

ENROLLED SENATE
BILL NO. 924

By: Haney and Hobson of the
Senate

and

Settle and Begley of the
House

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 performance measures; requiring certain work plan and reports; designating funds and limiting certain grants; specifying purposes for which certain funds may be expended; 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; authorizing the State Department of Agriculture to disallow payment for certain expenditures; requiring certain funds to be budgeted in certain categories and amounts for the Oklahoma Horse Racing Commission; requiring certain performance measures; providing for duties and compensation of employees; limiting the salary of the Director; providing budgetary limitations; authorizing the expenditure of certain funds for certain purposes; requiring certain funds to be budgeted in certain categories and amounts for the Insurance Department; requiring certain performance measures; providing for duties and compensation of employees; providing budgetary limitations; requiring certain funds to be budgeted in certain categories and amounts for the Department of Labor; requiring certain performance measures; providing for duties and compensation of employees; providing budgetary limitations; making certain positions contingent on federal funds; requiring certain reports and specifying content; requiring cooperation between certain agencies; making certain appropriations nonfiscal; requiring budgeting of certain funds in certain years; requiring certain budgeting procedures; prohibiting certain budget procedures; providing lapse dates; providing an effective date; and declaring an emergency.

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 Special Cash Fund of the State Treasury the sum of Three Hundred Fifty-eight Thousand Dollars (\$358,000.00) 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 Special Cash Fund of the State Treasury the sum of One Million Three Hundred Three Thousand Dollars (\$1,303,000.00) 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 Special Cash Fund of the State Treasury the sum of Two Hundred Fifty-six Thousand Dollars (\$256,000.00) or so much thereof as may be necessary for rural fire protection and training programs.

SECTION 4. There is hereby appropriated to the State Department of Agriculture from any monies not otherwise appropriated from the Special Cash Fund of the State Treasury the sum of Fifty Thousand Dollars (\$50,000.00) or so much thereof as may be necessary for fire ant research.

SECTION 5. There is hereby appropriated to the State Department of Agriculture from any monies not otherwise appropriated from the Special Cash Fund of the State Treasury, the sum of One Hundred Thousand Dollars (\$100,000.00) or so much thereof as may be necessary for operation grants to rural fire departments.

SECTION 6. For the fiscal year ending June 30, 2001, the State Department of Agriculture shall budget all funds in the following categories and amounts:

<u>Category</u>	<u>Appropriation</u>	<u>Total</u>
Administrative Services Division	\$1,638,142.00	\$4,383,398.00
Legal Services Division	881,338.00	1,101,155.00
Statistical Services Division	88,634.00	145,197.00
Animal Industry Services Division	3,543,159.00	5,498,084.00
Water Quality Services Division	987,513.00	1,419,758.00
Wildlife Services Division	1,201,238.00	1,764,842.00
Public Information Services Division	334,434.00	364,540.00

Brucellosis Depopulation and other Brucellosis-related Expenses	142,575.00	213,000.00
Forestry Services Division	7,095,359.00	11,035,870.00
Rural Fire Coordinators	860,000.00	872,750.00
Operation Grants to Rural Fire Departments	2,000,000.00	2,000,000.00
Rural Fire 80/20 Match Program	3,209,000.00	3,659,000.00
Dry Fire Hydrant Program	50,000.00	50,000.00
Plant Industry and Consumer Services Division	1,299,461.00	4,489,904.00
Agricultural Laboratory Services Division	1,278,613.00	1,350,182.00
Market Development Services Division	739,700.00	1,818,668.00
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	35,000.00	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 \$26,688,940.00 \$42,075,948.00

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

SECTION 7. 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 8. The funds designated for Operational Grants to Rural Fire Departments pursuant to Section 6 of this act shall be expended to provide operational grants to rural fire departments and shall be limited to Two Thousand Five Hundred Dollars (\$2,500.00) per municipality.

SECTION 9. The funds designated for the Rural Fire 80/20 Match Program pursuant to Section 6 of this act 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 10. The funds designated for the Dry Fire Hydrant Program pursuant to Section 6 of this act shall be expended for the purposes of the statewide dry fire hydrant program 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 11. 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 12. 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-four Thousand Dollars (\$74,000.00) per annum, payable monthly for the months of July, August, and September 2000. Effective October 1, 2000, the salary of the Commissioner shall not exceed Seventy-six Thousand Dollars (\$76,000.00) per annum, payable monthly for the remainder of the fiscal year ending June 30, 2001. The State Department of Agriculture, 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>
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 13. 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 14. For the fiscal year ending June 30, 2001, 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 Operations	\$517,279.00	\$517,279.00
Race Day Expenses	1,286,503.00	1,802,503.00
Law Enforcement	423,551.00	423,551.00
Oklahoma Bred Program	<u>31,057.00</u>	<u>166,238.00</u>
TOTAL	\$2,258,390.00	\$2,909,571.00

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

SECTION 15. 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 months of July, August, and September 2000. Effective October 1, 2000, the salary of the Director shall not exceed Sixty-seven Thousand Fifty-nine Dollars (\$67,059.00) per annum, payable monthly for the remainder of the fiscal year ending June 30, 2001.

The Oklahoma Horse Racing 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 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>
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Full-time-equivalent Employees	43.0
Lease-Purchase Agreements	\$0.00

SECTION 16. The Oklahoma Horse Racing Commission is hereby authorized to expend an amount necessary from any funds available to provide a five percent (5%) increase in salary compensation for employees operating in the capacity of law enforcement officials.

INSURANCE DEPARTMENT

SECTION 17. For the fiscal year ending June 30, 2001, the Insurance Department shall budget all funds in the following categories and amounts:

<u>Category</u>	<u>Appropriation</u>	<u>Total</u>
Administration	\$825,740.00	\$1,757,509.00
Regulatory/Enforcement	2,124,575.00	6,020,027.00
Senior Health Insurance Counseling Program	<u>15,663.00</u>	<u>475,133.00</u>
TOTAL	\$2,965,978.00	\$8,252,669.00

The agency 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 Insurance Department by law shall be set by the Insurance Commissioner. The Insurance Department, 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>
Average Number of Full-time-equivalent Employees	140.0
Lease-Purchase Agreements	\$0.00

DEPARTMENT OF LABOR

SECTION 19. For the fiscal year ending June 30, 2001, the Department of Labor shall budget all funds in the following categories and amounts:

<u>Category</u>	<u>Appropriation</u>	<u>Total</u>
Administration	\$835,571.00	\$1,844,886.00

Asbestos Abatement	471,118.00	729,359.00
Regulation & Enforcement	1,637,086.00	2,056,605.00
Workers Compensation Compliance	232,021.00	697,870.00
Statistical Research and Licensing	322,498.00	728,178.00
Occupational Safety and Health	<u>234,646.00</u>	<u>2,722,627.00</u>
TOTAL	\$3,732,940.00	\$8,779,525.00

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

SECTION 20. 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, 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	136.0
Lease-Purchase Agreements	\$0.00

SECTION 21. Of the one hundred thirty-six (136.0) full-time-equivalent employee positions authorized for the Department of Labor in this act, twenty (20.0) 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 22. A. By February 1, 2001, the Department of Labor shall submit an annual report to the President Pro Tempore of the Senate and the Speaker of the House of Representatives 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.

SECTION 23. 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 budget 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 24. This act shall become effective July 1, 2000.

SECTION 25. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

Passed the Senate the 25th day of May, 2000.

President of the Senate

Passed the House of Representatives the 25th day of May, 2000.

Speaker of the House of
Representatives

