

STATE OF OKLAHOMA

2nd Session of the 48th Legislature (2002)

SENATE BILL 1044

By: Haney and Hobson of the
Senate

and

Mass and Bonny of the
House

AS INTRODUCED

An Act relating to business regulatory entities; making an appropriation 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; making an appropriation to the Oklahoma Horse Racing Commission; stating purpose; requiring certain funds to be budgeted in certain categories and amounts; requiring certain performance measures; 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; requiring certain performance measures; 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; 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 an appropriation to the Oklahoma Board of Private Vocational Schools; stating purpose; requiring certain funds to be budgeted in certain categories and amounts; requiring performance measures; providing for duties and compensation of employees; limiting the salary of the Director; providing budgetary limitations; 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 General Revenue Fund of the State Treasury for the fiscal year ending June 30, 2003, the sum of _____ Dollars (\$0.00) or so much thereof as may be necessary to perform the duties imposed upon the State Department of Agriculture by law.

SECTION 2. For the fiscal year ending June 30, 2003, 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 Division	\$0.00	\$0.00
Legal Services	0.00	0.00
Statistical Reporting Division	0.00	0.00
Animal Industry Division	0.00	0.00
Water Quality Division	0.00	0.00
Wildlife Services	0.00	0.00
Brucellosis Depopulation and other Brucellosis-related Expenses	0.00	0.00
Forestry Division	0.00	0.00
Rural Fire Coordinators	0.00	0.00
Operational Grants to Rural Fire Departments	0.00	0.00
Rural Fire 80/20 Match Program	0.00	0.00
Dry Fire Hydrant Program	0.00	0.00

Plant Industry and Consumer		
Services Division	0.00	0.00
Agricultural Laboratory Division	0.00	0.00
Market Development Division	0.00	0.00
Agriculture Mediation Program	0.00	0.00
Oklahoma State University for the		
Statewide Intensive Financial		
Management Assistance Program	0.00	0.00
Oklahoma State University Animal		
Diagnostic Laboratory Equipment	0.00	0.00
Poultry Research and Disease		
Control Research Programs and		
Employment of a State Poultry		
Veterinarian and an Area		
Poultry Specialist	0.00	0.00
Tick Eradication	0.00	0.00
Wheat Root Rot/Nematode Complex		
Research	0.00	0.00
Peanut Pod Rot and Field Research		
Demonstration	0.00	0.00
Oklahoma Milk and Milk Products		
Program	0.00	0.00
Rural Enterprise Institute	<u>0.00</u>	<u>0.00</u>
TOTAL	\$0.00	\$0.00

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

SECTION 3. 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 4. The funds designated for Operational Grants to Rural Fire Departments pursuant to Section 2 of this act shall be expended

to provide operational grants to rural fire departments and shall be limited to _____ Dollars (\$0.00) per municipality.

SECTION 5. The funds designated for the Rural Fire 80/20 Match Program pursuant to Section 2 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 6. The funds designated for the Dry Fire Hydrant Program pursuant to Section 2 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 _____ Dollars (\$0.00). State resources shall be matched on a one-to-one basis with nonstate resources.

SECTION 7. It is the intent of the Legislature that from any monies appropriated in Section 1 of this act, at least the sum of _____ Dollars (\$0.00) be used for salaries, benefits and other personnel costs of the _____ (0) McGee Creek Fire Protection full-time-equivalent employees.

SECTION 8. 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 _____ Dollars (\$0.00) per annum, payable monthly for the fiscal year ending June 30, 2003. The State Department of Agriculture, for the fiscal year ending June 30, 2003, 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>
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Average Number of Full-time-equivalent
 Employees, Excluding Part-time
 Employees in the Forestry, Plant, and
 Animal Industry Divisions and Fruit
 and Vegetable Graders 0.0
 Lease-Purchase Agreements \$0.00

SECTION 9. 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 10. 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, 2003, the sum of _____ Dollars (\$0.00) or so much thereof as may be necessary to perform the duties imposed upon the Oklahoma Horse Racing Commission by law.

SECTION 11. For the fiscal year ending June 30, 2003, 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	\$0.00	\$0.00

Race Day Expenses	0.00	0.00
Law Enforcement	0.00	0.00
Oklahoma Bred Program	<u>0.00</u>	<u>0.00</u>
TOTAL	\$0.00	\$0.00

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

SECTION 12. 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 _____ Dollars (\$0.00) per annum, payable monthly for the fiscal year ending June 30, 2003. The Oklahoma Horse Racing Commission, for the fiscal year ending June 30, 2003, 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	0.0
Lease-Purchase Agreements	\$0.00

INSURANCE DEPARTMENT

SECTION 13. 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, 2003, the sum of _____ Dollars (\$0.00) or so much thereof as may be necessary to perform the duties imposed upon the Insurance Department by law.

SECTION 14. For the fiscal year ending June 30, 2003, the Insurance Department shall budget all funds in the following categories and amounts:

<u>Category</u>	<u>Appropriation</u>	<u>Total</u>
Administration	\$0.00	\$0.00

Regulatory/Enforcement	0.00	0.00
Federal Program	<u>0.00</u>	<u>0.00</u>
TOTAL	\$0.00	\$0.00

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 Insurance Department by law shall be set by the Insurance Commissioner. The Insurance Department, for the fiscal year ending June 30, 2003, 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	0.0
Lease-Purchase Agreements	\$0.00

DEPARTMENT OF LABOR

SECTION 16. 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, 2003, the sum of _____ Dollars (\$0.00) or so much thereof as may be necessary to perform the duties imposed upon the Department of Labor by law.

SECTION 17. For the fiscal year ending June 30, 2003, the Department of Labor shall budget all funds in the following categories and amounts:

<u>Category</u>	<u>Appropriation</u>	<u>Total</u>
Administration	\$0.00	\$0.00
Asbestos Abatement	0.00	0.00
Regulation & Enforcement	0.00	0.00
Workers Compensation Compliance	0.00	0.00

Statistical Research and

Licensing	0.00	0.00
Occupational Safety and Health	<u>0.00</u>	<u>0.00</u>
TOTAL	\$0.00	\$0.00

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 Department of Labor by law shall be set by the Commissioner of Labor. The Department of Labor for the fiscal year ending June 30, 2003, 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 19. Of the ____ (0) full-time-equivalent employee positions authorized for the Department of Labor in this act, _____ (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 20. A. By February 1, 2003, 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 21. 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, 2003, the sum of _____ Dollars (\$0.00) or so much thereof as may be necessary to perform the duties imposed upon the Oklahoma Board of Private Vocational Schools by law.

SECTION 22. For the fiscal year ending June 30, 2003, 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	\$0.00	\$0.00

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

SECTION 23. 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 _____ Dollars (\$0.00) per annum, payable monthly for the fiscal year ending June 30, 2003. The Oklahoma Board of Private Vocational Schools, for the fiscal year ending June 30, 2003, 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	0.0

SECTION 24. 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 budget 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 25. This act shall become effective July 1, 2002.

SECTION 26. 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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