

ENROLLED SENATE  
BILL NO. 394

By: Taylor and Haney of the  
Senate

and

Hamilton (James) and  
Steidley of the House

An Act relating to public safety entities; requiring certain position to become subject to Merit System; requiring classification of certain employees; providing for status; authorizing contract for certain hearings; providing exceptions; amending Section 9 of Enrolled Senate Bill No. 579 of the 1st Session of the 44th Oklahoma Legislature, which relates to limitations on appropriated funds to the Military Department of the State of Oklahoma; modifying limitations on amount of appropriated funds which may be used for certain purpose; amending Section 13 of Enrolled House Bill No. 1832 of the 1st Session of the 44th Oklahoma Legislature, which relates to budgetary limitations on the Alcoholic Beverage Laws Enforcement Commission; modifying budgetary limitations; amending Section 41, Chapter 316, O.S.L. 1992, which relates to duties and compensation of employees and budgetary limitations for the Department of Public Safety; modifying budgetary limitations; repealing Section 32 of Enrolled Senate Bill No. 577 of the 1st Session of the 44th Oklahoma Legislature, which relates to modification of appropriation amount to the Department of Transportation; repealing Sections 32, 37 and 48 of Enrolled House Bill No. 1832 of the 1st Session of the 44th Oklahoma Legislature, which relate to submittal of certain budget work programs by the Oklahoma State Bureau of Investigation, the Bureau of Narcotics and Dangerous Drugs, and the Department of Public Safety; repealing Section 49 of Enrolled House Bill No. 1832 of the 1st Session of the 44th Oklahoma Legislature, which relates to modification of budgetary limitations for the Department of Public Safety; providing an operative date; and declaring an emergency.

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

SECTION 1. Effective September 1, 1993, the one person of the Oklahoma State Bureau of Investigation occupying a position funded by Federal Bureau of Justice Assistance Grant D-92-204 shall become subject to the provisions of the Merit System of Personnel Administration. The one incumbent employee subject to this section shall be classified without regard to status or examinations. Such

employee shall be granted status in the class of position to which employee's position is allocated by the Office of Personnel Management.

SECTION 2. The ABLE Commission is hereby authorized to contract for administrative hearings, except for those conducted by the Director or the Chief of Management Analysis.

SECTION 3. AMENDATORY Section 9 of Enrolled Senate Bill No. 579 of the 1st Session of the 44th Oklahoma Legislature, is amended to read as follows:

Section 9. The total amount appropriated to the Military Department of the State of Oklahoma for the fiscal year ending June 30, 1994, shall be expended as follows to perform the duties imposed upon the Military Department of the State of Oklahoma by law:

|                          |  |
|--------------------------|--|
| Personal Services        | <del>\$2,617,331.00</del><br><u>\$2,750,300.00</u> |
| Other Operating Expenses | <del>1,338,369.00</del><br><u>1,205,400.00</u>     |
| TOTAL                    | <u>\$3,955,700.00</u>                              |

SECTION 4. AMENDATORY Section 13 of Enrolled House Bill No. 1832 of the 1st Session of the 44th Oklahoma Legislature, is amended to read as follows:

Section 13. The duties and compensation of employees, not otherwise prescribed by law, necessary to perform the duties imposed upon the Alcoholic Beverage Laws Enforcement Commission by law shall be set by the Director. The salary of the Director shall not exceed Fifty-two Thousand Two Hundred Sixty-nine Dollars (\$52,269.00) per annum, payable monthly for the fiscal year ending June 30, 1994. The Alcoholic Beverage Laws Enforcement Commission for the fiscal year ending June 30, 1994, shall be subject to the following budgetary limitations on full-time-equivalent employees and expenditures excluding expenditures for capital and special projects, except as may be authorized pursuant to the provisions of Section 3603 of Title 74 of the Oklahoma Statutes:

| <u>Budgetary Limitation</u>  | <u>Amount</u>                                      |
|--|--|
| Full-time-equivalent Employees   | 71.0   |
| Payroll, Salaries or Wages, Including Tax-sheltered Deferment Contracts and Longevity Payments Authorized by State Statutes<br><del>\$1,749,438.00</del> | <u>\$2,016,198.00</u>                              |
| Professional and Personal Services Contracts   | <del>\$70,500.00</del><br><u>\$90,500.00</u>       |
| Purchase of Equipment  | <del>\$160,843.00</del><br><u>\$220,843.00</u>     |
| Expenditure of Federal Funds   | \$0.00   |
| Expenditure of Revolving Funds   | \$131,500.00                                       |
| Total Expenditures for Operations  | <del>\$2,981,743.00</del><br><u>\$3,372,193.00</u> |

SECTION 5. AMENDATORY Section 41, Chapter 316, O.S.L. 1992, is amended to read as follows:

Section 41. The duties and compensation of employees, not otherwise prescribed by law, necessary to perform the duties imposed upon the Department of Public Safety by law shall be set by the Director. The Department of Public Safety for the fiscal year ending June 30, 1993, shall be subject to the following budgetary limitations on full-time-equivalent employees and expenditures, except the full-time-equivalent employee limit shall not include cadets while they are members of a patrol school or during their employment in probationary status nor shall it include temporary Lake Patrol Officers employed pursuant to Section 840.8 of Title 74 of the Oklahoma Statutes, excluding expenditures for capital and special projects, except as may be authorized pursuant to the provisions of Section 3603 of Title 74 of the Oklahoma Statutes:

| <u>Budgetary Limitation</u>   | <u>Amount</u>                                 |
|---|---|
| Full-time-equivalent Employees  | 1,375.0                                       |
| Payroll, Salaries or Wages, Including Tax-sheltered Deferment Contracts and Longevity Payments Authorized by State Statutes | \$36,285,835.00                               |
| Professional and Personal Services Contracts  | \$218,975.00                                  |
| Lease-Purchase Agreements   | \$879,320.00                                  |
| Purchase of Equipment   | \$6,348,657.00                                |
| Expenditure of Federal Funds  | \$5,377,500.00                                |
| Expenditure of Revolving Funds  | <del>\$7,085,790.00</del><br>\$7,547,190.00   |
| Total Expenditures for Operations   | <del>\$63,833,322.00</del><br>\$64,294,722.00 |

SECTION 6. REPEALER Section 32 of Enrolled Senate Bill No. 577 of the 1st Session of the 44th Oklahoma Legislature, is hereby repealed.

SECTION 7. REPEALER Sections 32, 37, 48 and 49 of Enrolled House Bill No. 1832 of the 1st Session of the 44th Oklahoma Legislature, is hereby repealed.

SECTION 8. This act shall become operative July 1, 1993.

SECTION 9. 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 28th day of May, 1993.

President of the Senate

Passed the House of Representatives the 28th day of May, 1993.

Speaker of the House of  
Representatives