

ENROLLED SENATE
BILL NO. 918

By: Taylor and Haney of the
Senate

and

Hamilton (James) and
Steidley of the House

An Act funding law enforcement agencies; making appropriations to the Alcoholic Beverage Laws Enforcement Commission; stating purposes; specifying apportionment of appropriation; providing for duties and compensation of employees; limiting the salary of the Director; providing for certain unclassified positions; providing budgetary limitations; requiring the budget work program to include certain entities and activities; authorizing certain expenditure of appropriation regardless of prior purpose; making appropriations to the Council on Law Enforcement Education and Training; stating purpose; specifying apportionment of certain appropriations; providing for duties and compensation of employees; limiting the salary of the Director; providing budgetary limitations; limiting amount to be expended for the Polygraph Examiners Board; requiring the budget work program to include certain entities and activities; authorizing certain expenditure of appropriation regardless of prior purpose; making appropriations to the Oklahoma State Bureau of Investigation; stating purposes; specifying apportionment of appropriation; requiring expenditure of funds for certain purpose; providing for duties and compensation of employees; limiting the salary of the Director; providing for certain unclassified positions; providing budgetary limitations; requiring use of FTE position for certain position; stating duties; stating intent and purpose; authorizing the transfer of certain amount to an agency special account; stating purpose; requiring the Oklahoma State Bureau of Investigation to report income to the Evidence Fund; authorizing OSBI to purchase or lease-purchase facility subject to approval of Department of Central Services; authorizing certain expenditure of appropriation regardless of prior purpose; making appropriations to the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control; stating purposes; specifying apportionment of appropriation; providing for duties and compensation of employees; limiting the salary of the Director; providing budgetary limitations; authorizing the use of certain

amount to purchase certain vehicles; authorizing the transfer of certain amount to an agency special account; providing for use of funds in special account; requiring Director to promulgate rules for expenditure of certain funds; authorizing certain expenditure of appropriation regardless of prior purpose; making appropriations to the Department of Public Safety; stating purposes; specifying apportionment of funds by certain categories; providing for duties and compensation of employees; providing budgetary limitations; limiting amount to be expended for the Board of Tests for Alcohol and Drug Influence; authorizing the use of certain funds to lease certain facilities for certain purposes; making use of certain funds subject to approval; authorizing a Patrol Academy; providing for minimum number of cadets for Academy; authorizing certain expenditure of appropriation regardless of prior purpose; amending Section 80 of Enrolled Senate Bill No. 896 of the 2nd Session of the 44th Oklahoma Legislature, which relates to appropriations to the Board of Medicolegal Investigations; modifying appropriations; providing for duties and compensation of employees; limiting the salary of the Chief Medical Examiner; providing budgetary limitations; providing lapse date; and providing an operative date.

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

ALCOHOLIC BEVERAGE LAWS ENFORCEMENT COMMISSION

SECTION 1. There is hereby appropriated to the Alcoholic Beverage Laws Enforcement Commission from any monies not otherwise appropriated from the General Revenue Fund of the State Treasury for the fiscal year ending June 30, 1995, the sum of Eighty-eight Thousand Two Hundred Seventeen Dollars (\$88,217.00) or so much thereof as may be necessary to perform the duties imposed upon the Alcoholic Beverage Laws Enforcement Commission by law.

SECTION 2. The amounts appropriated by Section 1 of this act and by Section 102 of Enrolled Senate Bill No. 896 of the 2nd Session of the 44th Oklahoma Legislature shall be expended as follows to perform the duties imposed upon the Alcoholic Beverage Laws Enforcement Commission by law:

Personal Services	\$2,664,970.00
Other Operating Expenses	<u>624,940.00</u>
TOTAL	\$3,289,910.00

SECTION 3. 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, 1995. Three (3) Administrative Service Assistants shall be unclassified positions. The Alcoholic Beverage Laws Enforcement Commission for the fiscal year ending June 30, 1995, 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	\$2,124,553.00
Professional and Personal Services Contracts	\$90,500.00
Purchase of Equipment	\$220,843.00
Expenditure of Federal Funds	\$0.00
Expenditure of Revolving Funds	\$133,500.00
Total Expenditures for Operations	\$3,460,410.00

SECTION 4. Pursuant to the provisions of Section 41.7 of Title 62 of the Oklahoma Statutes, the Alcoholic Beverage Laws Enforcement Commission shall file its budget work program with the Director of State Finance and the Legislative Service Bureau for the fiscal year ending June 30, 1995, to include the following budget entities and activities: Licensing and Enforcement, Administration, Motor Vehicle and Alcohol Education Program.

