STATE OF OKLAHOMA

1st Session of the 50th Legislature (2005)

HOUSE BILL 1138

By: Benge and Newport of the House

and

Morgan and Crutchfield of the Senate

AS INTRODUCED

An Act relating to the Oklahoma Water Resources Board; making appropriations; stating purposes; authorizing expenditures from certain funds; stating purposes; requiring budgeting in certain categories and amounts; requiring performance measures; providing for duties and compensation of employees; providing budgetary limitations; requiring and limiting certain expenditures; specifying purpose; making certain appropriations nonfiscal; providing lapse dates; requiring certain budget procedures; prohibiting certain budget procedures; requiring certain transfers; authorizing certain expenditures; specifying purpose; requiring certain expenditures from certain fund; specifying purpose; providing an effective date; and declaring an emergency.

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

OKLAHOMA WATER RESOURCES BOARD

SECTION 1. There is hereby appropriated to the Oklahoma Water Resources Board 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 Water Resources Board by law.

SECTION 2. For the fiscal year ending June 30, 2006, the Oklahoma Water Resources Board shall budget all funds in the following categories and amounts:

Category	Appropriation	Total
Administrative Services	$0.00	$0.00

Water Quality Programs	0.00	0.00
Planning and Management	0.00	0.00
Financial Assistance	0.00	0.00
Office of the Secretary of the Environment	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 Oklahoma Water Resources Board by law shall be set by the Oklahoma Water Resources Board. The salary of the Executive Director of the Oklahoma Water Resources Board shall not exceed Eighty Thousand Dollars ($80,000.00) per annum, payable monthly for the fiscal year ending June 30, 2006. The Oklahoma Water Resources Board 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 Temporary Employees, Student Unclassified Temporary Employees, Student Unclassified Employees, and Project Indefinite Employees	91.0
Lease-Purchase Agreements	$32,650.00

SECTION 4. Of the funds appropriated to the Oklahoma Water Resources Board, the sum of One Hundred Sixty-nine Thousand Five Hundred Seventy-eight Dollars ($169,578.00) shall be used for the purpose of providing contractual services with the Oklahoma Rural Water Association to provide technical assistance and training to rural water and wastewater system operators or board members. No

part of these funds can be used to pay any portion of the compensation of the Oklahoma Rural Water Association Executive Director providing contractual services.

SECTION 5. Out of the funds appropriated to the Oklahoma Water Resources Board, the sum of _____ Dollars ($0.00) shall be used for the purpose of providing contractual services with the Oklahoma Rural Water Association to provide technical assistance and training to rural water and wastewater system operators or board members. No part of these funds can be used to pay any portion of the compensation of the Oklahoma Rural Water Association Executive Director provided contractual services.

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. TRANSFER The Director of State Finance, on or before July 1, 2004, shall transfer the sum of _____

Dollars ($0.00) from the Rural Economic Action Plan Water Project Fund of the Oklahoma Water Resources Board from the funds deposited from the gross production tax, as apportioned by Section 1004 of Title 68 of the Oklahoma Statutes, and any other such funds of the Oklahoma Water Resources Board as may be available, to the Special Cash Fund of the State Treasury.

SECTION 8. The Oklahoma Water Resources Board is hereby authorized to expend funds as they become available from any source amounts necessary to assist the South Pittsburg County Water Supply Trust Authority plan, engineer, construct, acquire, repair or improve the infrastructure necessary for the purpose of providing water to communities served by the Authority.

SECTION 9. For the fiscal year ending June 30, 2005, any funds collected and deposited into 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, in excess of _____ ($0.00), is hereby authorized for expenditure from the Rural Economic Action Plan Water Projects Fund for the following purposes and in the following priority order:

1. _____ Dollars ($0.00) for the watershed rehabilitation program administered by the Oklahoma Conservation Commission;

2. _____ Dollars ($0.00) for implementation of new public water supply requirements as administered by the Department of Environmental Quality;

3. _____ Dollars ($0.00) for water studies conducted by the Oklahoma Water Resources Board; and

4. _____ Dollars ($0.00) for priority watershed and/or cost share programs as administered by the Oklahoma Conversation Commission.

Expenditures authorized by this section shall be exempt from budget limits and the requirements of the Oklahoma Central Purchasing Act.

SECTION 10. This act shall become effective July 1, 2005.

SECTION 11. 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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