

STATE OF OKLAHOMA

1st Session of the 47th Legislature (1999)

CONFERENCE COMMITTEE SUBSTITUTE
FOR ENGROSSED
SENATE BILL 137

By: Haney and Hobson of the
Senate

and

Settle and Begley of the
House

CONFERENCE COMMITTEE SUBSTITUTE

An Act relating to the Conservation Commission; amending 82 O.S. 1991, Section 1501-415, as amended by Section 228, Chapter 145, O.S.L. 1993, and as renumbered by Section 359, Chapter 145, O.S.L. 1993 (27A O.S. Supp. 1998, Section 3-3-201), which relates to conservation district directors; increasing per diem reimbursement amount; amending 82 O.S. 1991, Section 1501-704, as renumbered by Section 56, Chapter 324, O.S.L. 1993 (27A O.S. Supp. 1998, Section 3-3-407), which relates to the allocation of the Small Watersheds Flood Control Fund; providing additional usage of certain funds; amending Section 1 of Enrolled Senate Bill No. 136 of the 1st Session of the 47th Oklahoma Legislature, which relates to the Oklahoma Conservation Commission; modifying source and amount of appropriation to the Oklahoma Conservation Commission; amending Section 3 of Enrolled Senate Bill No. 136 of the 1st Session of the 47th Oklahoma Legislature, which relates to budget categories and amounts; modifying amounts for certain categories; authorizing expenditure of certain funds; stating purpose; providing for codification; and providing an effective date.

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

SECTION 1. AMENDATORY 82 O.S. 1991, Section 1501-415, as amended by Section 228, Chapter 145, O.S.L. 1993, and as renumbered by Section 359, Chapter 145, O.S.L. 1993 (27A O.S. Supp. 1998, Section 3-3-201), is amended to read as follows:

Section 3-3-201. A. The governing body of the district shall consist of five (5) directors, elected or appointed as provided in the Conservation District Act.

B. 1. Three directors shall be elected for a term of three (3) years and shall be elected for staggered terms as provided by the Conservation District Act.

2. The three elected directors' positions shall be designated as position number one, position number two and position number three by the Commission.

3. To be eligible for election as a director of a conservation district, a person must be a registered voter in said district, and must be a cooperator of said district.

C. Two directors for each district shall be appointed by the Commission to serve a term of two (2) years. The Commission shall issue a certificate of appointment to all appointed directors. Initially one director shall serve for a period of one (1) year and one director for a period of two (2) years.

D. A director shall hold office until ~~his~~ the director's successor or replacement has been elected or appointed, and qualified.

E. Any director may be removed from office by the Commission, upon notice and hearing, for neglect of duty or for malfeasance in office.

F. All vacancies in the office of an elected or appointed director shall be filled for the unexpired term by the Commission.

G. Directors shall be entitled to be reimbursed by the district for actual expenses incurred in the official performance of their duties.

H. District directors shall be paid a per diem of ~~Fifteen Dollars (\$15.00)~~ Twenty-five Dollars (\$25.00) per meeting for attending monthly district board meetings and for such other area and state meetings as are called by the Oklahoma Conservation Commission.

I. If any director shall, during his or her term of office as director, be elected or appointed to any county or state elective

office, or if he or she shall file as a candidate for the nomination to be elected to any such other office, his or her office as director shall become vacant and the vacancy shall be filled by appointment of the Commission. Provided, that a district director may also serve on a board of education of a school district.

SECTION 2. AMENDATORY 82 O.S. 1991, Section 1501-704, as renumbered by Section 56, Chapter 324, O.S.L. 1993 (27A O.S. Supp. 1998, Section 3-3-407), is amended to read as follows:

Section 3-3-407. A. The Commission shall have authority to allocate to any conservation district in this state, from the Small Watersheds Flood Control Fund, such sum or sums as in the judgment of the said Commission may be necessary to enable such district to acquire real property or easements needed by such district to permit such district to install upstream flood control structures on rivers and streams and the tributaries thereof, including cooperative projects between such district and the United States government.

B. Monies from the fund may also be used for costs associated with the rehabilitation of flood control structures, including, but not limited to, landrights.

SECTION 3. AMENDATORY Section 1 of Enrolled Senate Bill No. 136 of the 1st Session of the 47th Oklahoma Legislature, is amended to read as follows:

Section 1. There is hereby appropriated to the Oklahoma Conservation Commission from any monies not otherwise appropriated from the ~~General Revenue~~ Special Cash Fund of the State Treasury ~~for the fiscal year ending June 30, 2000, the sum of Two Hundred Twenty-five Thousand Three Hundred Fifteen Dollars (\$225,315.00)~~ Two Hundred Fifty Thousand Three Hundred Fifteen Dollars (\$250,315.00) or so much thereof as may be necessary to perform the duties imposed upon the Oklahoma Conservation Commission by law.

SECTION 4. AMENDATORY Section 3 of Enrolled Senate Bill No. 136 of the 1st Session of the 47th Oklahoma Legislature, is amended to read as follows:

Section 3. For the fiscal year ending June 30, 2000, the Oklahoma Conservation Commission shall budget all funds in the following categories and amounts:

<u>Category</u>	<u>Appropriation</u>	<u>Total</u>
Administration	\$923,913.00	\$1,350,000.00
Watershed Operation and Maintenance	680,000.00	2,500,000.00
Field Service	5,502,818.00 <u>5,527,818.00</u>	6,560,000.00 <u>6,585,000.00</u>
Abandoned Mine Land Reclamation	0.00	3,250,000.00
Water Quality/Wetlands	<u>115,000.00</u>	<u>5,500,000.00</u>
TOTAL	\$7,221,731.00 <u>\$7,246,731.00</u>	\$19,160,000.00 <u>\$19,185,000.00</u>

The Commission shall develop outcome-based performance measures for each budget category.

SECTION 5. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 3-3-410 of Title 27A, unless there is created a duplication in numbering, reads as follows:

The Oklahoma Conservation Commission is hereby authorized to equitably apportion and pay dependent health insurance premiums for local conservation district employees from funds appropriated for such purpose.

SECTION 6. This act shall become effective September 1, 1999.

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