

ENROLLED HOUSE  
BILL NO. 1534

By: Settle and Begley of  
the House

and

Haney and Hobson of  
the Senate

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.

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

STATE DEPARTMENT OF AGRICULTURE

SECTION 1. There is hereby appropriated to the State Department of Agriculture 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 Seven Hundred Seventy-three Thousand Forty-four Dollars (\$773,044.00) or so much thereof as may be necessary to perform the duties imposed upon the State Department of Agriculture by law.

SECTION 2. There is hereby appropriated to the State Department of Agriculture 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 One Million Two Hundred Seventy Thousand Four Hundred Forty-five Dollars (\$1,270,445.00) or so much thereof as may be necessary for the Rural Fire 80/20 Match Program.

SECTION 3. There is hereby appropriated to the State Department of Agriculture 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 One Hundred Fifty Thousand Dollars (\$150,000.00) or so much thereof as may be necessary to implement the Oklahoma Agriculture Enhancement and Diversification Act.

SECTION 4. There is hereby appropriated to the State Department of Agriculture 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 Two Hundred Two Thousand Seven Hundred Fifty Dollars (\$202,750.00) or so much thereof as may be necessary for rural fire protection and training programs.

SECTION 5. There is hereby appropriated to the State Department of Agriculture 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 Eighty-five Thousand Three Hundred Eighty Dollars (\$85,380.00) or so much thereof as may be necessary for the operations and duties of the Plant Industry and Consumer Services Division.

SECTION 6. There is hereby appropriated to the State Department of Agriculture 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 Three Hundred Thirty-five Thousand Dollars (\$335,000.00) or so much thereof as may be necessary for the operations and duties of the Wildlife Services.

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

<u>Category</u>	<u>Appropriation</u>	<u>Total</u>
Administration Services	\$1,639,006.00	\$5,337,273.00
Legal Services	\$932,297.00	\$1,051,814.00
Statistical Reporting Services	\$83,528.00	\$135,775.00

Animal Industry Services	\$3,385,014.00	\$5,499,442.00
Water Quality Services	\$930,383.00	\$1,708,468.00
Wildlife Services	\$1,170,619.00	\$1,873,339.00
Brucellosis Depopulation and Other Brucellosis-related Expenses	\$142,575.00	\$213,000.00
Forestry Services	\$6,850,842.00	\$12,697,088.00
Rural Fire Coordinators	\$860,000.00	\$872,750.00
Operation Grants to Rural Fire Departments	\$1,900,000.00	\$1,900,000.00
Rural Fire 80/20 Match Program	\$2,687,445.00	\$2,720,445.00
Statewide Fire Hydrant Program	\$50,000.00	\$50,000.00
Plant Industry and Consumer Services Division	\$1,161,393.00	\$5,676,309.00
Public Information	\$266,136.00	\$318,707.00
Agricultural Laboratory Services	\$1,220,964.00	\$1,668,303.00
Market Development Services	\$588,070.00	\$1,815,291.00
Agriculture Mediation Program	\$100,000.00	\$267,000.00
Oklahoma State University for the Statewide Intensive Financial Management Assistance Program	\$147,562.00	\$200,000.00
Oklahoma State University Animal Diagnostic Laboratory Equipment	\$47,525.00	\$55,000.00
Poultry Research and Disease Control Research Programs and Employment of a State Poultry Veterinarian and an Area Poultry Specialist	\$237,625.00	\$275,000.00
Tick Eradication	\$59,700.00	\$65,000.00
Wheat Root Rot/Nematode Complex Research	\$20,645.00	\$35,000.00
Peanut Pod Rot and Field Research Demonstration	\$35,001.00	\$40,000.00
Oklahoma Milk and Milk Products Program	\$391,717.00	\$672,600.00
Rural Enterprise Institute	<u>\$300,000.00</u>	<u>\$300,000.00</u>
TOTAL	\$25,208,047.00	\$45,447,604.00

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

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

SECTION 10. The funds designated for the Rural Fire 80/20 Match Program shall be expended to provide the state share for grants to rural fire protection coordination districts pursuant to the Rural Fire Protection Program Fund Act and for other rural fire protection purposes.

