

1 STATE OF OKLAHOMA

2 2nd Session of the 52nd Legislature (2010)

3 HOUSE BILL 2501

By: Miller and Martin (Scott)
of the House

4 and

5 Johnson (Mike) and Myers of
6 the Senate

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9 AS INTRODUCED

10 An Act relating to the Oklahoma Conservation
11 Commission; making an appropriation; stating purpose;
12 authorizing expenditures from certain funds;
13 requiring budgeting in certain categories and
14 amounts; providing for duties and compensation of
15 employees; providing for salary of Executive
16 Director; providing budgetary limitations; making
17 certain employees' positions contingent on federal
18 funds; exempting certain employees from Merit System
19 of Personnel Administration; making certain
20 appropriations nonfiscal; providing lapse dates;
21 requiring certain budget procedures; prohibiting
22 certain budget procedures; providing an effective
23 date; and declaring an emergency.

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

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, 2011, the sum of _____ Dollars (\$0.00) or

1 so much thereof as may be necessary to perform the duties imposed
2 upon the Oklahoma Conservation Commission by law.

3 SECTION 2. The Oklahoma Conservation Commission is authorized
4 to expend an amount not to exceed _____ Dollars (\$0.00) from
5 the Rural Economic Action Plan Water Projects Fund from the gross
6 production tax, as apportioned by Section 1004 of Title 68 of the
7 Oklahoma Statutes, to be transferred to the Oklahoma Conservation
8 Commission Cost-Share Revolving Fund ("210 Fund"), to perform the
9 duties imposed upon the Oklahoma Conservation Commission by law.

10 SECTION 3. For the fiscal year ending June 30, 2011, the
11 Oklahoma Conservation Commission shall budget all funds in the
12 following categories and amounts:

13	<u>Category</u>	<u>Appropriation</u>	<u>Total</u>
14	Administration	\$0.00	\$0.00
15	Watershed Operation and		
16	Maintenance	0.00	0.00
17	Field Service	0.00	0.00
18	Abandoned Mine Land		
19	Reclamation	0.00	0.00
20	Water Quality/Wetlands	<u>0.00</u>	<u>0.00</u>
21	TOTAL	\$0.00	\$0.00

22 SECTION 4. The duties and compensation of employees, not
23 otherwise prescribed by law, necessary to perform the duties imposed
24 upon the Oklahoma Conservation Commission by law shall be set by the

1 Executive Director of the Commission. The salary of the Executive
 2 Director of the Oklahoma Conservation Commission shall be set by the
 3 Commission. The Oklahoma Conservation Commission for the fiscal
 4 year ending June 30, 2011, shall be subject to the following
 5 budgetary limitations on full-time-equivalent employees and
 6 expenditures excluding expenditures for capital and special
 7 projects, except as may be authorized pursuant to the provisions of
 8 Section 3603 of Title 74 of the Oklahoma Statutes:

<u>Budgetary Limitation</u>	<u>Amount</u>
Average number of full-time-equivalent	
employees, excluding seasonal	
employees and project labor	0.0
Lease-Purchase Agreements	\$0.00

14 SECTION 5. Of the full-time-equivalent employee positions
 15 authorized in this act, _____ (0) shall be filled contingent upon
 16 procurement of federal funds for the Abandoned Mine Lands program
 17 and _____ (0) shall be filled contingent upon procurement of
 18 federal funds for the Water Quality 319 Program. Such full-time-
 19 equivalent employee positions supported by federal funds shall be
 20 terminated upon the discontinuation of federal funds. Such full-
 21 time-equivalent employee positions shall be unclassified and, except
 22 for leave regulations, shall be exempt from the rules of the Merit
 23 System of Personnel Administration.

1 SECTION 6. Appropriations made by this act, not including
2 appropriations made for capital outlay purposes, may be budgeted for
3 the fiscal year ending June 30, 2011 (hereafter FY-11) or may be
4 budgeted for the fiscal year ending June 30, 2012 (hereafter FY-12).
5 Funds budgeted for FY-11 may be encumbered only through June 30,
6 2011, and must be expended by November 15, 2011. Any funds
7 remaining after November 15, 2011, and not budgeted for FY-12, shall
8 lapse to the credit of the proper fund for the then current fiscal
9 year. Funds budgeted for FY-12 may be encumbered only through June
10 30, 2012. Any funds remaining after November 15, 2012, shall lapse
11 to the credit of the proper fund for the then current fiscal year.
12 These appropriations may not be budgeted in both fiscal years
13 simultaneously. Funds budgeted in FY-11, and not required to pay
14 obligations for that fiscal year, may be budgeted for FY-12, after
15 the agency to which the funds have been appropriated has prepared
16 and submitted a budget work program revision removing these funds
17 from the FY-11 budget work program and after such revision has been
18 approved by the Office of State Finance.

19 SECTION 7. This act shall become effective July 1, 2010.

20 SECTION 8. It being immediately necessary for the preservation
21 of the public peace, health and safety, an emergency is hereby
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1 declared to exist, by reason whereof this act shall take effect and
2 be in full force from and after its passage and approval.

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