

1 STATE OF OKLAHOMA

2 1st Session of the 52nd Legislature (2009)

3 CONFERENCE COMMITTEE SUBSTITUTE

4 FOR ENGROSSED

5 SENATE BILL 155

By: Johnson (Mike) and Myers of  
the Senate

6 and

7 Miller and Martin (Scott)  
of the House

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9  
10  
11 CONFERENCE COMMITTEE SUBSTITUTE

12 An Act relating to the Oklahoma Conservation  
13 Commission; requiring budgeting in certain categories  
14 and amounts; requiring certain performance measures;  
15 providing for duties and compensation of employees;  
16 limiting salary of the Executive Director; providing  
17 budgetary limitations; making certain employee  
18 positions contingent on federal funds; providing for  
19 certain terminations; providing for certain employee  
20 positions; exempting certain employees from Merit  
21 System of Personnel Administration; providing lapse  
22 dates; requiring and prohibiting certain budget  
23 procedures; providing an effective date; and  
24 declaring an emergency.

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

SECTION 1. For the fiscal year ending June 30, 2010, the  
Oklahoma Conservation Commission shall budget all funds in the  
following categories and amounts:

1	<u>Category</u>	<u>Appropriation</u>	<u>Total</u>
2	Administration	\$1,759,101.00	\$ 3,575,000.00
3	Watershed Operation and		
4	Maintenance	590,000.00	36,110,000.00
5	Field Service	7,223,354.00	9,939,664.00
6	Abandoned Mine Land Reclamation	0.00	5,000,000.00
7	Water Quality/Wetlands	<u>0.00</u>	<u>13,539,391.00</u>
8	TOTAL	\$9,572,455.00	\$68,164,055.00

9       The agency shall develop outcome-based performance measures for  
10 each budget category.

11       SECTION 2. The duties and compensation of employees, not  
12 otherwise prescribed by law, necessary to perform the duties imposed  
13 upon the Oklahoma Conservation Commission by law shall be set by the  
14 Executive Director of the Commission. The salary of the Executive  
15 Director of the Oklahoma Conservation Commission shall not exceed  
16 Seventy-two Thousand Three Hundred Ninety-eight Dollars (\$72,398.00)  
17 per annum, payable monthly for the fiscal year ending June 30, 2010.  
18 The Oklahoma Conservation Commission for the fiscal year ending June  
19 30, 2010, shall be subject to the following budgetary limitations on  
20 full-time-equivalent employees and expenditures excluding  
21 expenditures for capital and special projects, except as may be  
22 authorized pursuant to the provisions of Section 3603 of Title 74 of  
23 the Oklahoma Statutes:

24	<u>Budgetary Limitation</u>	<u>Amount</u>
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1	Average Number of Full-time-equivalent	
2	Employees, Excluding Seasonal	
3	Employees and Project Labor	62.0
4	Lease-Purchase Agreements	\$0.00

5 SECTION 3. Of the full-time-equivalent employee positions  
6 authorized in this act, six (6) shall be filled contingent upon  
7 procurement of federal funds for the Abandoned Mine Lands program  
8 and thirty-four (34) shall be filled contingent upon procurement of  
9 federal funds for the Water Quality 319 Program. Such full-time-  
10 equivalent employee positions supported by federal funds shall be  
11 terminated upon the discontinuation of federal funds. Such full-  
12 time-equivalent employee positions shall be unclassified and, except  
13 for leave regulations, shall be exempt from the rules of the Merit  
14 System of Personnel Administration.

15 SECTION 4. Appropriations made by Section 87 of Enrolled Senate  
16 Bill No. 216 of the 1st Session of the 52nd Oklahoma Legislature,  
17 not including appropriations made for capital outlay purposes, may  
18 be budgeted for the fiscal year ending June 30, 2010 (hereafter FY-  
19 10), or may be budgeted for the fiscal year ending June 30, 2011  
20 (hereafter FY-11). Funds budgeted for FY-10 may be encumbered only  
21 through June 30, 2010, and must be expended by November 15, 2010.  
22 Any funds remaining after November 15, 2010, and not budgeted for  
23 FY-11, shall lapse to the credit of the proper fund for the then  
24 current fiscal year. Funds budgeted for FY-11 may be encumbered

1 only through June 30, 2011. Any funds remaining after November 15,  
2 2011, shall lapse to the credit of the proper fund for the then  
3 current fiscal year. These appropriations may not be budgeted in  
4 both fiscal years simultaneously. Funds budgeted in FY-10, and not  
5 required to pay obligations for that fiscal year, may be budgeted  
6 for FY-11, after the agency to which the funds have been  
7 appropriated has prepared and submitted a budget work program  
8 revision removing these funds from the FY-10 budget work program and  
9 after such revision has been approved by the Office of State  
10 Finance.

11 SECTION 5. This act shall become effective July 1, 2009.

12 SECTION 6. It being immediately necessary for the preservation  
13 of the public peace, health and safety, an emergency is hereby  
14 declared to exist, by reason whereof this act shall take effect and  
15 be in full force from and after its passage and approval.

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