STATE OF OKLAHOMA

2nd Session of the 48th Legislature (2002)

SENATE BILL 1143 By: Haney and Hobson of the Senate

and

Mass and Bonny 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; requiring performance measures; 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; requiring performance measures; 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; requiring performance measures; providing for duties and compensation of employees; limiting salary of the Executive Director; providing budgetary limitations; 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; requiring performance measures; 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, 2003, 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, 2003, the Oklahoma Conservation Commission shall budget all funds in the following categories and amounts:

Category	Appropriation	Total
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	0.00	0.00
TOTAL	$0.00	$0.00

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

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 _____ Dollars ($0.00) per annum, payable monthly for the fiscal year ending June 30, 2003. The Oklahoma Conservation 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 for capital and special projects, except as may be authorized pursuant to the provisions of Section 3603 of Title 74 of the Oklahoma Statutes:

Budgetary Limitation	Amount
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, 2003, 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, 2003, the Department of Mines shall budget all funds in the following categories and amounts:

Category	Appropriation	Total
Administration	$0.00	$0.00
Coal Programs	0.00	0.00
Non-Coal Programs	0.00	0.00
Oklahoma Miner Training	0.00	0.00
TOTAL	$0.00	$0.00

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

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 _____ Dollars ($0.00) per annum, payable monthly for the fiscal year ending June 30, 2003. The Department of Mines 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:

Budgetary Limitation	Amount
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, 2003, 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, 2003, the Oklahoma Water Resources Board shall budget all funds in the following categories and amounts:

Category	Appropriation	Total
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 Environment	0.00	0.00
TOTAL	$0.00	$0.00

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

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 _____ Dollars ($0.00) per annum, payable monthly for the fiscal year ending June 30, 2003. The Oklahoma Water Resources 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:

Budgetary Limitation	Amount
Full-time-equivalent Employees	0.0
Lease-Purchase Agreements	$0.00

SECTION 11. Of the funds appropriated by Section ___ of Enrolled Senate Bill No. ___ of the 2nd Session of the 48th Oklahoma Legislature, the sum of _____ Dollars ($0.00) appropriated to the Secretary of the Environment shall be used for the purpose of providing contractual services with the Oklahoma Rural Water Association to provide technical assistance and training 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 Oklahoma Rural Water Association Executive Director providing contractual services.

DEPARTMENT OF ENVIRONMENTAL QUALITY

SECTION 12. 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, 2003, 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 13. For the fiscal year ending June 30, 2003, the Department of Environmental Quality shall budget all funds in the following categories and amounts:

Category	Appropriation	Total
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 Services (ECLS)	0.00	0.00
Water Quality Division	0.00	0.00
Waste Management Division	0.00	0.00
TOTAL	$0.00	$0.00

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

SECTION 14. 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 _____ Dollars ($0.00) per annum, payable monthly for the fiscal year ending June 30, 2003. The Department of Environmental Quality 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:

Budgetary Limitation	Amount
Full-time-equivalent Employees	0.0
Lease-Purchase Agreements	$0.00

SECTION 15. 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 16. 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 17. 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 18. This act shall become effective July 1, 2002.

SECTION 19. 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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