

ENROLLED SENATE  
BILL NO. 904

By: Taylor and Haney of the  
Senate

and

Hamilton (James) and  
Steidley of the House

An Act relating to funding state judicial entities; making appropriations to the Court of Criminal Appeals; stating purposes; making appropriations to the Court of Criminal Appeals; stating purposes; limiting the salary of judges; increasing salary limits; providing budgetary limitations; providing for nontransferability of certain funds; providing for exemption from certain limit; providing for nontransferability of funds for certain purposes; authorizing certain expenditure of appropriation regardless of prior purpose; amending Section 33 of Enrolled Senate Bill No. 896 of the 2nd Session of the 44th Oklahoma Legislature, which relates to an appropriation to the Supreme Court for the District Courts; modifying certain appropriation; making appropriations to the Supreme Court for the District Courts; stating purposes; limiting the number and salary of judges; limiting number and salary of certain employees; authorizing the payment of certain claims for county law libraries from the State Judicial Fund and providing procedures therefor; stating total limit on amount of certain claims paid from State Judicial Fund; authorizing total or partial refund of payments to the State Judicial Fund by local court funds under certain circumstances; authorizing certain expenditure of appropriation regardless of prior purpose; amending Section 58 of Enrolled Senate Bill No. 896 of the 2nd Session of the 44th Oklahoma Legislature, which relates to an appropriation to the Supreme Court; modifying appropriation to the Oklahoma Supreme Court; making appropriations to the Oklahoma Supreme Court for certain purposes; stating purposes; limiting the number and salary of justices; providing budgetary limitations; authorizing certain expenditure of appropriation regardless of prior purpose; making an appropriation to the Workers' Compensation Court; stating purposes; limiting the salary of judges; providing budgetary limitations; authorizing certain expenditure of appropriation regardless of prior purpose; and providing lapse date.

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

COURT OF CRIMINAL APPEALS

SECTION 1. There is hereby appropriated to the Court of Criminal Appeals 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 Thirty Thousand Six Hundred Thirty-one Dollars (\$30,631.00) or so much thereof as may be required to perform the duties imposed upon the Court of Criminal Appeals by law.

SECTION 2. There is hereby appropriated to the Court of Criminal Appeals 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 Seventy-eight Thousand Six Hundred Sixty-five Dollars (\$178,665.00) or so much thereof as may be necessary to pay for attorneys fees incurred during the Harris v. Champion Case for the fiscal year ending June 30, 1993. The appropriation made in this section shall be expended exclusively for the purpose stated and shall not be transferable.

SECTION 3. The duties and compensation of the Judges and employees, not otherwise prescribed by law, necessary to perform the duties imposed upon the Court of Criminal Appeals by law shall be set by the Judges of the Court of Criminal Appeals. The salary of the Presiding Judge shall not exceed Eighty-six Thousand Seven Hundred Ninety-one Dollars (\$86,791.00) per annum, payable monthly, and the salary of each of the four other Judges shall not exceed Eighty-three Thousand Eight Hundred Seventy-one Dollars (\$83,871.00) each per annum, payable monthly for the period July 1, 1994 to December 31, 1994. Beginning January 1, 1995, the salary of the Presiding Judge shall not exceed Ninety Thousand Five Hundred Dollars (\$90,500.00) per annum, payable monthly, and the salary of each of the four other Judges shall not exceed Eighty-seven Thousand Seven Hundred Dollars (\$87,700.00) each per annum, payable monthly. The Court of Criminal Appeals 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	33.0
Payroll, Salaries or Wages, Including Tax-sheltered Deferment Contracts and Longevity Payments Authorized by State Statutes	\$1,711,500.00
Professional and Personal Services Contracts	\$234,000.00
Lease-Purchase Agreements	\$53,211.00
Purchase of Equipment	\$35,000.00
Total Expenditures for Operations	\$2,081,733.00

