

1 STATE OF OKLAHOMA

2 2nd Session of the 51st Legislature (2008)

3 CONFERENCE COMMITTEE SUBSTITUTE

4 FOR ENGROSSED

5 SENATE BILL 1285

By: Johnson (Mike),
Crutchfield, Myers and
Adelson of the Senate

6 and

7 Miller and Jones of the
8 House

9
10 CONFERENCE COMMITTEE SUBSTITUTE

11 An Act relating to the Oklahoma Department of
12 Agriculture, Food, and Forestry; requiring certain
13 funds to be budgeted in certain categories and
14 amounts; requiring certain performance measures;
15 stating legislative intent; designating funds;
16 specifying purposes for which certain funds may be
17 expended; specifying requirements for certain
18 designated funds; providing for transfers of certain
19 funds; providing for duties and compensation of
20 employees; limiting the salary of the Commissioner;
21 providing budgetary limitations; requiring certain
22 expenditures for certain purposes; providing for
23 certain contracted responsibilities; authorizing the
24 Oklahoma Department of Agriculture, Food, and
Forestry to disallow payment for certain
expenditures; requiring certain reports and audits;
providing budgetary limitations; exempting
appropriation from agency budget and category limits;
requiring budgeting of certain funds in certain
years; requiring certain budget procedures;
prohibiting certain budget procedures; providing
lapse dates; providing an effective date; and
declaring an emergency.

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

2 SECTION 1. For the fiscal year ending June 30, 2009, the
3 Oklahoma Department of Agriculture, Food, and Forestry shall budget
4 all funds in the following categories and amounts:

5	<u>Category</u>	<u>Appropriation</u>	<u>Total</u>
6	Administrative Services		
7	Division	\$ 4,090,304.00	\$17,600,000.00
8	Volunteer Firefighter Employer		
9	Payment Contribution		
10	Revolving Fund	85,000.00	85,000.00
11	Volunteer Firefighter Group		
12	Insurance Pool, CompSource		
13	Oklahoma	169,000.00	169,000.00
14	Office of General Counsel	513,602.00	817,000.00
15	Statistical Services Division	101,051.00	223,000.00
16	Animal Industry Services		
17	Division	1,695,049.00	4,170,000.00
18	Food Safety Program Inspection		
19	and Grading of Meat, Egg and		
20	Poultry Products, Milk and		
21	Milk Products	2,515,379.00	4,740,000.00
22	Agricultural Environmental		
23	Management Services Division	1,003,706.00	2,025,000.00
24	Wildlife Services Division	1,281,130.00	2,815,000.00

1	Public Information Services		
2	Division	223,703.00	410,000.00
3	Livestock Depopulation and		
4	other Emergency Livestock		
5	Disease Control Expenses	117,125.00	200,000.00
6	Forestry Services Division	5,772,285.00	14,890,000.00
7	Rural Fire Coordinators	860,000.00	860,000.00
8	Operation Grants to Rural Fire		
9	Departments	4,500,000.00	10,000,000.00
10	Rural Fire 80/20 Match Program	1,068,729.00	2,500,000.00
11	Rural Fire Defense Equipment		
12	Revolving Fund	5,000.00	2,500,000.00
13	Dry Fire Hydrant Program	55,000.00	55,000.00
14	Consumer Protection Services		
15	Division	1,514,639.00	7,220,000.00
16	Agricultural Laboratory Services		
17	Division	1,731,098.00	4,075,000.00
18	Market Development Services		
19	Division	2,064,406.00	5,880,000.00
20	Environmental and Sustainable		
21	Agricultural Program	50,000.00	50,000.00
22	Ag Enhancement and		
23	Diversification Fund	250,000.00	1,000,000.00
24	Agriculture Mediation Program	69,828.00	300,000.00

1	Oklahoma State University for the		
2	Statewide Intensive Financial		
3	Management Assistance Program	124,100.00	225,000.00
4	Oklahoma State University Animal		
5	Diagnostic Laboratory Equipment	34,178.00	60,000.00
6	Poultry Research and Disease		
7	Control Research Programs and		
8	Employment of a State Poultry		
9	Veterinarian and an Area		
10	Poultry Specialist	70,000.00	140,000.00
11	Agricultural Laboratory Debt		
12	Service	1,800,000.00	2,500,000.00
13	Sunrise Agriculture News Program	170,000.00	170,000.00
14	Legume Research	50,000.00	50,000.00
15	Rural Enterprise Institute	<u>1,450,873.00</u>	<u>1,793,000.00</u>
16	TOTAL	\$33,435,185.00	\$87,522,000.00

17 The agency shall develop outcome-based performance measures for
18 each budget category.

19 SECTION 2. It is the intent of the Legislature that the
20 Oklahoma Department of Agriculture, Food, and Forestry expend at
21 least Three Hundred Thirty Thousand Dollars (\$330,000.00) or so much
22 thereof as is necessary from funds appropriated in Section 123 of
23 Enrolled House Bill No. 2276 of the 2nd Session of the 51st Oklahoma
24

1 Legislature for the purpose of supporting the "Made in Oklahoma"
2 program.

3 SECTION 3. It is the intent of the Legislature that the
4 Oklahoma Department of Agriculture, Food, and Forestry expend at
5 least One Hundred Thousand Dollars (\$100,000.00) or so much thereof
6 as is necessary from funds appropriated in Section 123 of Enrolled
7 House Bill No. 2276 of the 2nd Session of the 51st Oklahoma
8 Legislature for the purpose of supporting the "Farm-to-School"
9 program.

