

STATE OF OKLAHOMA

1st Session of the 47th Legislature (1999)

SENATE BILL NO. 136

By: Haney and Hobson of the  
Senate  
and  
Settle and Begley of the  
House

AS INTRODUCED

An Act relating to regulation of natural resources; making an appropriation to the Oklahoma Conservation Commission; stating purpose; requiring budgeting in certain categories and amounts; providing for duties and compensation of employees; limiting salary of the Executive Director; providing budgetary limitations; making certain employees contingent on certain funding; making such employees unclassified and exempt from certain rules; making an appropriation to the Department of Mines; stating purpose; requiring budgeting in certain categories and amounts; providing for duties and compensation of employees; limiting 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; providing for duties and compensation of employees; limiting salary of the Executive Director; providing budgetary limitations; making certain employees contingent on certain funding; requiring certain funding to be used for certain contractual services; making an appropriation to the Department of Environmental Quality; stating purpose; requiring budgeting in certain categories and amounts; providing for duties and compensation of employees; limiting salary of the Executive Director; providing budgetary limitations; requiring certain expenditures; making certain appropriations nonfiscal; providing lapse dates; requiring certain budget procedures; prohibiting certain budget procedures; providing an effective date; and declaring an emergency.

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 \_\_\_\_\_ Dollars (\$0.00) or so much thereof as may be necessary to perform the duties imposed upon the Oklahoma Conservation Commission by law.

SECTION 2. 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                      | \$0.00               | \$0.00       |
| Watershed Operation and Maintenance | 0.00                 | 0.00         |
| Field Service                       | 0.00                 | 0.00         |
| Abandoned Mine Land Reclamation     | 0.00                 | 0.00         |
| Water Quality/Wetlands              | <u>0.00</u>          | <u>0.00</u>  |
| TOTAL                               | \$0.00               | \$0.00       |

SECTION 3. 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 | 0.0           |
| Lease-Purchase Agreements      | \$0.00        |

SECTION 4. Of the \_\_\_\_\_ (0.0) full-time-equivalent employee positions authorized in Section 3 of this act, \_\_\_\_\_ (0.0)

full-time-equivalent employee positions shall be filled contingent upon procurement of federal funds for the Abandoned Mine Lands Programs. Such \_\_\_\_\_ (0.0) 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 \_\_\_\_\_ (0.0) 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.

DEPARTMENT OF MINES

SECTION 5. 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 \_\_\_\_\_ Dollars (\$0.00) or so much thereof as may be necessary to perform the duties imposed upon the Department of Mines by law.

SECTION 6. 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          | \$0.00               | \$0.00       |
| Coal Programs           | 0.00                 | 0.00         |
| Non-Coal Programs       | 0.00                 | 0.00         |
| Oklahoma Miner Training | <u>0.00</u>          | <u>0.00</u>  |
| TOTAL                   | \$0.00               | \$0.00       |

SECTION 7. 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 | 0.0           |
| Lease-Purchase Agreements      | \$0.00        |

OKLAHOMA WATER RESOURCES BOARD

SECTION 8. 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 \_\_\_\_\_ Dollars (\$0.00) or so much thereof as may be necessary to perform the duties imposed upon the Oklahoma Water Resources Board by law.

SECTION 9. 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                       | \$0.00               | \$0.00       |
| Water Quality Programs                        | 0.00                 | 0.00         |
| Planning and Management                       | 0.00                 | 0.00         |
| Office of the Secretary of the<br>Environment | <u>0.00</u>          | <u>0.00</u>  |
| TOTAL   | \$0.00               | \$0.00       |

SECTION 10. 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-four Thousand Seven Hundred Forty-four Dollars (\$64,744.00) 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 | 0.0           |
| Lease-Purchase Agreements      | \$0.00        |

SECTION 11. Of \_\_\_\_\_ (0.0) full-time-equivalent employee positions authorized in Section 10 of this act, \_\_\_\_\_ (0.0) full-time-equivalent employee positions shall be contingent upon receipt of federal funds as authorized in Section 314 of the Federal Clean Water Act.

SECTION 12. Of the \_\_\_\_\_ (0.0) full-time-equivalent employee positions authorized in Section 10 of this act, \_\_\_\_\_ (0.0) 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 13. Of the funds appropriated by Section \_\_\_\_\_ of Enrolled Senate Bill No. \_\_\_\_\_ of the 1<sup>st</sup> Session of the 47<sup>th</sup> Oklahoma Legislature, the sum of \_\_\_\_\_ Dollars (\$0.00) 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 14. 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 \_\_\_\_\_ Dollars (\$0.00) or so much thereof as may be necessary to perform the duties imposed upon the Department of Environmental Quality by law.

SECTION 15. 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               | \$0.00       |
| Air Quality Division                                  | 0.00                 | 0.00         |
| Customer Services Division                            | 0.00                 | 0.00         |
| Environmental Complaints and Local<br>Services (ECLS) | 0.00                 | 0.00         |
| Water Quality Division                                | 0.00                 | 0.00         |
| Waste Management Division                             | <u>0.00</u>          | <u>0.00</u>  |
| TOTAL   | \$0.00               | \$0.00       |

SECTION 16. 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 Seventy-four Thousand Dollars (\$74,000.00) 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 | 0.0           |
| Lease-Purchase Agreements      | \$0.00        |

SECTION 17. 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 18. 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 19. 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 20. This act shall become effective July 1, 1999.

SECTION 21. 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.

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