

STATE OF OKLAHOMA

2nd Session of the 44th Legislature (1994)

COMMITTEE SUBSTITUTE
FOR ENGROSSED
SENATE BILL NO. 870

By: Brown, Stipe and Herbert
of the Senate

and

Maddox (Jim), Erwin,
Fields, Hefner, Rhoads
(Karroll), Satterfield,
Tyler, Culver, Hilliard,
Mass, Ferguson, Mitchell,
Webb, Weese, Bastin and
Glover of the House

COMMITTEE SUBSTITUTE

[Department of Public Safety - new schedule of salaries
- effective date -
emergency]

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

SECTION 1. AMENDATORY 47 O.S. 1991, Section 2-105.4,
as last amended by Section 1, Chapter 190, O.S.L. 1993 (47 O.S.
Supp. 1993, Section 2-105.4), is amended to read as follows:

Section 2-105.4 A. The Commissioner of Public Safety,
subject to the Oklahoma Personnel Act, Section 840.1 et seq. of
Title 74 of the Oklahoma Statutes, shall appoint assistants,
deputies, officers, investigators and other employees as may be
necessary to carry out the provisions of this title.

B. The Commissioner, subject to the Oklahoma Personnel Act,
Section 840.1 et seq. of Title 74 of the Oklahoma Statutes, shall
appoint a Chief of the Highway Patrol Division with the rank of
Colonel, Assistant Chief of the Highway Patrol Division with the
rank of Lieutenant Colonel, and subordinate officers and employees
thereof, including Majors, Captains, First Lieutenants,

Supervisors with the rank of Second Lieutenant and Patrolmen, who shall comprise the Oklahoma Highway Patrol Division.

C. ~~Until July 1, 1993:~~

1. ~~The annual salaries for the positions as set out shall be in accordance and conformity with the following salary schedule, exclusive of longevity and extra shift pay as authorized by law and exclusive of any pay increases awarded pursuant to subsection D of this section for Fiscal Year 1993:~~

Position	Step 1	Step 2	Step 3	Step 4	Step 5
Commissioner of Public Safety					
	\$61,620.00				
Assistant Commissioner of Public Safety					
	\$56,820.00				
Chief of the Highway Patrol Division					
	\$55,020.00				
Assistant Chief of the Highway Patrol Division					
	\$48,420.00				
Highway Patrol Majors					
	\$43,020.00				
Highway Patrol Captains					
	\$38,820.00				
Highway Patrol First Lieutenants					
	\$35,820.00				
Highway Patrol Supervisors					
	\$32,820.00				
Highway Patrolmen					
	\$23,220.00	\$25,020.00	\$26,820.00	\$28,620.00	
	\$30,420.00				

2. ~~The provisions of this section shall supersede all existing laws covering the salaries of the positions in the Oklahoma Highway Patrol Division. It is provided that the entrance salary of any highway patrolman shall be One Thousand Six Hundred Eighteen Dollars (\$1,618.00) per month, or Nineteen Thousand Four Hundred Twenty Dollars (\$19,420.00) per annum which salary shall be paid during Highway Patrol Academy Training. It is provided that the salary of any probationary highway patrolman~~

~~shall be One Thousand Seven Hundred Twenty Dollars (\$1,720.00) per month, or Twenty Thousand Six Hundred Twenty Dollars (\$20,620.00) per annum as set out, which salary shall continue during the probationary period following employment, as provided for in subsection (b) of Section 2-105 of this title. Any employee of the Highway Patrol Division being paid according to the schedule set forth in this subsection who is promoted to another position contained in said schedule shall receive not less than the annual salary the employee was paid prior to the promotion, and not more than the next higher salary in the new classification, providing such increase shall not move the salary of the employee off the schedule for the position to which said employee is promoted. Thereafter, salaries will be based upon the schedule.~~

~~D. 1. Effective December 1, 1992, all persons occupying the positions provided for in paragraph 1 of subsection C of this section shall receive a two and one-half percent (2.5%) pay increase. During the period from January 1, 1993, to June 30, 1993, the Department of Public Safety may provide a discretionary two and one-half percent (2.5%) pay increase, in addition to the mandatory pay increase provided for in this subsection for all persons occupying the positions provided for in paragraph 1 of subsection C of this section, if the Department can comply with the provisions of subsection K of Section 23 of this act. If the provisions of subsection K of Section 23 of this act cannot be met, the Department shall not authorize the discretionary pay increase provided for in this subsection. However, such a discretionary increase may be instituted at any time during the period from January 1, 1993, to June 30, 1993, that an agency can comply with subsection K of Section 23 of this act. If a discretionary pay increase is granted, all of the Department's classified and unclassified employees whose service ratings are subject to the provisions of the Oklahoma Personnel Act and who have received an overall rating of at least "satisfactory" or its equivalent, on a service rating conducted on or after July 1, 1991, in accordance with Section 841.16 of Title 74 of the Oklahoma Statutes, shall receive the discretionary increase.~~