SECTION 5. Funds appropriated to the Alcoholic Beverage Laws Enforcement Commission in Section 79, Chapter 117, O.S.L. 1993, as amended by Section 12, Chapter 243, O.S.L. 1993, and in Section 17, Chapter 305, O.S.L. 1993, may be budgeted and expended for the fiscal year ending June 30, 1995, and may be budgeted and expended for the general operating expenses of the Alcoholic Beverage Laws Enforcement Commission regardless of the purpose for which the funds were budgeted by the agency for the fiscal year ending June 30, 1994.

COUNCIL ON LAW ENFORCEMENT EDUCATION AND TRAINING

SECTION 6. There is hereby appropriated to the Council on Law Enforcement Education and Training from any monies not otherwise appropriated from the General Revenue Fund of the State Treasury for the fiscal year ending June 30, 1995, the sum of Twenty Thousand Seven Hundred Fourteen Dollars (\$20,714.00) or so much thereof as may be necessary to perform the duties imposed upon the Council on Law Enforcement Education and Training by law.

SECTION 7. The amounts appropriated by Section 6 of this act and by Sections 108 through 110 of Enrolled Senate Bill No. 896 of the 2nd Session of the 44th Oklahoma Legislature shall be expended as follows to perform the duties imposed upon the Council on Law Enforcement Education and Training by law:

Personal Services	\$1,342,107.00
Other Operating Expenses	<u>695,154.00</u>
TOTAL	\$2,037,261.00

SECTION 8. The duties and compensation of employees, not otherwise prescribed by law, necessary to perform the duties imposed upon the Council on Law Enforcement Education and Training by law shall be set by the Director. The salary of the Director shall not exceed Forty-three Thousand Four Hundred Seventy-five Dollars (\$43,475.00) per annum, payable monthly for the fiscal year ending

June 30, 1995. The Council on Law Enforcement Education and Training for the fiscal year ending June 30, 1995, 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	34.0
Payroll, Salaries or Wages, Including Tax-sheltered Deferment Contracts and Longevity Payments Authorized by State Statutes	\$1,018,714.00
Professional and Personal Services Contracts	\$150,000.00
Purchase of Equipment	\$140,000.00
Lease-Purchase Agreements	\$35,000.00
Expenditure of Federal Funds	\$0.00
Expenditure of Revolving Funds	\$0.00
Total Expenditures for Operations	\$2,216,714.00

SECTION 9. The Council on Law Enforcement Education and Training shall not expend more than Fourteen Thousand Five Hundred Dollars (\$14,500.00) to support the Polygraph Examiners Board for the fiscal year ending June 30, 1995.

SECTION 10. Pursuant to the provisions of Section 41.7 of Title 62 of the Oklahoma Statutes, the Council on Law Enforcement Education and Training shall file its budget work program with the Director of State Finance and the Legislative Service Bureau for the fiscal year ending June 30, 1995, to include the following budget entities and activities: Administration, Training, and Security Guard and Private Investigator Regulation.

SECTION 11. Funds appropriated to the Council on Law Enforcement Education and Training in Section 22, Chapter 243, O.S.L. 1993, Section 84, Chapter 117, O.S.L. 1993, as amended by Section 23, Chapter 243, O.S.L. 1993, Section 85, Chapter 117, O.S.L. 1993, as amended by Section 24, Chapter 243, O.S.L. 1993, and Section 86, Chapter 117, O.S.L. 1993, as amended by Section 25, Chapter 243, O.S.L. 1993, may be budgeted and expended for the fiscal year ending June 30, 1995, and may be budgeted and expended for the general operating expenses of the Council on Law Enforcement Education and Training regardless of the purpose for which the funds were budgeted by the agency for the fiscal year ending June 30, 1994.

