

STATE OF OKLAHOMA

2nd Session of the 48th Legislature (2002)

CONFERENCE COMMITTEE SUBSTITUTE
FOR ENGROSSED
SENATE BILL 1102

By: Haney and Hobson of the
Senate

and

Mass and Bonny of the
House

CONFERENCE COMMITTEE SUBSTITUTE

An Act relating to the Corporation Commission; making an appropriation to the Corporation Commission; stating purpose; requiring budgeting in certain categories and amounts; requiring performance measures; directing certain expenditure of money; providing for duties and compensation of employees; providing budgetary limitations; establishing authorized number and salary maximums for certain unclassified positions; making continuation of employment of certain employees contingent on certain funding; limiting certain assessment level; limiting certain expenditures; authorizing and providing budgeting of certain monies; providing budgetary limitations; making certain appropriations nonfiscal; providing lapse dates; requiring certain budgeting practices; prohibiting certain budgeting practices; providing an effective date; and declaring an emergency.

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

CORPORATION COMMISSION

SECTION 1. There is hereby appropriated to the Corporation Commission from any monies not otherwise appropriated from the General Revenue Fund of the State Treasury for the fiscal year ending June 30, 2003, the sum of Nine Million Seven Hundred Thirty-five Thousand Six Hundred Twenty-one Dollars (\$9,735,621.00) or so much thereof as may be necessary to perform the duties imposed upon the Corporation Commission by law.

SECTION 2. For the fiscal year ending June 30, 2003, the Corporation Commission shall budget all funds in the following categories and amounts:

<u>Category</u>	<u>Appropriation</u>	<u>Total</u>
Administration	\$2,899,503.00	\$5,700,326.00
Consumer Services	113,605.00	970,703.00
Petroleum Storage Tank Division	0.00	5,989,084.00
Oil and Gas Conservation Division	5,435,999.00	8,854,522.00
Office of Administrative Proceedings	729,636.00	2,060,749.00
Public Utility Division	0.00	3,990,556.00
Office of General Counsel	556,878.00	1,944,443.00
Transportation Division	<u>0.00</u>	<u>3,936,247.00</u>
TOTAL	\$9,735,621.00	\$33,446,630.00

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

SECTION 3. The Corporation Commission shall expend from any monies available not less than Two Hundred Thousand Dollars (\$200,000.00) for the purposes of implementing the provisions of Section 40.1 of Title 17 of the Oklahoma Statutes.

SECTION 4. The duties and compensation of employees, not otherwise prescribed by law, necessary to perform the duties imposed upon the Corporation Commission by law shall be set by the Corporation Commission. The Corporation Commission shall be subject to the following budgetary limitations on full-time-equivalent employees and expenditures excluding direct expenditures for well plugging as authorized in Section 310 of Title 52 of the Oklahoma Statutes, pit closure as authorized in Section 140 of Title 52 of the Oklahoma Statutes, and remediation of sites as authorized in Section 353 of Title 17 of the Oklahoma Statutes, and 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	453.0
Lease-Purchase Agreements	\$200,000.00

SECTION 5. The authorized number and maximum annual salary, payable monthly, for the unclassified employee positions specified in this section utilized in the operation of the Corporation Commission shall not exceed the numbers and salary maximums set forth in this section. The amounts listed do not constitute an appropriation but are listed to establish maximums only for the fiscal year ending June 30, 2003.

<u>Title</u>	<u>Number Authorized</u>	<u>Maximum Salary</u>
General Administrator	1.0	\$80,000.00
Executive Secretary	3.0	\$41,241.00
Administrative Aide	3.0	\$45,514.00
Senior Rate Analyst	4.0	\$55,000.00

SECTION 6. The continuation of full-time-equivalent employees hired pursuant to Sections 360 and 361 of Title 17 of the Oklahoma Statutes shall be contingent upon sufficient funding of the Oklahoma Petroleum Storage Tank Release Indemnity Program.

SECTION 7. Of the four hundred fifty-three (453.0) full-time-equivalent employees authorized in Section 4 of this act, fourteen (14.0) shall perform duties in accordance with the Underground Injection Control Program, five (5.0) shall perform duties in accordance with the Underground Storage Tank Program, and two (2.0) shall perform duties in accordance with the Leaking Underground Storage Tank Program. The continuation of these full-time-equivalent employees is contingent upon sufficient federal funding to support them.

SECTION 8. Pursuant to subsection F of Section 180.11 of Title 17 of the Oklahoma Statutes, the Corporation Commission shall assess no more than Four Million Ninety-six Dollars (\$4,000,096.00) for

costs of the Public Utility Division for the fiscal year ending June 30, 2003. From any amounts collected pursuant to subsection F of Section 180.11 of Title 17 of the Oklahoma Statutes, the Corporation Commission shall expend no more than Four Million Three Hundred Fifty Thousand Ninety-six Dollars (\$4,350,096.00) for the costs of the Public Utility Division for the fiscal year ending June 30, 2003. Of the funds expended, it is the intent of the Legislature that Two Hundred Fifty Thousand Dollars (\$250,000.00) be used to fund the Public Utility Division portion of the Consumer Services Division. The expenditure limit created pursuant to this section shall not be considered the assessment level of the Public Utilities Division.

SECTION 9. Appropriations made by this act, not including appropriations made for capital outlay purposes, may be budgeted for the fiscal year ending June 30, 2003 (hereafter FY-03), or may be budgeted for the fiscal year ending June 30, 2004 (hereafter FY-04). Funds budgeted for FY-03 may be encumbered only through June 30, 2003, and must be expended by November 15, 2003. Any funds remaining after November 15, 2003, and not budgeted for FY-04, shall lapse to the credit of the proper fund for the then current fiscal year. Funds budgeted for FY-04 may be encumbered only through June 30, 2004. Any funds remaining after November 15, 2004, 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-03, and not required to pay obligations for that fiscal year, may be budgeted for FY-04, 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-03 budget work program and after such revision has been approved by the Office of State Finance.

SECTION 10. This act shall become effective July 1, 2002.

SECTION 11. 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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