

ENROLLED HOUSE
BILL NO. 1229

By: Mitchell and Bonny of the
House

and

Morgan and Robinson of the
Senate

An Act relating to the Office of the State Fire Marshal; making an appropriation to the Office of the State Fire Marshal; stating purpose; requiring certain expenditures; requiring budgeting in certain categories and amounts; providing for the duties and compensation of employees; providing budgetary limitations; providing exceptions to the budgetary limitations; authorizing certain expenditures; limiting expenditures for certain purpose; amending 74 O.S. 2001, Section 324.20b, which relates to the State Fire Marshal Revolving Fund; modifying maximum amount of money that can be in the Fund; providing lapse date; providing an effective date; and declaring an emergency.

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

SECTION 1. There is hereby appropriated to the Office of the State Fire Marshal from any monies not otherwise appropriated from the General Revenue Fund of the State Treasury for the fiscal year ending June 30, 2004, the sum of One Million Five Hundred Four Thousand Three Hundred Twenty-three Dollars (\$1,504,323.00) or so much thereof as may be necessary to perform the duties imposed upon the Office of the State Fire Marshal by law.

SECTION 2. For the fiscal year ending June 30, 2004, the State Fire Marshal shall budget all funds in the following categories and amounts:

<u>Category</u>	<u>Appropriation</u>	<u>Total</u>
Administration	\$357,034.00	\$607,034.00
Education	0.00	20,000.00
Arson Investigation	674,065.00	739,065.00
Inspections/Code Enforcement	<u>473,224.00</u>	<u>538,224.00</u>
TOTAL	\$1,504,323.00	\$1,904,323.00

SECTION 3. The duties and compensation of employees, not otherwise prescribed by law, necessary to perform the duties imposed upon the Office of the State Fire Marshal by law shall be set by the State Fire Marshal. The salary of the State Fire Marshal shall not exceed Fifty-six Thousand Forty-nine Dollars (\$56,049.00) per annum, payable monthly for the fiscal year ending June 30, 2004. The Office of the State Fire Marshal for the fiscal year ending June 30, 2004, 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	33.0
Lease-Purchase Agreements	\$0.00

SECTION 4. AMENDATORY 74 O.S. 2001, Section 324.20b, is amended to read as follows:

Section 324.20b There is hereby created in the State Treasury a revolving fund for the State Fire Marshal to be designated the "State Fire Marshal Revolving Fund". The fund shall be a continuing fund, not subject to fiscal year limitations, and shall consist of monies received from the sale of surplus property, fees and receipts collected pursuant to the Oklahoma Open Records Act, fines, forfeitures, fees, charges, receipts, donations, gifts, bequests, contributions, devises, interagency reimbursements, federal funds unless otherwise provided by federal law or regulation, or any other source. The fund shall consist of no more than ~~Three Hundred Thousand Dollars (\$300,000.00)~~ Four Hundred Thousand Dollars (\$400,000.00). All monies accruing to the credit of the fund are hereby appropriated and may be budgeted and expended by the State Fire Marshal for authorized purposes. Expenditures from the fund shall be made upon warrants issued by the State Treasurer against claims filed as prescribed by law with the Director of State Finance for approval and payment.

SECTION 5. Appropriations made by this act to agencies for the operations of state government may be budgeted for the fiscal year ending June 30, 2004 (hereafter FY-04) or may be budgeted for the fiscal year ending June 30, 2005 (hereafter FY-05). Funds budgeted for FY-04 may be encumbered only through June 30, 2004, and must be expended by November 15, 2004. Any funds remaining after November 15, 2004, and not budgeted for FY-05, shall lapse to the credit of the proper fund for the then current fiscal year. Funds budgeted for FY-05 may be encumbered only through June 30, 2005. Any funds remaining after November 15, 2005, 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-04, and not required to pay obligations for that fiscal year, may be budgeted for FY-05, after the agencies have prepared and submitted a budget work program revision removing these funds from the FY-04 budget work program and after such revision has been approved by the Office of State Finance.

SECTION 6. This act shall become effective July 1, 2003.

SECTION 7. 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 16th day of May, 2003.

Presiding Officer of the House of
Representatives

Passed the Senate the 20th day of May, 2003.

Presiding Officer of the Senate