~~2. In providing for the pay increases authorized in paragraph 1 of this subsection, the Department shall comply with the provisions of subsections H through R of Section 23, Chapter 367, O.S.L. 1992, as amended by Section 2 of this act, and Section 24, Chapter 367, O.S.L. 1992.~~

~~E. Effective July 1, 1993:~~

~~1. The annual salaries for the positions as set out shall be in accordance and conformity with the following salary schedule except as provided by paragraph 2 of this subsection, exclusive of longevity and extra shift pay as authorized by law and exclusive of any pay increases awarded pursuant to subsection F of this section:~~

~~Commissioner of Public Safety~~

~~\$61,620.00~~

~~Assistant Commissioner of Public Safety~~

~~\$56,820.00~~

~~Chief of the Highway Patrol Division~~

~~\$55,020.00~~

~~Assistant Chief of the Highway Patrol Division~~

~~\$48,420.00~~

~~Highway Patrol Majors~~

~~\$43,020.00~~

~~Highway Patrol Captains~~

~~\$38,820.00~~

~~Highway Patrol First Lieutenants~~

~~\$35,820.00~~

~~Highway Patrol Supervisors~~

~~\$32,820.00~~

~~Highway Patrolman~~

~~Step 1 — \$23,220.00~~

~~Step 2 — \$23,800.00~~

~~Step 3 — \$24,395.00~~

~~Step 4 — \$25,005.00~~

~~Step 5 — \$25,630.00~~

~~Step 6 — \$26,271.00~~

~~Step 7 — \$26,928.00~~

~~Step 8 — \$27,601.00~~

~~Step 9 — \$28,291.00~~

~~Step 10 — \$28,998.00~~

~~Step 11 — \$29,723.00~~

~~Step 12 — \$30,466.00~~

~~Step 13 — \$31,227.00~~

~~2. On July 1, 1993, all highway patrolmen shall be assigned to the salary schedule as provided for in paragraph 1 of this subsection to the step nearest the salary the patrolman was earning June 30, 1993. The sole purpose of this paragraph is to assign each highway patrolman to a step in conformity with paragraph 1 of this subsection. It is not the intent of this paragraph to modify in any way the salary a patrolman was earning June 30, 1993. Therefore, the annual salary of the patrolman shall not be changed as a result of the new salary schedule and if the salary of the patrolman as of June 30, 1993 does not correspond to one of the new steps, the salary shall remain off step.~~

~~3. The provisions of this section shall supersede all existing laws covering the salaries of the positions in the Oklahoma Highway Patrol Division. It is provided that the entrance salary of any highway patrolman shall be One Thousand Six Hundred Eighteen Dollars (\$1,618.00) per month, or Nineteen Thousand Four Hundred Twenty Dollars (\$19,420.00) per annum which salary shall be paid during Highway Patrol Academy Training. It is provided that the salary of any probationary highway patrolman shall be One Thousand Seven Hundred Twenty Dollars (\$1,720.00) per month, or Twenty Thousand Six Hundred Twenty Dollars (\$20,620.00) per annum as set out, which salary shall continue during the probationary period following employment, as provided for in subsection (b) of Section 2-105 of this title. Any employee of the Highway Patrol Division being paid according to the schedule set forth in this subsection who is promoted to another position contained in said schedule shall receive not less than the annual salary the employee was paid prior to the promotion, and not more than the next higher salary in the new classification, providing~~

~~such increase shall not move the salary of the employee off the schedule for the position to which said employee is promoted. Thereafter, salaries will be based upon the schedule.~~

~~F. Effective July 1, 1993, the annual salary of any person occupying a position listed in paragraph 1 of subsection E of this section shall be increased by the percentage or amount provided for salary increases for other employees of the Department of Public Safety for each year beginning with Fiscal Year 1994, if such employee salary increases are authorized by the Legislature.~~

Effective July 1, 1994:

1. The annual salaries for the Commissioner of Public Safety, the Assistant Commissioner of Public Safety and the positions within the Highway Patrol Division, as set out in this section, shall be in accordance and conformity with the following salary schedule, as prescribed by paragraph 2 of this subsection, exclusive of longevity pay, as authorized by Section 805.2 of Title 74 of the Oklahoma Statutes, and irregular shift pay, as authorized by Section 2-130.1 of this title:

