One Hundred Eighty  
21 Dollars (\$80,180.00) or so much thereof as may be necessary for the  
22 purpose of providing funds for the mandatory salary increases and to  
23 perform the duties imposed upon the Oklahoma Horse Racing Commission  
24 by law, which may include full funding for the cost of pari-mutuel  
25 audits, funds for the costs associated with the annual agency audit,  
26 funds to update and provide licensing equipment at race tracks, and  
27 funds to allow the Horse Racing Commission to fully participate in  
28 national associations to access national license and ruling data  
29 bases.

30 SECTION 16. For the fiscal year ending June 30, 2000, the  
31 Oklahoma Horse Racing Commission shall budget all funds in the  
32 following categories and amounts:

<u>Category</u>	<u>Appropriation</u>	<u>Total</u>
General Operation	\$522,601.00	\$522,601.00
Race Day Expenses	\$1,363,308.00	\$1,878,308.00
Law Enforcement	\$363,549.00	\$363,549.00
Oklahoma Bred Program	<u>\$22,722.00</u>	<u>\$182,722.00</u>
TOTAL	\$2,272,180.00	\$2,947,180.00

SECTION 17. 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-five Thousand Fifty-nine Dollars (\$65,059.00) per annum, payable monthly for the fiscal year ending June 30, 2000. The Oklahoma Horse Racing Commission, for the fiscal year ending June 30, 2000, 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	43.0
Lease-Purchase Agreements	\$0.00

INSURANCE DEPARTMENT

SECTION 18. There is hereby appropriated to the Insurance Department from any monies not otherwise appropriated from the General Revenue Fund of the State Treasury for the fiscal year ending June 30, 2000, the sum of Ninety-three Thousand Seven Hundred Thirty-eight Dollars (\$93,738.00) or so much thereof as may be necessary to perform the duties imposed upon the Insurance Department by law.

SECTION 19. For the fiscal year ending June 30, 2000, the Insurance Department shall budget all funds in the following categories and amounts:

1	<u>Category</u>	<u>Appropriation</u>	<u>Total</u>
2	Administration	\$801,339.00	\$1,511,589.00
3	Regulatory/Enforcement	\$2,061,830.00	\$6,202,536.00
4	Federal Program	<u>\$14,783.00</u>	<u>\$508,747.00</u>
5	TOTAL	\$2,877,952.00	\$8,222,872.00

6 SECTION 20. The duties and compensation of employees, not  
7 otherwise prescribed by law, necessary to perform the duties imposed  
8 upon the Insurance Department by law shall be set by the Insurance  
9 Commissioner. The Insurance Department, for the fiscal year ending  
10 June 30, 2000, shall be subject to the following budgetary  
11 limitations on full-time-equivalent employees and expenditures  
12 excluding expenditures for capital and special projects, except as  
13 may be authorized pursuant to the provisions of Section 3603 of  
14 Title 74 of the Oklahoma Statutes:

15	<u>Budgetary Limitation</u>	<u>Amount</u>
16	Average Number of	
17	Full-time-equivalent Employees	133.0
18	Lease-Purchase Agreements	\$0.00

19 DEPARTMENT OF LABOR

20 SECTION 21. There is hereby appropriated to the Department of  
21 Labor from any monies not otherwise appropriated from the General  
22 Revenue Fund of the State Treasury for the fiscal year ending June  
23 30, 2000, the sum of One Hundred Forty-Seven Thousand Four Hundred  
24 Eighty-four Dollars (\$147,484.00) or so much thereof as may be  
25 necessary to perform the duties imposed upon the Department of Labor  
26 by law. Of the monies appropriated by this section, not less than  
27 Fifty-eight Thousand Seven Hundred Fifty Dollars (\$58,750.00) shall  
28 be expended on the Joint Shop Review Program administered pursuant  
29 to the Boiler and Pressure Vessel Safety Act.

30 SECTION 22. For the fiscal year ending June 30, 2000, the  
31 Department of Labor shall budget all funds in the following  
32 categories and amounts:

1	Category	Appropriation	<u>Total</u>
2	Administration	\$844,574.00	\$1,873,014.00
3	Asbestos Abatement	\$480,149.00	\$681,491.00
4	Regulation & Enforcement	\$1,649,563.00	\$2,123,929.00
5	Workers Compensation Compliance	\$216,595.00	\$697,870.00
6	Statistical Research and Licensing	\$316,599.00	\$675,219.00
7	Occupational Safety and Health	<u>\$218,350.00</u>	<u>\$2,493,028.00</u>
8	TOTAL	\$3,725,830.00	\$8,544,551.00

9 SECTION 23. The duties and compensation of employees, not  
10 otherwise prescribed by law, necessary to perform the duties imposed  
11 upon the Department of Labor by law shall be set by the Commissioner  
12 of Labor. The Department of Labor for the fiscal year ending June  
13 30, 2000, shall be subject to the following budgetary limitations on  
14 full-time-equivalent employees and expenditures excluding  
15 expenditures for capital and special projects, except as may be  
16 authorized pursuant to the provisions of Section 3603 of Title 74 of  
17 the Oklahoma Statutes:

18	<u>Budgetary Limitation</u>	<u>Amount</u>
19	Full-time-equivalent Employees	138.0
20	Lease-Purchase Agreements	\$0.00

21 SECTION 24. The maximum annual salary of the Boxing  
22 Administrator shall not exceed Thirty-four Thousand Six Hundred  
23 Sixty-three Dollars (\$34,663.00), payable monthly for the fiscal  
24 year ending June 30, 2000.

