

STATE OF OKLAHOMA

1st Session of the 50th Legislature (2005)

HOUSE BILL 1109

By: Bengé and Newport of the  
House

and

Morgan and Crutchfield of  
the Senate

AS INTRODUCED

An Act relating to the Oklahoma Department of Agriculture, Food, and Forestry; making an appropriation; stating purpose; authorizing certain transfer; requiring certain funds to be budgeted in certain categories and amounts; requiring certain performance measures; 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; specifying expenditure of certain funds; providing for duties and compensation of employees; 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 date; providing an effective date; and declaring an emergency.

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

OKLAHOMA DEPARTMENT OF AGRICULTURE, FOOD, AND FORESTRY

SECTION 1. There is hereby appropriated to the Oklahoma Department of Agriculture, Food, and Forestry 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 \_\_\_\_\_ Dollars (\$0.00) or so much thereof as may be necessary to perform the duties imposed upon the Oklahoma Department of Agriculture, Food, and Forestry by law.

SECTION 2. The Oklahoma Department of Agriculture, Food, and Forestry is authorized to transfer an amount not to exceed \_\_\_\_\_ Dollars (\$0.00) 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 the State Department of Agriculture Revolving Fund ("200" Fund) created in Section 2-10 of Title 2 of the Oklahoma Statutes to be expended for the purpose of performing the duties imposed upon the Oklahoma Department of Agriculture, Food, and Forestry by law.

SECTION 3. For the fiscal year ending June 30, 2006, 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	\$0.00	\$0.00
Volunteer Firefighter Employer Payment Contribution Revolving Fund	0.00	0.00
Volunteer Firefighter Group Insurance Pool, CompSource Oklahoma	0.00	0.00
Legal Services Division	0.00	0.00
Statistical Services Division	0.00	0.00
Animal Industry Services Division	0.00	0.00
Food Safety Division Inspection and Grading of Meat, Egg and Poultry Products	0.00	0.00
Oklahoma Milk and Milk Products Program	0.00	0.00
Water Quality Services Division	0.00	0.00
Wildlife Services Division	0.00	0.00
Public Information Services Division	0.00	0.00

Livestock Depopulation and other		
Emergency Livestock Disease		
Control Expenses	0.00	0.00
Forestry Services Division	0.00	0.00
Rural Fire Coordinators	0.00	0.00
Operation Grants to Rural Fire		
Departments	0.00	0.00
Rural Fire Defense Equipment		
Revolving Fund	0.00	0.00
Plant Industry and Consumer		
Services Division	0.00	0.00
Agricultural Laboratory Services		
Division	0.00	0.00
Market Development Services		
Division	0.00	0.00
Ag Enhancement and Diversification		
Fund	0.00	0.00
Agriculture Mediation Program	0.00	0.00
Oklahoma State University for the		
Statewide Intensive Financial		
Management Assistance Program	0.00	0.00
Oklahoma State University Animal		
Diagnostic Laboratory Equipment	0.00	0.00
Poultry Research and Disease		
Control Research Programs and		
Employment of a State Poultry		
Veterinarian and an Area Poultry		
Specialist	0.00	0.00
Tick Eradication	0.00	0.00
Wheat Root Rot/Nematode Complex		
Research	0.00	0.00
Peanut Pod Rot and Field Research	0.00	0.00

Rural Enterprise Institute	<u>0.00</u>	<u>0.00</u>
TOTAL	\$0.00	\$0.00

SECTION 4. 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 5. 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 6. 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 7. For the fiscal year ending June 30, 2006, the Oklahoma Department of Agriculture, Food, and Forestry shall transfer an amount equal to the funds designated by this act for the Volunteer Firefighter Employer Contribution Payment Revolving Fund as created by Section 16-81 of Title 2 of the Oklahoma Statutes.

SECTION 8. For the fiscal year ending June 30, 2006, the Oklahoma Department of Agriculture, Food, and Forestry shall transfer an amount equal to the funds designated by this act for the Oklahoma Agriculture Enhancement and Diversification Fund as created by Section 5-3.3 of Title 2 of the Oklahoma Statutes.

SECTION 9. For the fiscal year ending June 30, 2006, the Oklahoma Department of Agriculture, Food, and Forestry shall transfer an amount equal to the funds designated by this act for the Rural Fire Defense Equipment Revolving Fund as created by Section 901.58 of Title 19 of the Oklahoma Statutes.

SECTION 10. Any funds designated for the Statewide Fire Hydrant Program shall be expended for the purposes of the statewide fire hydrant program in conjunction with substate planning districts with no such district to receive more than Five Thousand Dollars (\$5,000.00). State resources shall be matched on a one-to-one basis with nonstate resources.

SECTION 11. 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 12. 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, 2006. The Oklahoma Department of Agriculture, Food, and Forestry, 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:

<u>Budgetary Limitation</u>	<u>Amount</u>
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 13. 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 14. 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 15. This act shall become effective July 1, 2005.

SECTION 16. 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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