

STATE OF OKLAHOMA

2nd Session of the 48th Legislature (2002)

SENATE BILL 1100

By: Haney and Hobson of the
Senate

And

Mass and Bonny of the
House

AS INTRODUCED

An Act relating to the Regulation of Energy Production and Distribution; 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; requiring an audit of budget categories and amounts; requiring audit report be provided by certain date; making an appropriation to the Oklahoma Liquefied Petroleum Gas Board; stating purpose; requiring budgeting in certain categories and amounts; requiring performance measures; providing for duties and compensation of employees; limiting the salary of Administrator; 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 _____ Dollars (\$0.00) 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	\$0.00	\$0.00
Consumer Services	0.00	0.00
Petroleum Storage Tank Division	0.00	0.00
Oil and Gas Conservation Division	0.00	0.00
Office of Administrative Proceedings	0.00	0.00
Public Utility Division	0.00	0.00
Office of General Counsel	0.00	0.00
Transportation Division	<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 Corporation Commission shall expend from any monies available the sum of _____ Dollars (\$0.00) 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	0.0
Lease-Purchase Agreements	\$0.00

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	0	\$0.00
Administrative Aide	0	\$0.00
Senior Rate Analyst	0	\$0.00
Director, Data Processing	0	\$0.00

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 _____ (0.0) full-time-equivalent employees authorized in Section 4 of this act, _____ (0.0) shall perform duties in accordance with the Underground Injection Control Program, _____ (0.0) shall perform duties in accordance with the Underground Storage Tank Program, and _____ (0.0) 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 _____ Dollars (\$0.00) 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 _____ Dollars (\$0.00) 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 _____ Dollars (\$0.00) 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. A financial audit shall be conducted by the State Auditor and Inspector of the budget categories and amounts listed in Section 2 of this act for compliance with legislative intent. The Corporation Commission shall submit the audit report to the President Pro Tempore of the Senate and the Speaker of the House of Representatives detailing the disbursements from each of the budget categories by December 1, 2003.

OKLAHOMA LIQUEFIED PETROLEUM GAS BOARD

SECTION 10. There is hereby appropriated to the Oklahoma Liquefied Petroleum Gas Board 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 Liquefied Petroleum Gas Board by law.

SECTION 11. For the fiscal year ending June 30, 2003, the Oklahoma Liquefied Petroleum Gas Board shall budget all funds in the following categories and amounts:

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

Inspections \$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 Liquefied Petroleum Gas Board by law shall be set by the Administrator of the Oklahoma Liquefied Petroleum Gas Board. The salary of the Administrator of the Oklahoma Liquefied Petroleum Gas Board shall not exceed _____ Dollars (\$0.00) per annum, payable monthly for the fiscal year ending June 30, 2003. The Oklahoma Liquefied Petroleum Gas Board, 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 13. 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 14. This act shall become effective July 1, 2002.

SECTION 15. 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.

48-2-1888

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