Commissioner of Public Safety

\$66,620.00

Assistant Commissioner of Public Safety

\$61,820.00

Chief of the Highway Patrol Division

\$60,020.00

Assistant Chief of the Highway Patrol Division

\$53,420.00

Highway Patrol Major

\$48,020.00

Highway Patrol Captain

\$47,818.25

Highway Patrol First Lieutenant

\$42,656.90

Highway Patrol Supervisor

\$38,457.90

Highway Patrolman

Step 1 \$24,812.59

<u>Step 2</u>	<u>\$25,318.97</u>
<u>Step 3</u>	<u>\$25,835.68</u>
<u>Step 4</u>	<u>\$26,362.94</u>
<u>Step 5</u>	<u>\$26,900.96</u>
<u>Step 6</u>	<u>\$27,449.96</u>
<u>Step 7</u>	<u>\$28,010.16</u>
<u>Step 8</u>	<u>\$28,581.79</u>
<u>Step 9</u>	<u>\$29,165.10</u>
<u>Step 10</u>	<u>\$29,760.30</u>
<u>Step 11</u>	<u>\$30,367.66</u>
<u>Step 12</u>	<u>\$30,987.40</u>
<u>Step 13</u>	<u>\$31,619.80</u>

Probationary Highway Patrolman

\$23,882.05

Cadet Highway Patrolman

\$21,719.85

2. On July 1, 1994, each highway patrolman shall be assigned to and the salary of such patrolman shall be adjusted to the salary schedule provided in paragraph 1 of this subsection. Such initial adjustment of salaries shall be to the step whose number corresponds to the number of whole years of continuous nonprobationary service said highway patrolman has in the Highway Patrol Division of the Department of Public Safety; provided, however, no such patrolman shall receive less than the salary he was receiving on June 30, 1994. If the number of whole years of continuous nonprobationary service of such patrolman exceeds thirteen (13) years, said patrolman shall be assigned to Step 13 of said salary schedule.

3. After July 1, 1994, each highway patrolman shall receive, upon each anniversary date of such patrolman, an annual salary increase to the next higher step of the salary schedule provided in paragraph 1 of this subsection if none of the following job performance deficiencies exists against such patrolman:

- a. any disciplinary action, pending or resolved, which has or will result in mandatory administrative leave from the Department; or

- b. any disciplinary action, pending or resolved, which has or will result in demotion; or
- c. failure to successfully pass, within the immediately preceding twelve-month period, the annual job knowledge test and the firearms requalification; or
- d. failure to achieve, within the immediately preceding twelve-month period, a satisfactory enforcement/work program rating.

4. No highway patrolman shall receive in any twelve-month period:

- a. a salary increase which exceeds an increase to the next higher step of the salary schedule provided herein; or
- b. more than one such salary increase to the next higher step of the salary schedule provided herein. Provided, however, such patrolman shall receive the salary increase which results from a promotion to another position within the Highway Patrol Division.

5. The steps prescribed for the position of highway patrolman in the salary schedule provided in paragraph 1 of this subsection are for salary and compensation purposes only. No highway patrolman shall be reassigned to a step of said salary schedule:

- a. which is lower than the one to which said patrolman is currently assigned for the purpose of demotion, discipline or for any other reason; or
- b. which is higher than the one to which said patrolman is currently assigned for the purpose of promotion, incentive, reward or for any other reason other than the salary increase provided in paragraph 3 of this subsection.

6. The provisions of this subsection shall supersede all existing laws covering the salaries for the Commissioner of Public Safety, the Assistant Commissioner of Public Safety and the positions in the Highway Patrol Division of the Department of Public Safety.

D. Upon graduation from the Highway Patrol Academy, each cadet highway patrolman shall be promoted to and shall receive the salary for the position of probationary highway patrolman. Upon completion of the one-year probationary period, as required in subsection (b) of Section 2-105 of this title, each probationary highway patrolman shall be promoted to and shall receive the salary for Step 1 of the position of highway patrolman. Thereafter, the salary of such patrolman shall be based on the salary schedule provided in subsection C of this section and shall be subject to the provisions of subsection C of this section.

SECTION 2. The Office of Personnel Management shall conduct a salary survey of commissioned job classes within law enforcement agencies that have similar duties, responsibilities, and qualifications. Effective July 1, 1994, salary job classes for commissioned law enforcement officers, excluding benefit allowance and longevity pay, shall be adjusted to ninety-five percent (95%) of the survey market average or by nine percent (9.0%), which ever may award the lesser salary adjustment amount. Salary job classes shall not be adjusted if existing salary schedule levels exceed ninety-five percent (95%) of the survey market average.

SECTION 3. This act shall become effective July 1, 1994.

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.

44-2-9427

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