STATE OF OKLAHOMA

1st Session of the 50th Legislature (2005)

HOUSE BILL 1112

By: Benge and Newport of the House

and

Morgan and Crutchfield of the Senate

AS INTRODUCED

An Act relating to the Corporation Commission; making an appropriation to the Corporation Commission; stating purpose; authorizing transfer and expenditure of certain funds; requiring budgeting in certain categories and amounts; directing certain expenditure of money; requiring certain multicounty offices be operated; providing for duties and compensation of employees; providing budgetary limitations; requiring and authorizing certain transfer; establishing authorized number and salary maximums for certain unclassified positions; making continuation of employment of certain employees contingent on certain funding; designating certain number of employees for certain programs; limiting certain assessment level; limiting certain expenditures; authorizing and providing budgeting of certain monies; making certain appropriations nonfiscal; providing lapse dates; requiring certain budgeting practices; prohibiting certain budgeting practices; providing an effective date; and declaring an emergency.

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

CORPORATION COMMISSION

SECTION 1. There is hereby appropriated to the Corporation Commission 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 Corporation Commission by law.

SECTION 2. The Corporation Commission 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 Corporation Commission Revolving Fund ("202" Fund) created in Section 180.7 of Title 17 of the Oklahoma Statutes to be expended for the purpose of performing the duties imposed upon the Corporation Commission by law.

SECTION 3. For the fiscal year ending June 30, 2006, the Corporation Commission shall budget all funds in the following categories and amounts:

Category	Appropriation	Total
Administration	$0.00	$0.00
Consumer Services	0.00	0.00
Petroleum Storage Tank Division	0.00	0.00
Oil and Gas Conservation Division	0.00	0.00
Office of Administrative Proceedings	0.00	0.00
Public Utility Division	0.00	0.00
Office of General Counsel	0.00	0.00
Transportation Division	0.00	0.00
Regional Service Office - Tulsa	0.00	0.00
TOTAL	$0.00	$0.00

SECTION 4. The duties and compensation of employees, not otherwise prescribed by law, necessary to perform the duties imposed upon the Corporation Commission by law shall be set by the Corporation Commission. The Corporation Commission shall be subject to the following budgetary limitations on full-time-equivalent employees and expenditures excluding direct expenditures for well

plugging as authorized in Section 310 of Title 52 of the Oklahoma Statutes, pit closure as authorized in Section 140 of Title 52 of the Oklahoma Statutes, and remediation of sites as authorized in Section 353 of Title 17 of the Oklahoma Statutes, and 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	453.0
Lease-Purchase Agreements	$200,000.00

SECTION 5. The authorized number and maximum annual salary, payable monthly, for the unclassified employee positions specified in this section utilized in the operation of the Corporation Commission shall not exceed the numbers and salary maximums set forth in this section. The amounts listed do not constitute an appropriation but are listed to establish maximums only for the fiscal year ending June 30, 2006.

Title	Number Authorized	Maximum Salary
General Administrator	0	$0.00
Administrative Aide	0	$0.00
Senior Rate Analyst	0	$0.00
Executive Secretary	0	$0.00

SECTION 6. The Corporation Commission shall expend from any monies available not less than _____ Dollars ($0.00) for the purposes of implementing the provisions of Section 40.1 of Title 17 of the Oklahoma Statutes.

SECTION 7. For the fiscal year ending June 30, 2006, the Corporation Commission shall continue to operate multicounty field offices located in Bristow: District I; Kingfisher: District II; Duncan: District III; and Ada: District IV.

SECTION 8. The continuation of full-time-equivalent employees hired pursuant to Sections 360 and 361 of Title 17 of the Oklahoma

Statutes shall be contingent upon sufficient funding of the Oklahoma Petroleum Storage Tank Release Indemnity Program.

SECTION 9. Of the _____ (0.0) full-time-equivalent employees authorized in this act, _____ (0.0) shall perform duties in accordance with the Underground Injection Control Program, _____ (0.0) shall perform duties in accordance with the Underground Storage Tank Program, and _____ (0.0) shall perform duties in accordance with the Leaking Underground Storage Tank Program. The continuation of these full-time-equivalent employees is contingent upon sufficient federal funding to support them.

SECTION 10. Pursuant to subsection F of Section 180.11 of Title 17 of the Oklahoma Statutes, the Corporation Commission shall assess no more than _____ Dollars ($0.00) for costs of the Public Utility Division for the fiscal year ending June 30, 2006. From any amounts collected pursuant to subsection F of Section 180.11 of Title 17 of the Oklahoma Statutes, the Corporation Commission shall expend no more than _____ Dollars ($0.00) for the costs of the Public Utility Division for the fiscal year ending June 30, 2006. Of the funds expended, it is the intent of the Legislature that _____ Dollars ($0.00) be used to fund the Public Utility Division portion of the Consumer Services Division. The expenditure limit created pursuant to this section shall not be considered the assessment level of the Public Utilities Division.

SECTION 11. 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 12. This act shall become effective July 1, 2005.

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.

50-1-15103 DL 12/22/04