25 SECTION 25. Of the one hundred thirty-eight (138) full-time-  
26 equivalent employee positions authorized for the Department of Labor  
27 in this act, twenty (20) full-time-equivalent employee positions  
28 shall be contingent upon the procurement of federal funds and shall  
29 be terminated when federal support of those positions is  
30 discontinued.

31 SECTION 26. A. By February 1 of each year, the Department of  
32 Labor shall submit an annual report to the Speaker of the House of

1 Representatives and the President Pro Tempore of the Senate  
2 detailing the amount per agency of all state, federal and local  
3 funds received, directly or indirectly, for asbestos abatement, the  
4 projects completed per agency, the number of agency employees used  
5 in the programs, and the projected needs for the next succeeding  
6 fiscal year.

7 B. The Department of Central Services, the Department of  
8 Corrections, the Department of Human Services and the Oklahoma State  
9 Regents for Higher Education and any other appropriate state agency  
10 involved in asbestos abatement shall cooperate with the Department  
11 of Labor to provide the information required pursuant to the  
12 provisions of this section.

13 OKLAHOMA BOARD OF PRIVATE VOCATIONAL SCHOOLS

14 SECTION 27. There is hereby appropriated to the Oklahoma Board  
15 of Private Vocational Schools from any monies not otherwise  
16 appropriated from the General Revenue Fund of the State Treasury for  
17 the fiscal year ending June 30, 2000, the sum of Four Thousand Eight  
18 Hundred Eleven Dollars (\$4,811.00) or so much thereof as may be  
19 necessary to perform the duties imposed upon the Oklahoma Board of  
20 Private Vocational Schools by law.

21 SECTION 28. For the fiscal year ending June 30, 2000, the  
22 Oklahoma Board of Private Vocational Schools shall budget all funds  
23 in the following categories and amounts:

24 <u>Category</u>	<u>Appropriation</u>	<u>Total</u>
25 Licensing/Investigative		
26 Operations	\$ 163,601.00	\$170,601.00

27 SECTION 29. For the fiscal year ending June 30, 2000, and for  
28 each year thereafter, all monies accruing to the credit of the  
29 Private Vocational Student Tuition Recovery Revolving Fund created  
30 in Section 21-201 of Title 70 of the Oklahoma Statutes shall not be  
31 subject to any budgetary limits established for the Oklahoma Board  
32 of Private Vocational Schools.

1 SECTION 30. The duties and compensation of employees, not  
2 otherwise prescribed by law, necessary to perform the duties imposed  
3 upon the Oklahoma Board of Private Vocational Schools by law shall  
4 be set by the Director. The salary of the Director shall not exceed  
5 Thirty-eight Thousand Two Hundred Eighty-one Dollars (\$38,281.00)  
6 per annum, payable monthly for the fiscal year ending June 30, 2000.  
7 The Oklahoma Board of Private Vocational Schools, for the fiscal  
8 year ending June 30, 2000, shall be subject to the following  
9 budgetary limitations on full-time-equivalent employees except as  
10 may be authorized pursuant to the provisions of Section 3603 of  
11 Title 74 of the Oklahoma Statutes:

<u>Budgetary Limitation</u>	<u>Amount</u>
Full-time-equivalent Employees	3.0

14 SECTION 31. Appropriations made by this act, not including  
15 appropriations made for capital outlay purposes, may be budgeted for  
16 the fiscal year ending June 30, 2000 (hereafter FY-00) or may be  
17 budgeted for the fiscal year ending June 30, 2001 (hereafter FY-01).  
18 Funds budgeted for FY-00 may be encumbered only through June 30,  
19 2000, and must be expended by November 15, 2000. Any funds  
20 remaining after November 15, 2000, and not budgeted for FY-01, shall  
21 lapse to the credit of the proper fund for the then current fiscal  
22 year. Funds budgeted for FY-01 may be encumbered only through June  
23 30, 2001. Any funds remaining after November 15, 2001, shall lapse  
24 to the credit of the proper fund for the then current fiscal year.  
25 These appropriations may not be budgeted in both fiscal years  
26 simultaneously. Funds budgeted in FY-00, and not required to pay  
27 obligations for that fiscal year, may be budgeted for FY-01, after  
28 the agency to which the funds have been appropriated has prepared  
29 and submitted a budget work program revision removing these funds  
30 from the FY-00 budget work program and after such revision has been  
31 approved by the Office of State Finance.

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1 SECTION 32. This act shall become effective September 1, 1999.

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