OKLAHOMA STATE BUREAU OF INVESTIGATION

SECTION 12. There is hereby appropriated to the Oklahoma State Bureau of Investigation from any monies not otherwise appropriated from the General Revenue Fund of the State Treasury for the fiscal year ending June 30, 1995, the sum of Two Hundred Ninety-five Thousand Six Hundred Three Dollars (\$295,603.00) or so much thereof as may be necessary to perform the duties imposed upon the Oklahoma State Bureau of Investigation by law.

SECTION 13. The amounts appropriated by Section 12 of this act and by Section 107 of Enrolled Senate Bill No. 896 of the 2nd Session of the 44th Oklahoma Legislature shall be expended as

follows to perform the duties imposed upon the Oklahoma State Bureau of Investigation by law:

Personal Services	\$6,618,668.00
Other Operating Expenses	<u>1,620,955.00</u>
TOTAL	\$8,239,623.00

SECTION 14. Of the funds appropriated in Section 107 of Enrolled Senate Bill No. 896 of the 2nd Session of the 44th Oklahoma Legislature and Section 12 of this act, the amount of Fifty-five Thousand One Hundred Seventy-five Dollars (\$55,175.00) or so much thereof as may be necessary shall be expended for the purpose of providing investigative services for the Judicial Nominating Commission pursuant to Section 16 of this act.

SECTION 15. The duties and compensation of employees, not otherwise prescribed by law, necessary to perform the duties imposed upon the Oklahoma State Bureau of Investigation by law shall be set by the Director. The salary of the Director shall not exceed Fifty-seven Thousand Fifty Dollars (\$57,050.00) per annum, payable monthly for the fiscal year ending June 30, 1995. One (1) Information Representative, one (1) Legal Officer and two (2) Special Investigators shall be unclassified positions. The Oklahoma State Bureau of Investigation for the fiscal year ending June 30, 1995, 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	205.0
Payroll, Salaries or Wages, Including Tax-sheltered Deferment Contracts and Longevity Payments Authorized by State Statutes	\$6,331,451.00
Professional and Personal Services Contracts	\$62,000.00
Purchase of Equipment	\$4,538,135.00
Lease-Purchase Agreements	\$91,000.00
Expenditure of Federal Funds	\$702,000.00
Expenditure of Revolving Funds	\$6,751,000.00
Total Expenditures for Operations	\$15,722,623.00

SECTION 16. Of the full-time-equivalent employees authorized by Section 15 of this act, one senior agent shall be employed for the purpose of conducting judicial background investigations requested by the Judicial Nominating Commission. When not conducting investigations for the Judicial Nominating Commission, the senior agent may be involved in other investigations as deemed appropriate by the Director, provided, however, the first priority of the agent will be to respond to requests of the Commission.

SECTION 17. Of the amount appropriated to the Oklahoma State Bureau of Investigation a maximum of Fifty Thousand Dollars (\$50,000.00) may be transferred to an agency special account for the purpose of purchasing evidence items, paying fees to informers or special employees, expenses incurred in the prosecution and defense of civil actions, and other expenses incurred under the Evidence

Fund activity in trying to apprehend and convict violators of the laws of the state. The Oklahoma State Bureau of Investigation shall report income to the Evidence Fund annually pursuant to the provisions of Sections 41.7 and 41.29 of Title 62 of the Oklahoma Statutes.

SECTION 18. The Oklahoma State Bureau of Investigation is hereby authorized to negotiate to purchase or lease-purchase a facility in McAlester, Oklahoma, to house a Regional Laboratory and Regional Investigative Office should it become economically feasible to do so. The amount to be paid for lease of said facility shall not exceed the amount of existing rent payments. Any agreement to purchase or lease-purchase a facility in McAlester, Oklahoma, to house a Regional Laboratory and Regional Investigative Office shall be subject to approval by the Department of Central Services.

SECTION 19. Funds appropriated to the Oklahoma State Bureau of Investigation in Section 83, Chapter 117, O.S.L. 1993, as amended by Section 29, Chapter 243, O.S.L. 1993, may be budgeted and expended for the fiscal year ending June 30, 1995, and may be budgeted and expended for the general operating expenses of the Oklahoma State Bureau of Investigation regardless of the purpose for which the funds were budgeted by the agency for the fiscal year ending June 30, 1994.

