

ENGROSSED SENATE
BILL NO. 858

BY: BROWN of the SENATE

and

HEFNER of the HOUSE

AN ACT RELATING TO STATE GOVERNMENT; CREATING THE
OKLAHOMA LAW ENFORCEMENT, PUBLIC SAFETY,
CORRECTIONS AND JUVENILE SERVICES STUDY COUNCIL;
PROVIDING FOR MEMBERSHIP, OFFICERS, QUORUM,
SUBCOMMITTEES, VACANCY OF CHAIR AND COMPENSATION OF
THE COUNCIL; REQUIRING COUNCIL TO SUBMIT FINDINGS,
RECOMMENDATIONS AND PLAN FOR UNIFYING LAW
ENFORCEMENT, PUBLIC SAFETY AND CORRECTIONS SERVICES
OF CERTAIN ENTITIES BY CERTAIN DATE; REQUIRING
COUNCIL TO SUBMIT FINDINGS, RECOMMENDATIONS AND
PLAN FOR TRANSFERRING CERTAIN JUVENILE PROBATION,
PAROLE AND INSTITUTIONAL SERVICES BY CERTAIN DATE;
PROVIDING FOR COOPERATION AND SUPPORT SERVICES TO
COUNCIL; FIXING RESPONSIBILITY FOR CERTAIN COSTS;
PROVIDING TERMINATION DATE; PROVIDING SHORT TITLE;
PROVIDING FOR CODIFICATION; AND DECLARING AN
EMERGENCY.

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

SECTION 1. NEW LAW A new section of law to be codified
in the Oklahoma Statutes as Section 5100 of Title 74, unless there
is created a duplication in numbering, reads as follows:

This act shall be known and may be cited as the "Oklahoma Law Enforcement, Public Safety, Corrections and Juvenile Services Study Act".

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 5101 of Title 74, unless there is created a duplication in numbering, reads as follows:

A. There is hereby created the Oklahoma Law Enforcement, Public Safety, Corrections and Juvenile Services Study Council, hereafter referred to as the "Council", which shall consist of twenty-one voting members and four nonvoting members.

B. The following persons or their designee or their successor shall serve as voting members of the Council until June 15, 1993:

1. The Secretary of the Department of Safety and Security, who shall serve as chairman of the Council;

2. The Director of the Oklahoma State Bureau of Investigation;

3. The Director of the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control;

4. The Director of the Department of Human Services;

5. The Director of the Commission on Children and Youth;

6. The State Fire Marshal;

7. The Director of the Alcoholic Beverage Laws Enforcement Commission;

8. The Director of Civil Defense;

9. The Director of the Department of Corrections;

10. The Executive Director of the Pardon and Parole Board;

11. The Chief Medical Examiner;

12. The Director of the Criminal Justice Resource Center;

13. The Director of the Council on Law Enforcement Education and Training;

14. Four persons shall be appointed by the Governor by June 15, 1992, who shall be, respectively a district attorney, a police chief, a county sheriff and a fire chief;

15. Two persons shall be appointed by the President Pro Tempore of the Senate by June 15, 1992, each of whom shall be members of the Senate; and

16. Two persons shall be appointed by the Speaker of the House of Representatives by June 15, 1992, each of whom shall be members of the House of Representatives.

C. The members of the Council shall elect a vice-chairman from among the Council membership at the first meeting.

D. The Chairman of the Council may designate as many subcommittees as he deems appropriate. Chairmen and members of any subcommittees so designated by the Chairman shall be appointed from the voting members of the Council.

E. If the chairmanship is vacated, the vice-chairman will serve as acting chairman until a new Secretary of the Department of Safety and Security is appointed by the Governor. The newly appointed Secretary of the Department of Safety and Security shall assume the duties of Chairman of the Council immediately following appointment and confirmation.

F. The following persons or their designee or their successor shall serve as ex officio nonvoting members of the Council until June 15, 1993:

1. The Attorney General;
2. The Director of the Office of State Finance;
3. The Director of the Office of Public Affairs; and
4. The Administrator of the Office of Personnel Management.

