STATE OF OKLAHOMA

1st Session of the 50th Legislature (2005)

HOUSE BILL 1114

By: Benge and Newport of the House

and

Morgan and Crutchfield of the Senate

AS INTRODUCED

An Act relating to the Department of Environmental Quality; making an appropriation to the Department of Environmental Quality; stating purpose; requiring budgeting in certain categories and amounts; providing for duties and compensation of employees; limiting salary of the Executive Director; providing budgetary limitations; authorizing certain contractual services; requiring certain expenditures; requiring utilization of certain funds; making certain appropriations nonfiscal; providing lapse dates; requiring certain budget procedures; prohibiting certain budget procedures; providing an effective date; and declaring an emergency.

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

DEPARTMENT OF ENVIRONMENTAL QUALITY

SECTION 1. There is hereby appropriated to the Department of Environmental Quality 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 Department of Environmental Quality by law.

SECTION 2. For the fiscal year ending June 30, 2006, the Department of Environmental Quality shall budget all funds in the following categories and amounts:

| Category | Appropriation | Total |
|---|---|---|
| Administrative Services Division | $0.00 | $0.00 |
| Air Quality Division | 0.00 | 0.00 |
| Customer Services Division | 0.00 | 0.00 |
| Environmental Complaints and Local Services (ECLS) | 0.00 | 0.00 |
| Water Quality Division | 0.00 | 0.00 |
| Land Protection Division | 0.00 | 0.00 |
| TOTAL | $0.00 | $0.00 |

SECTION 3. The duties and compensation of employees, not otherwise prescribed by law, necessary to perform the duties imposed upon the Department of Environmental Quality by law shall be set by the Executive Director of the Department of Environmental Quality. The salary of the Executive Director of the Department of Environmental Quality shall not exceed _____ Dollars ($0.00) per annum, payable monthly for the fiscal year ending June 30, 2006. The Department of Environmental Quality 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 | 0.0 |
| Lease-Purchase Agreements | $0.00 |

SECTION 4. The Department of Environmental Quality shall provide from any funds available contractual services to the Oklahoma Rural Water Association for technical assistance programs to rural water system operators.

SECTION 5. The Department of Environmental Quality is directed to expend an amount not to exceed _____ Dollars ($0.00) from

solid waste fee collections by the Department for the purpose of compensation, benefits and other necessary expenses during the fiscal year ending June 30, 2006, associated with the employees from the Oklahoma and Tulsa City-County environmental programs, as authorized by law.

SECTION 6. 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 7. This act shall become effective July 1, 2005.

SECTION 8. 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.

50-1-15105 DL 12/16/04