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

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

SECTION 13. The duties and compensation of employees, not otherwise prescribed by law, necessary to perform the duties imposed upon the State Department of Agriculture by law shall be set by the Commissioner. The salary of the Commissioner shall not exceed Seventy-two Thousand Dollars (\$72,000.00) per annum, payable monthly for the fiscal year ending June 30, 2000. The State Department of Agriculture, 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 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>
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
Lease-Purchase Agreements	\$100,000.00

SECTION 14. The State Department of Agriculture shall expend so much as may be necessary to accomplish contractual responsibilities for statewide dissemination of intensive financial management technical assistance by Oklahoma State University's extension service thus enabling businesses and students of business to benefit from direct professional assistance provided by professors, associates and staff of the University and to improve and complement technical assistance provided by the Department. Contractors shall

submit quarterly reports of activities and expenditures to the State Department of Agriculture. The Department may disallow any expenditures for activities not within the scope of contractual responsibilities pursuant to an approved work plan. Contractors shall submit an annual audit as required by the State Department of Agriculture which may be paid from allocated, appropriated funds.

OKLAHOMA HORSE RACING COMMISSION

SECTION 15. There is hereby appropriated to the Oklahoma Horse Racing Commission 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 Eighty Thousand One Hundred Eighty Dollars (\$80,180.00) or so much thereof as may be necessary for the purpose of providing funds for the mandatory salary increases and to perform the duties imposed upon the Oklahoma Horse Racing Commission by law, which may include full funding for the cost of pari-mutuel audits, funds for the costs associated with the annual agency audit, funds to update and provide licensing equipment at race tracks, and funds to allow the Horse Racing Commission to fully participate in national associations to access national license and ruling data bases.

SECTION 16. For the fiscal year ending June 30, 2000, the Oklahoma Horse Racing Commission shall budget all funds in the 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:

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

SECTION 20. The duties and compensation of employees, not otherwise prescribed by law, necessary to perform the duties imposed upon the Insurance Department by law shall be set by the Insurance Commissioner. The Insurance Department, 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 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>
Average Number of Full-time-equivalent Employees	133.0
Lease-Purchase Agreements	\$0.00

DEPARTMENT OF LABOR

SECTION 21. There is hereby appropriated to the Department of Labor 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 One Hundred Forty-Seven Thousand Four Hundred Eighty-four Dollars (\$147,484.00) or so much thereof as may be necessary to perform the duties imposed upon the Department of Labor by law. Of the monies appropriated by this section, not less than Fifty-eight Thousand Seven Hundred Fifty Dollars (\$58,750.00) shall be expended on the Joint Shop Review Program administered pursuant to the Boiler and Pressure Vessel Safety Act.

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

<u>Category</u>	<u>Appropriation</u>	<u>Total</u>
Administration	\$844,574.00	\$1,873,014.00

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

SECTION 23. The duties and compensation of employees, not otherwise prescribed by law, necessary to perform the duties imposed upon the Department of Labor by law shall be set by the Commissioner of Labor. The Department of Labor 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 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	138.0
Lease-Purchase Agreements	\$0.00

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

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

SECTION 26. A. By February 1 of each year, the Department of Labor shall submit an annual report to the Speaker of the House of Representatives and the President Pro Tempore of the Senate detailing the amount per agency of all state, federal and local funds received, directly or indirectly, for asbestos abatement, the projects completed per agency, the number of agency employees used in the programs, and the projected needs for the next succeeding fiscal year.

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

OKLAHOMA BOARD OF PRIVATE VOCATIONAL SCHOOLS

SECTION 27. There is hereby appropriated to the Oklahoma Board of Private Vocational Schools 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 Four Thousand Eight Hundred Eleven Dollars (\$4,811.00) or so much thereof as may be necessary to perform the duties imposed upon the Oklahoma Board of Private Vocational Schools by law.

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

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

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

SECTION 30. The duties and compensation of employees, not otherwise prescribed by law, necessary to perform the duties imposed upon the Oklahoma Board of Private Vocational Schools by law shall be set by the Director. The salary of the Director shall not exceed Thirty-eight Thousand Two Hundred Eighty-one Dollars (\$38,281.00) per annum, payable monthly for the fiscal year ending June 30, 2000. The Oklahoma Board of Private Vocational Schools, for the fiscal year ending June 30, 2000, shall be subject to the following budgetary limitations on full-time-equivalent employees 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	3.0

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

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

Passed the House of Representatives the 20th day of May, 1999.

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Speaker of the House of  
Representatives

Passed the Senate the 21st day of May, 1999.

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President of the Senate