

By: Mitchell and Bonny of the  
House

and

Morgan and Robinson of the  
Senate

An Act relating to the Oklahoma Department of Agriculture, Food, and Forestry; requiring certain funds to be budgeted in certain categories and amounts; stating legislative intent; designating funds; specifying purposes for which certain funds may be expended; specifying requirements for certain designated funds; providing for transfers of certain funds; providing for duties and compensation of employees; limiting the salary of the Commissioner; providing budgetary limitations; requiring certain expenditures for certain purposes; providing for certain contracted responsibilities; authorizing the Oklahoma Department of Agriculture, Food, and Forestry to disallow payment for certain expenditures; requiring certain reports and audits; providing budgetary limitations; requiring budgeting of certain funds in certain years; requiring certain budgeting procedures; prohibiting certain budgeting procedures; providing lapse dates; providing an effective date; and declaring an emergency.

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

SECTION 1. For the fiscal year ending June 30, 2005, the Oklahoma Department of Agriculture, Food, and Forestry shall budget all funds in the following categories and amounts:

<u>Category</u>	<u>Appropriation</u>	<u>Total</u>
Administration Service Division	\$2,585,476.00	\$4,881,383.00
Volunteer Firefighter Employer		
Payment Contribution Revolving		
Fund	50,000.00	181,628.00
Volunteer Firefighter Group		
Insurance Pool, CompSource		
Oklahoma	169,000.00	169,000.00
Legal Services Division	874,783.00	1,200,000.00

Statistical Services Division	120,004.00	200,000.00
Animal Industry Services Division	1,529,204.00	2,825,000.00
Food Safety Division Inspection and Grading of Meat, Egg and Poultry Products	1,933,554.00	3,325,000.00
Oklahoma Milk and Milk Products Program	142,121.00	450,000.00
Water Quality Services Division	942,520.00	1,850,000.00
Wildlife Services Division	801,542.00	2,000,000.00
Public Information Services Division	259,147.00	350,000.00
Livestock Depopulation and other Emergency Livestock Disease Control Expenses	117,125.00	200,000.00
Forestry Services Division	4,411,557.00	12,000,000.00
Rural Fire Coordinators	860,000.00	860,000.00
Operation Grants to Rural Fire Departments	2,000,000.00	2,000,000.00
Rural Fire 80/20 Match Program	1,968,812.00	2,500,000.00
Rural Fire Defense Equipment Revolving Fund	5,000.00	350,000.00
Plant Industry and Consumer Services Division	1,075,295.00	3,500,000.00
Agricultural Laboratory Services Division	1,551,966.00	2,225,000.00
Market Development Services Division	1,112,942.00	2,500,000.00
Environmental and Sustainable Agricultural Program	44,250.00	44,250.00
Ag Enhancement and Diversification Fund	250,000.00	300,000.00
Agriculture Mediation Program	69,828.00	300,000.00

Oklahoma State University for the Statewide Intensive Financial Management Assistance Program	124,100.00	225,000.00
Oklahoma State University Animal Diagnostic Laboratory Equipment	34,178.00	60,000.00
Division of Agriculture at Oklahoma State University/Poultry Education	70,000.00	70,000.00
Tick Eradication	56,715.00	70,000.00
Wheat Root Rot/Nematode Complex Research	20,645.00	25,000.00
Peanut Pod Rot and Field Research	35,000.00	40,000.00
Rural Enterprise Institute	<u>250,873.00</u>	<u>300,000.00</u>
TOTAL	\$23,465,637.00	\$44,957,011.00

SECTION 2. It is the intent of the Legislature that the Oklahoma Department of Agriculture, Food, and Forestry expend at least Two Hundred Fifty Thousand Dollars (\$250,000.00) or so much thereof as is necessary from funds appropriated in this act for the purpose of supporting the "Made in Oklahoma" program.

SECTION 3. The funds designated for Operation Grants to Rural Fire Departments in this act shall be expended to provide operational grants to rural fire departments and shall be limited to Two Thousand Five Hundred Dollars (\$2,500.00) per municipality.

SECTION 4. The funds designated for the Rural Fire 80/20 Match Program in 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 5. For the fiscal year ending June 30, 2005, the Oklahoma Department of Agriculture, Food, and Forestry shall transfer Fifty Thousand Dollars (\$50,000.00) to the Volunteer

Firefighter Employer Contribution Payment Revolving Fund as created by Section 16-81 of Title 2 of the Oklahoma Statutes.

SECTION 6. For the fiscal year ending June 30, 2005, the Oklahoma Department of Agriculture, Food, and Forestry shall transfer Two Hundred Fifty Thousand Dollars (\$250,000.00) to the Oklahoma Agriculture Enhancement and Diversification Fund as created by Section 5-3.3 of Title 2 of the Oklahoma Statutes.

SECTION 7. For the fiscal year ending June 30, 2005, the Oklahoma Department of Agriculture, Food, and Forestry shall transfer Five Thousand Dollars (\$5,000.00) to the Rural Fire Defense Equipment Revolving Fund as created by Section 901.58 of Title 19 of the Oklahoma Statutes.

SECTION 8. From any monies appropriated to the Oklahoma Department of Agriculture, Food, and Forestry the sum of One Hundred Sixty-nine Thousand Dollars (\$169,000.00) shall be transferred to CompSource Oklahoma for the Volunteer Firefighter Group Insurance Pool as created by Section 132a of Title 85 of the Oklahoma Statutes.

SECTION 9. The duties and compensation of employees, not otherwise prescribed by law, necessary to perform the duties imposed upon the Oklahoma Department of Agriculture, Food, and Forestry by law shall be set by the Commissioner. The salary of the Commissioner shall not exceed Seventy-six Thousand Dollars (\$76,000.00) per annum, payable monthly for the fiscal year ending June 30, 2005. The Oklahoma Department of Agriculture, Food, and Forestry, for the fiscal year ending June 30, 2005, 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	515.0
Lease-Purchase Agreements made pursuant to	
the appropriations in this act	\$100,000.00

SECTION 10. The Oklahoma Department of Agriculture, Food, and Forestry 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 Oklahoma Department of Agriculture, Food, and Forestry. 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 Oklahoma Department of Agriculture, Food, and Forestry which may be paid from allocated, appropriated funds.

SECTION 11. Appropriations made by Sections 83 and 84 of Enrolled House Bill No. 2007 of the 2nd Session of the 49th Oklahoma Legislature, not including appropriations made for capital outlay purposes, may be budgeted for the fiscal year ending June 30, 2005 (hereafter FY-05) or may be budgeted for the fiscal year ending June 30, 2006 (hereafter FY-06). Funds budgeted for FY-05 may be encumbered only through June 30, 2005, and must be expended by November 15, 2005. Any funds remaining after November 15, 2005, and not budgeted for FY-06, shall lapse to the credit of the proper fund for the then current fiscal year. Funds budgeted for FY-06 may be

encumbered only through June 30, 2006. Any funds remaining after November 15, 2006, 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-05, and not required to pay obligations for that fiscal year, may be budgeted for FY-06, 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-05 budget work program and after such revision has been approved by the Office of State Finance.

SECTION 12. This act shall become effective July 1, 2004.

SECTION 13. 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.

Passed the House of Representatives the 11th day of March, 2004.

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Presiding Officer of the House of  
Representatives

Passed the Senate the \_\_\_\_ day of \_\_\_\_\_, 2004.

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Presiding Officer of the Senate