10 SECTION 4. The funds designated for Operation Grants to Rural
11 Fire Departments in this act shall be expended to provide
12 operational grants to rural fire departments and shall be limited to
13 Five Thousand One Hundred Dollars (\$5,100.00) per municipality.

14 SECTION 5. The funds designated for the Rural Fire 80/20 Match
15 Program in this act shall be expended to provide the state share for
16 grants to rural fire protection coordination districts pursuant to
17 the Rural Fire Protection Program Fund Act and for other rural fire
18 protection purposes.

19 SECTION 6. For the fiscal year ending June 30, 2009, the
20 Oklahoma Department of Agriculture, Food, and Forestry shall
21 transfer an amount equal to the funds designated by this act to the
22 Volunteer Firefighter Employer Contribution Payment Revolving Fund
23 as created by Section 16-81 of Title 2 of the Oklahoma Statutes.

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1 SECTION 7. For the fiscal year ending June 30, 2009, the
2 Oklahoma Department of Agriculture, Food, and Forestry shall
3 transfer an amount equal to the funds designated by this act to the
4 Oklahoma Agriculture Enhancement and Diversification Fund as created
5 by Section 5-3.3 of Title 2 of the Oklahoma Statutes.

6 SECTION 8. For the fiscal year ending June 30, 2009, the
7 Oklahoma Department of Agriculture, Food, and Forestry shall
8 transfer an amount equal to the funds designated by this act to the
9 Rural Fire Defense Equipment Revolving Fund as created by Section
10 901.58 of Title 19 of the Oklahoma Statutes.

11 SECTION 9. The Oklahoma Department of Agriculture, Food, and
12 Forestry shall transfer the sum of One Hundred Sixty-nine Thousand
13 Dollars (\$169,000.00) to CompSource Oklahoma for the Volunteer
14 Firefighter Group Insurance Pool as created by Section 132a of Title
15 85 of the Oklahoma Statutes.

16 SECTION 10. The duties and compensation of employees, not
17 otherwise prescribed by law, necessary to perform the duties imposed
18 upon the Oklahoma Department of Agriculture, Food, and Forestry by
19 law shall be set by the Commissioner. The salary of the
20 Commissioner shall not exceed Eighty-seven Thousand Five Dollars
21 (\$87,005.00) per annum, payable monthly for the fiscal year ending
22 June 30, 2009. The Oklahoma Department of Agriculture, Food, and
23 Forestry, for the fiscal year ending June 30, 2009, shall be subject
24 to the following budgetary limitations on full-time-equivalent

1 employees and expenditures excluding expenditures for capital and
2 special projects, except as may be authorized pursuant to the
3 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

12 SECTION 11. The Oklahoma Department of Agriculture, Food, and
13 Forestry shall expend so much as may be necessary to accomplish
14 contractual responsibilities for statewide dissemination of
15 intensive financial management technical assistance by Oklahoma
16 State University's Extension Service, thus enabling businesses and
17 students of business to benefit from direct professional assistance
18 provided by professors, associates and staff of the University and
19 to improve and complement technical assistance provided by the
20 Department. Contractors shall submit quarterly reports of
21 activities and expenditures to the Oklahoma Department of
22 Agriculture, Food, and Forestry. The Department may disallow any
23 expenditures for activities not within the scope of contractual
24 responsibilities pursuant to an approved work plan. Contractors

1 shall submit an annual audit as required by the Oklahoma Department
2 of Agriculture, Food, and Forestry which may be paid from allocated,
3 appropriated funds.

4 SECTION 12. Appropriations made by Sections 123 and 124 of
5 Enrolled House Bill No. 2276 of the 2nd Session of the 51st Oklahoma
6 Legislature, not including appropriations made for capital outlay
7 purposes, may be budgeted for the fiscal year ending June 30, 2009
8 (hereafter FY-09) or may be budgeted for the fiscal year ending June
9 30, 2010 (hereafter FY-10). Funds budgeted for FY-09 may be
10 encumbered only through June 30, 2009, and must be expended by
11 November 15, 2009. Any funds remaining after November 15, 2009, and
12 not budgeted for FY-10, shall lapse to the credit of the proper fund
13 for the then current fiscal year. Funds budgeted for FY-10 may be
14 encumbered only through June 30, 2010. Any funds remaining after
15 November 15, 2010, shall lapse to the credit of the proper fund for
16 the then current fiscal year. These appropriations may not be
17 budgeted in both fiscal years simultaneously. Funds budgeted in FY-
18 09, and not required to pay obligations for that fiscal year, may be
19 budgeted for FY-10, after the agency to which the funds have been
20 appropriated has prepared and submitted a budget work program
21 revision removing these funds from the FY-09 budget work program and
22 after such revision has been approved by the Office of State
23 Finance.

24 SECTION 13. This act shall become effective July 1, 2008.

1 SECTION 14. It being immediately necessary for the preservation
2 of the public peace, health and safety, an emergency is hereby
3 declared to exist, by reason whereof this act shall take effect and
4 be in full force from and after its passage and approval.

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