OKLAHOMA STATE BUREAU OF NARCOTICS AND DANGEROUS DRUGS CONTROL

SECTION 20. There is hereby appropriated to the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control from any monies not otherwise appropriated from the General Revenue Fund of the State Treasury for the fiscal year ending June 30, 1995, the sum of One Hundred Five Thousand Three Hundred Thirty Dollars (\$105,330.00) or so much thereof as may be necessary to perform the duties imposed upon the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control by law.

SECTION 21. The amounts appropriated by Section 20 of this act and by Section 112 of Enrolled Senate Bill No. 896 of the 2nd Session of the 44th Oklahoma Legislature shall be expended as follows to perform the duties imposed upon the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control by law:

Personal Services	\$2,962,481.00
Other Operating Expenses	<u>725,120.00</u>
TOTAL	\$3,687,601.00

SECTION 22. The duties and compensation of employees, not otherwise prescribed by law, necessary to perform the duties imposed upon the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control by law shall be set by the Director. The salary of the Director shall not exceed Fifty-four Thousand Three Hundred Eighty-four Dollars (\$54,384.00) per annum, payable monthly for the fiscal year ending June 30, 1995. The Oklahoma State Bureau of Narcotics and Dangerous Drugs Control for the fiscal year ending June 30, 1995, shall be subject to the following budgetary limitations on full-time-equivalent employees, except hours coded as overtime wages, 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	94.0
Payroll, Salaries or Wages, Including Tax-sheltered Deferral Contracts and Longevity Payments Authorized by State Statutes	\$3,028,521.00

Professional and Personal Services Contracts	\$275,000.00
Purchase of Equipment	\$919,500.00
Lease-Purchase Agreements	\$2,200.00
Expenditure of Federal Funds	\$974,513.00
Expenditure of Revolving Funds	\$949,500.00
Total Expenditures for Operations	\$5,830,816.00

SECTION 23. Of the amount appropriated to the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control a maximum of Two Hundred Twenty-five Thousand Dollars (\$225,000.00) may be used to purchase or lease special purpose vehicles which may be utilized in undercover investigations.

SECTION 24. Of the amount appropriated to the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control an amount not to exceed Two Hundred Thousand Dollars (\$200,000.00) may be transferred to an agency special account established pursuant to the provisions of Section 7.2 of Title 62 of the Oklahoma Statutes. Funds in this account may be used to purchase controlled dangerous substances to be used as evidence in narcotic cases, for fees for informers, or employees, and for other expenses necessary to apprehend and convict violators of state laws regulating controlled dangerous substances. The Director of the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control and the Director of State Finance shall promulgate rules for the expenditure of the funds transferred by this section.

SECTION 25. Funds appropriated to the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control in Section 88, Chapter 117, O.S.L. 1993, as amended by Section 33, Chapter 243, O.S.L. 1993, may be budgeted and expended for the fiscal year ending June 30, 1995, and may be budgeted and expended for the general operating expenses of the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control regardless of the purpose for which the funds were budgeted by the agency for the fiscal year ending June 30, 1994.

DEPARTMENT OF PUBLIC SAFETY

SECTION 26. There is hereby appropriated to the Department of Public Safety from any monies not otherwise appropriated from the General Revenue Fund of the State Treasury for the fiscal year ending June 30, 1995, the sum of One Million Seven Hundred Seventy Thousand Seventy-two Dollars (\$1,770,072.00) or so much thereof as may be necessary to perform the duties imposed upon the Department of Public Safety by law.

SECTION 27. For the fiscal year ending June 30, 1995, the Department of Public Safety shall budget all funds in the following categories and amounts.

Administrative Services	Appropriated <u>Funds</u>	Total <u>Funds</u>
A. Central Administration	\$1,942,078.00	\$1,942,078.00
B. Highway Safety Office	152,241.00	4,490,483.00
C. Board of Chemical Tests	0.00	
116,000.00		

Commissioner's Office/Executive
Security:

