

ENROLLED SENATE  
BILL NO. 136

By: Haney and Hobson of the  
Senate

and

Settle and Begley of the  
House

An Act relating to regulation of natural resources; making appropriations to the Oklahoma Conservation Commission; stating purposes; requiring budgeting in certain categories and amounts; requiring performance measures for budget categories; providing for duties and compensation of employees; limiting the salary of the Executive Director; requiring certain budgetary limitations; making certain employees contingent on funding; making such employees unclassified and exempt; authorizing certain expenditure; making appropriations to the Department of Mines; stating purposes; requiring budgeting in certain categories and amounts; requiring performance measures for budget categories; providing for duties and compensation of employees; limiting the salary of the Executive Director; providing budgetary limitations; making an appropriation to the Oklahoma Water Resources Board; stating purpose; requiring budgeting in certain categories and amounts; requiring performance measures for budget categories; providing for duties and compensation of employees; limiting the salary of the Executive Director; providing budgetary limitations; making certain employees contingent on certain funding; directing use of certain funds; making an appropriation to the Department of Environmental Quality; stating purpose; requiring budgeting in certain categories and amounts; requiring performance measures for budget categories; providing for duties and compensation of employees; limiting the salary of the Executive Director; providing budgetary limitations; requiring certain expenditures; requiring utilization of certain funds; 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:

OKLAHOMA CONSERVATION COMMISSION

SECTION 1. There is hereby appropriated to the Oklahoma Conservation 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 Two Hundred Twenty-five Thousand Three Hundred Fifteen Dollars (\$225,315.00) or so much thereof as may be necessary to perform the duties imposed upon the Oklahoma Conservation Commission by law.

SECTION 2. There is hereby appropriated to the Oklahoma Conservation 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 One Hundred Forty-one Thousand Dollars (\$141,000.00) or so much thereof as may be necessary for local conservation district employee dependent coverage and conservation district director per diem allowance increase.

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         | 6,560,000.00        |
| 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       | \$19,160,000.00     |

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

SECTION 4. 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 fiscal year ending June 30, 2000. The Oklahoma Conservation 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 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 5. Of the seventeen (17.0) full-time-equivalent employee positions authorized in Section 4 of this act, six (6.0) full-time-equivalent employee positions shall be filled contingent upon procurement of federal funds for the Abandoned Mine Lands Programs. Such six (6.0) 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 (6.0) 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 6. 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 authorized 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, 2000.

DEPARTMENT OF MINES

SECTION 7. There is hereby appropriated to the Department of Mines 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 Twenty-four Thousand Sixteen Dollars (\$24,016.00) or so much thereof as may be necessary to perform the duties imposed upon the Department of Mines by law.

SECTION 8. There is hereby appropriated to the Department of Mines 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 Fifty Thousand Dollars (\$50,000.00) or so much thereof as may be necessary for the Oklahoma Miner Training Institute.

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

| <u>Category</u>         | <u>Appropriation</u> | <u>Total</u>      |
|-------------------------|----------------------|-------------------|
| Administration          | \$187,011.00         | \$800,000.00      |
| Coal Programs           | 100,000.00           | 1,500,000.00      |
| Non-Coal Programs       | 525,000.00           | 800,000.00        |
| Oklahoma Miner Training | <u>50,000.00</u>     | <u>200,000.00</u> |

TOTAL \$862,011.00 \$3,300,000.00

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

SECTION 10. 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 Thousand Eight Hundred Nineteen Dollars (\$50,819.00) per annum, payable monthly for the fiscal year ending June 30, 2000. The Department of Mines 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 | 51.5          |
| Lease-Purchase Agreements      | \$0.00        |

OKLAHOMA WATER RESOURCES BOARD

SECTION 11. There is hereby appropriated to the Oklahoma Water Resources Board 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 Twenty-four Thousand Eight Hundred Seventy Four Dollars (\$24,874.00) or so much thereof as may be necessary to perform the duties imposed upon the Oklahoma Water Resources Board by law.

SECTION 12. For the fiscal year ending June 30, 2000, 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                    | \$1,466,252.00       | \$3,166,252.00      |
| Water Quality Programs                     | 495,557.00           | 1,245,557.00        |
| Financial Assistance                       | 98,405.00            | 1,798,405.00        |
| Planning and Management                    | 1,341,807.00         | 4,441,807.00        |
| Office of the Secretary of the Environment | <u>359,668.00</u>    | <u>8,059,668.00</u> |
| TOTAL                                      | \$3,761,689.00       | \$18,711,689.00     |

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

SECTION 13. 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-six Thousand Seven Hundred Forty-four Dollars (\$66,744.00) per annum, payable monthly for the fiscal year ending June 30, 2000. The Oklahoma Water Resources Board 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 | 89.0          |
| Lease-Purchase Agreements      | \$0.00        |

SECTION 14. Of the eighty-nine (89.0) full-time-equivalent employee positions authorized in Section 13 of this act, three (3.0) full-time-equivalent employee positions shall be contingent upon sufficient funding available in the Statewide Water Development Revolving Fund, Drinking Water Treatment Loan Administrative Fund, and monies received from the federal government for the purposes set forth in Sections 1085.52, 1085.74, and 1085.77 of Title 82 of the Oklahoma Statutes.

SECTION 15. Of the funds appropriated by Section 116 of Enrolled Senate Bill No. 161 of the 1st Session of the 47th Oklahoma Legislature, the sum of One Hundred Eighty-nine Thousand Five Hundred Dollars (\$189,500.00) appropriated to the Secretary of the Environment shall be used for the purpose of contracting for technical training and education to rural water and wastewater system operators or board members. No part of these funds can be used to pay any portion of the compensation of the executive director providing contractual services.

DEPARTMENT OF ENVIRONMENTAL QUALITY

SECTION 16. 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, 2000, the sum of One Hundred Fifty-five Thousand Three Hundred Seventy Dollars (\$155,370.00) or so much thereof as may be necessary to perform the duties imposed upon the Department of Environmental Quality by law.

SECTION 17. For the fiscal year ending June 30, 2000, 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 | \$0.00               | \$4,288,500.00 |

|   |                   |                     |
|---|-------------------|---------------------|
| Air Quality Division                                  | 209,482.00        | 6,567,648.00        |
| Customer Services Division                            | 1,429,934.00      | 5,830,490.00        |
| Environmental Complaints and Local<br>Services (ECLS) | 3,234,302.00      | 6,141,546.00        |
| Water Quality Division                                | 1,725,124.00      | 7,494,700.00        |
| Waste Management Division                             | <u>157,528.00</u> | <u>8,503,010.00</u> |
| TOTAL   | \$6,756,370.00    | \$38,825,894.00     |

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

SECTION 18. 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 fiscal year ending June 30, 2000. The Department of Environmental Quality 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 | 592.0         |
| Lease-Purchase Agreements      | \$150,000.00  |

SECTION 19. The Department of Environmental Quality shall, in cooperation with other state agencies, expend available funds as necessary to protect eastern Oklahoma water supply reservoirs from excessive eutrophication.

SECTION 20. 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 21. 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, 2000, 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.

SECTION 22. 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 budgeted 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 23. This act shall become effective September 1, 1999.

Passed the Senate the 19th day of May, 1999.

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President of the Senate

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

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Speaker of the House of  
Representatives

