

ENROLLED SENATE
BILL NO. 1019

By: Morgan and Robinson of the
Senate

and

Mitchell and Bonny of the
House

An Act relating to the Oklahoma Conservation Commission; making appropriations thereto; stating purposes; authorizing expenditures from certain funds; stating purposes; requiring certain transfers; requiring budgeting in certain categories and amounts; requiring performance measures; providing for duties and compensation of employees; providing budgetary limitations; making certain employee positions contingent on federal funds; providing for certain terminations; providing for certain employee positions; exempting certain employees from Merit System of Personnel Administration; making certain appropriations nonfiscal; providing for budgeting; providing lapse dates; requiring certain budget procedures; prohibiting certain budget procedures; and providing an effective date.

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

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, 2005, the sum of Seven Hundred Fifty-four Thousand Three Hundred Forty Dollars (\$754,340.00) or so much thereof as may be necessary to perform the duties imposed upon the Oklahoma Conservation Commission by law.

SECTION 2. The Oklahoma Conservation Commission is authorized to expend an amount not to exceed Five Hundred Thousand Dollars (\$500,000.00) from the Rural Economic Action Plan Water Projects Fund from the gross production tax, as apportioned by Section 1004 of Title 68 of the Oklahoma Statutes, to be transferred to the Oklahoma Conservation Commission Cost-Share Revolving Fund (#210), to perform the duties imposed upon the Oklahoma Conservation Commission by law.

SECTION 3. TRANSFER The Director of State Finance, on or before July 1, 2004, shall transfer the sum of Fifty Thousand Dollars (\$50,000.00) from the Conservation Cost Share Fund (#210) to the Conservation Commission Revolving Fund (#405) of the State Treasury.

SECTION 4. For the fiscal year ending June 30, 2005, the Oklahoma Conservation Commission shall budget all funds in the following categories and amounts:

<u>Category</u>	<u>Appropriation</u>	<u>Total</u>
Administration	\$ 611,940.00	\$ 987,653.00
Watershed Operation and Maintenance	418,429.00	5,438,429.00
Field Service	6,037,289.00	7,637,289.00
Abandoned Mine Land Reclamation	0.00	10,100,000.00
Water Quality/Wetlands	<u>50,000.00</u>	<u>5,315,000.00</u>
TOTAL	\$7,117,658.00	\$29,478,371.00

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

SECTION 5. 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 be set by the Commission. The Oklahoma Conservation Commission 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>
Average Number of Full-time-equivalent Employees, Excluding Seasonal Employees and Project Labor	62.0
Lease-Purchase Agreements	\$0.00

SECTION 6. Of the full-time-equivalent employee positions authorized in this act, six (6) shall be filled contingent upon procurement of federal funds for the Abandoned Mine Lands program and thirty-four (34) shall be filled contingent upon procurement of federal funds for the Water Quality 319 Program. Such full-time-equivalent employee positions supported by federal funds shall be terminated upon the discontinuation of federal funds. Such 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.

SECTION 7. Appropriations made by this act and Section 90 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 8. This act shall become effective July 1, 2004.

Passed the Senate the 21st day of May, 2004.

Presiding Officer of the Senate

Passed the House of Representatives the 24th day of May, 2004.

Presiding Officer of the House
of Representatives