A. Commissioner's Office	1,022,807.00	
		1,522,807.00
B. Executive Security	705,946.00	
	705,946.00	
Law Enforcement Services:		
A. Highway Patrol	20,199,423.00	
	23,993,999.00	
B. Turnpike Enforcement		0.00
	6,845,801.00	
C. Asset Forfeiture		0.00
	421,530.00	
D. DARE		0.00
	321,584.00	
E. Lake Patrol	1,678,450.00	
	2,323,765.00	
F. Capitol Patrol	2,122,797.00	
	2,122,797.00	
G. Training Center	1,033,833.00	
	1,330,833.00	
H. Vehicle Inspection	2,149,411.00	
	2,269,411.00	
Support Services:		
A. Support Services	724,397.00	
	724,397.00	
B. Property Management	778,801.00	
	1,180,406.00	
C. Driver Licensing	7,654,640.00	
	7,854,640.00	
D. Management Information Services	5,680,192.00	
	6,456,022.00	
E. Motor Vehicle Operations	3,371,403.00	
		3,551,403.00
F. Size & Weight Permits	733,513.00	
		733,513.00
G. OLETS	621,670.00	
	<u>1,500,181.00</u>	
TOTAL	\$50,571,602.00	
	\$70,407,596.00	

SECTION 28. 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, 1995, 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
Lease-Purchase Agreements	\$879,320.00

SECTION 29. Of the monies available to the Department of Public Safety, not more than One Hundred Seventy Thousand Dollars (\$170,000.00) may be used to support the Board of Tests for Alcohol and Drug Influence for the fiscal year ending June 30, 1995.

SECTION 30. The Department of Public Safety shall expend an amount not to exceed Sixty-five Thousand Dollars (\$65,000.00), from any monies made available to the Highway Safety Office, to lease facilities at the Clinton Sherman airbase located in Clinton, Oklahoma, for the purpose of conducting law enforcement driver training and other law enforcement education programs. The usage of Highway Safety Office monies for said purpose shall be subject to approval by the Regional Administrator of the National Highway Traffic Safety Administration.

SECTION 31. The Department of Public Safety, for the fiscal year ending June 30, 1995, may have a Patrol Academy consisting of no fewer than thirty (30) cadets.

SECTION 32. Funds appropriated to the Department of Public Safety in Section 90, Chapter 117, O.S.L. 1993, and Sections 41 through 43, Chapter 243, O.S.L. 1993, may be budgeted and expended for the fiscal year ending June 30, 1995, and may be budgeted and expended for the general operating expenses of the Department of Public Safety regardless of the purpose for which the funds were budgeted by the agency for the fiscal year ending June 30, 1994.

MEDICOLEGAL INVESTIGATIONS

SECTION 33. AMENDATORY Section 80 of Enrolled Senate Bill No. 896 of the 2nd Session of the 44th Oklahoma Legislature, is amended to read as follows:

Section 80. There is hereby appropriated to the Board of Medicolegal Investigations from any monies not otherwise appropriated from the General Revenue Fund of the State Treasury for the fiscal year ending June 30, 1995, the sum of ~~Two Million Four Hundred Fifty-five Thousand Five Hundred Fifty-seven Dollars (\$2,455,557.00)~~ Two Million Two Hundred Seventy-nine Thousand Nine Hundred Sixty-one Dollars (\$2,279,961.00) or so much thereof as may be necessary to perform the duties imposed upon the Board of Medicolegal Investigations by law.

SECTION 34. The duties and compensation of employees, not otherwise prescribed by law, necessary to perform the duties imposed upon the Board of Medicolegal Investigations by law shall be set by the Board. The salary of the Chief Medical Examiner shall not exceed Ninety-two Thousand One Hundred Nine Dollars (\$92,109.00) per annum, payable monthly for the fiscal year ending June 30, 1995. The Board of Medicolegal Investigations for the fiscal year ending June 30, 1995, 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	52.0
Payroll, Salaries or Wages, Including Tax-sheltered Deferment Contracts and Longevity Payments Authorized by State Statutes	\$1,547,638.00
Professional and Personal Services Contracts	\$180,000.00
Purchase of Equipment	\$35,000.00
Lease-Purchase Agreements	\$0.00
Expenditure of Revolving Funds	\$250,665.00
Expenditure of Federal Funds	\$50,000.00
Total Expenditures for Operations	\$2,585,686.00

SECTION 35. The appropriations made by this act shall be subject to fiscal year limitations and may be encumbered through June 30, 1995. Any unexpended funds remaining after November 15, 1995, shall lapse and be transferred to the credit of the proper fund for the then current fiscal year.

SECTION 36. This act shall become operative September 1, 1994. Passed the Senate the 19th day of May, 1994.

President of the Senate

Passed the House of Representatives the 19th day of May, 1994.

Speaker of the House of Representatives

