STATE OF OKLAHOMA

1st Session of the 50th Legislature (2005)

HOUSE BILL 1129

By: Benge and Newport of the House

and

Morgan and Crutchfield of the Senate

AS INTRODUCED

An Act relating to the Oklahoma Conservation Commission; making an appropriation to the Oklahoma Conservation Commission; stating purpose; authorizing expenditures from certain funds; requiring certain transfers; requiring budgeting in certain categories and amounts; providing for duties and compensation of employees; providing for salary of Executive Director; providing budgetary limitations; making certain employees positions contingent on federal funds; exempting certain employees from Merit System of Personnel Administration; 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:

OKLAHOMA CONSERVATION COMMISSION

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, 2006, the sum of _____ Dollars ($0.00) 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 _____ 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 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 _____ Dollars ($0.00) from the Oklahoma Conservation Commission Cost-Share Revolving Fund (#210) to the Conservation Commission Revolving Fund (#405) of the State Treasury.

SECTION 4. For the fiscal year ending June 30, 2006, the Oklahoma Conservation Commission shall budget all funds in the following categories and amounts:

Category	Appropriation	Total
Administration	$0.00	$0.00
Watershed Operation and Maintenance	0.00	0.00
Field Service	0.00	0.00
Abandoned Mine Land Reclamation	0.00	0.00
Water Quality/Wetlands	0.00	0.00
TOTAL	$0.00	$0.00

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, 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
Average number of full-time-equivalent employees, excluding seasonal employees and project labor	62.0
Lease-Purchase Agreements	$0.00

SECTION 6. Of the sixty-two (62.0) full-time-equivalent employee positions authorized by this act, six (6) full-time-equivalent employee positions shall be filled contingent upon procurement of federal funds for the Abandoned Mine Lands Program. Such six (6) full-time-equivalent employee positions supported by federal funds shall be terminated upon the discontinuation of federal funds dedicated to the Abandoned Mine Lands programs. Such six (6) 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, 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 8. This act shall become effective July 1, 2005.

SECTION 9. 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.

50-1-15120 DL 12/22/04