STATE OF OKLAHOMA

1st Session of the 50th Legislature (2005)

CONFERENCE COMMITTEE SUBSTITUTE
FOR ENGROSSED
SENATE BILL 167

By: Morgan and Crutchfield of the Senate

and

Benge and Newport of the House

CONFERENCE COMMITTEE SUBSTITUTE

An Act relating to the Department of Labor; making appropriations; stating purposes; requiring budgeting of funds in certain categories and amounts; requiring certain performance measures; providing for duties and compensation of employees; providing budgetary limitations; making certain positions contingent on federal funds; requiring certain reports and specifying content; requiring cooperation between certain agencies for certain purpose; providing lapse dates; requiring and prohibiting certain budget procedures; 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 Department of Labor from any monies not otherwise appropriated from the General Revenue Fund of the State Treasury for the fiscal year ending June 30, 2006, the sum of One Million Two Hundred Ninety-two Thousand Seven Hundred Forty-one Dollars ($1,292,741.00) or so much thereof as may be necessary to perform the duties imposed upon the Department of Labor by law.

SECTION 2. There is hereby appropriated to the Department of Labor from any monies not otherwise appropriated from the Special Occupational Health and Safety Fund of the State Treasury for the fiscal year ending June 30, 2004, the sum of Two Hundred Ninety-three Thousand Two Hundred Thirty Dollars ($293,230.00) or so much

thereof as may be necessary to perform the duties imposed upon the Department of Labor by law.

SECTION 3. There is hereby appropriated to the Department of Labor from any monies not otherwise appropriated from the Special Occupational Health and Safety Fund of the State Treasury for the fiscal year ending June 30, 2006, the sum of One Million Six Hundred Thirty-eight Thousand Seven Hundred Fifty Dollars ($1,638,750.00) or so much thereof as may be necessary to perform the duties imposed upon the Department of Labor by law.

SECTION 4. For the fiscal year ending June 30, 2006, the Department of Labor shall budget all funds in the following categories and amounts:

Category	Appropriation	Total
Administration	$ 341,284.00	$1,700,000.00
Asbestos Abatement	453,991.00	800,000.00
Regulation & Enforcement	2,209,456.00	2,955,000.00
Statistical Research and Licensing	219,990.00	910,000.00
Occupational Safety & Health	0.00	2,600,000.00
TOTAL	$3,224,721.00	$8,965,000.00

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 Department of Labor by law shall be set by the Commissioner of Labor. The Department of Labor for the fiscal year ending June 30, 2006, 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	136.0
Lease-Purchase Agreements	$0.00

SECTION 6. Of the one hundred thirty-six (136.0) full-time-equivalent employee positions authorized for the Department of Labor in Section 5 of this act, twenty (20.0) full-time-equivalent employee positions shall be contingent upon the procurement of federal funds and shall be terminated when federal support of those positions is discontinued.

SECTION 7. A. By February 1, 2006, the Department of Labor shall submit an annual report to the President Pro Tempore of the Senate and the Speaker of the House of Representatives detailing the amount per agency of all state, federal and local funds received, directly or indirectly, for asbestos abatement, the projects completed per agency, the number of agency employees used in the programs, and the projected needs for the next succeeding fiscal year.

B. The Department of Central Services, the Department of Corrections, the Department of Human Services and the Oklahoma State Regents for Higher Education and any other appropriate state agency involved in asbestos abatement shall cooperate with the Department of Labor to provide the information required pursuant to the provisions of this section.

SECTION 8. Appropriations made by this act, not including appropriations made for capital outlay purposes, may be budgeted for the fiscal year ending June 30, 2006 (hereafter FY-06), or may be budgeted for the fiscal year ending June 30, 2007 (hereafter FY-07). Funds budgeted for FY-06 may be encumbered only through June 30, 2006, and must be expended by November 15, 2006. Any funds remaining after November 15, 2006, and not budgeted for FY-07, shall lapse to the credit of the proper fund for the then current fiscal year. Funds budgeted for FY-07 may be encumbered only through June 30, 2007. Any funds remaining after November 15, 2007, 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-06, and not required to pay obligations for that fiscal year, may be budgeted for FY-07, 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-06 budget work program and after such revision has been approved by the Office of State Finance.

SECTION 9. This act shall become effective July 1, 2005.

SECTION 10. 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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