G. A majority of the voting membership of the Council constitutes a quorum for the purpose of conducting the business of the Council.

H. The Chairman shall call the first meeting of the Council for no later than July 1, 1992, and shall convene the Council at least twice a month thereafter during the 1992 legislative interim.

I. Members of the Council who are not appointed by the Governor, the President Pro Tempore of the Senate or the Speaker of the House of Representatives shall receive no compensation for their services but shall be reimbursed for necessary traveling expenses in the performance of their duties by their respective agency, board, commission, council or department pursuant to the State Travel Reimbursement Act, Section 500.1 et seq. of Title 74 of the Oklahoma Statutes.

J. Members of the Council who are appointed by the Governor, the President Pro Tempore of the Senate and the Speaker of the House of Representatives shall receive no compensation for their services but shall be reimbursed for necessary traveling expenses in the performance of their duties by their respective appointing authorities pursuant to the State Travel Reimbursement Act, Section 500.1 et seq. of Title 74 of the Oklahoma Statutes.

SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 5102 of Title 74, unless there is created a duplication in numbering, reads as follows:

A. The Council shall study the feasibility and advisability of consolidating various law enforcement, public safety and corrections services and functions and shall develop findings, recommendations and a plan to:

1. Consolidate the administrative, operational and support services and functions of any or all of the following law enforcement, public safety and corrections entities if the Council determines such consolidation to be feasible and advisable:

- a. the Department of Public Safety,
- b. the State Bureau of Investigation,
- c. the Bureau of Narcotics and Dangerous Drugs Control,
- d. the Office of the State Fire Marshal,
- e. the Alcoholic Beverage Laws Enforcement Commission,
- f. the Department of Civil Defense,

- g. the Department of Corrections,
- h. the Pardon and Parole Board,
- i. the Council on Law Enforcement Education and Training,
and
- j. the Office of the Chief Medical Examiner; and

2. Improve law enforcement, public safety and corrections services and coordination, reduce costs of administration, and maximize utilization of budget, personnel resources, communications capabilities, equipment and facilities.

3. The Council shall submit a report of its findings, recommendations and plan to the Governor, the President Pro Tempore of the Senate and the Speaker of the House of Representatives by December 1, 1992.

B. The Council shall study the feasibility and advisability of transferring juvenile probation, parole and institutional services from the Department of Human Services and shall develop findings, recommendations and a plan to:

1. Transfer the existing administrative, operational and support services of juvenile probation, parole and institutional services from the Department of Human Services to an appropriate agency or department or to a newly created agency or department if the Council determines such transfer to be feasible and advisable;

2. Improve the services, accountability and coordination of juvenile probation, parole and institutions, reduce costs of administration, and maximize utilization of budget, personnel resources, equipment and facilities; and

3. The Council shall submit a report of its findings, recommendations and plan to the Governor, the President Pro Tempore of the Senate and the Speaker of the House of Representatives by December 1, 1992.

C. All state agencies, boards and commissions shall cooperate with the Council and its subcommittees as required to implement the duties as prescribed herein.

D. Legal assistance and advice to the Council and its subcommittees shall be provided by the office of the Attorney General.

E. Staff support services for the Council and subcommittees shall be provided by the Cabinet Secretary of the Department of Human Resources from the various resources within his Department.

F. The Secretary of the Department of Safety and Security, the Secretary of the Department of Administration, the Secretary of the Department of Finance and Revenue and the Secretary of the Department of Human Resources shall coordinate the various resources within their respective departments to share all necessary and appropriate costs of the Council and its subcommittees, with the exception of necessary travel expenses of the members as provided in subsection H of Section 2 of this act.

G. The Council's functions and duties as prescribed by this act shall terminate on June 15, 1993.

SECTION 4. 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.

Passed the Senate the 9th day of March, 1992.

President of the Senate

Passed the House of Representatives the ____ day of _____, 1992.

Speaker

of the House of
Representatives