SECTION 4. There is hereby appropriated to the Court of Criminal Appeals 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 Three Hundred One Thousand Four Hundred Twenty Dollars (\$301,420.00) or so much thereof as may be required for the expenses of temporary employees relative to the backlog of criminal appeal cases. The appropriation made in this section shall be expended exclusively for the purpose stated and shall not be transferable. From the funds appropriated in this section, the Court of Criminal Appeals is authorized to employ such temporary personnel as may be necessary to fulfill the provisions of this section. Personnel employed pursuant to the provisions of this section shall be exempt from the limitation on full-time-equivalent employees provided in Section 3 of this act.

SECTION 5. There is hereby appropriated to the Court of Criminal Appeals 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 Thirty Thousand Dollars (\$30,000.00) or so much thereof as may be necessary for the purchase of Oklahoma Jury Instructions. The appropriation made in this section shall be expended exclusively for the purpose so stated and shall not be transferable.

SECTION 6. Funds appropriated to the Court of Criminal Appeals in Section 24, Chapter 117, O.S.L. 1993 and Section 1, Chapter 245, O.S.L. 1993 and Section 2, Chapter 245, as amended by Section 5, Chapter 327, 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 Court of Criminal Appeals regardless of the purpose for which the funds were budgeted by the agency for the fiscal year ending June 30, 1994.

DISTRICT COURTS

SECTION 7. AMENDATORY Section 33 of Enrolled Senate Bill No. 896 of the 2nd Session of the 44th Oklahoma Legislature, is amended to read as follows:

Section 33. There is hereby appropriated to the State Supreme Court 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 ~~Fourteen Million Twenty-one Thousand Seven Hundred Sixty-seven Dollars (\$14,021,767.00)~~ Ten Million One Hundred Fifty-three Thousand Three Hundred Fifty-four Dollars (\$10,153,354.00) or so much thereof as may be necessary to perform the duties imposed upon the District Courts by law.

SECTION 8. There is hereby appropriated to the Supreme Court from any monies not otherwise appropriated from the State Judicial Fund for the fiscal year ending June 30, 1995, the sum of Two Million Two Hundred Fifty-seven Thousand Four Hundred Forty Dollars (\$2,257,440.00) or so much thereof as may be necessary to perform the duties imposed upon the District Courts by law.

SECTION 9. There is hereby appropriated to the Supreme Court from the State Judicial Fund of the State Treasury for the fiscal year ending June 30, 1994, the sum of Four Million Two Hundred Twenty-three Thousand Twenty-seven Dollars (\$4,223,027.00) or so much thereof as may be necessary to perform the duties imposed upon the District Courts by law.

SECTION 10. The annual compensation of officials and employees of the district courts payable monthly from appropriated funds for the period July 1, 1994 to December 1, 1994, shall not exceed the following schedule, exclusive of overtime and longevity payments, except as may be authorized pursuant to the provisions of Section 3603 of Title 74 of the Oklahoma Statutes:

TITLE	NUMBER AUTHORIZED	ANNUAL SALARY
-------	----------------------	------------------

District Judge	71	\$71,330.00
Associate District Judge County Population over 30,000	32	\$67,281.00
County Population 10,000 to 30,000	30	\$59,859.00
County Population under 10,000	15	\$56,146.00
Special Judge	63	\$56,146.00

SECTION 11. The annual compensation of officials and employees of the district courts payable monthly from appropriated funds for the period July 1, 1994 to September 30, 1994, shall not exceed the following schedule, exclusive of overtime and longevity payments:

ANNUAL SALARY RANGE			
		MINIMUM	MAXIMUM
Court Reporter	173	\$17,236.00	\$26,174.00
Trial Court Administrator	2	\$29,264.00	\$52,971.00
Secretary to Administrative Presiding Judge of the Judicial District	9	\$9,849.00	\$17,027.00
Secretary Bailiff	140	\$9,051.00	\$15,351.00
Budget Analyst	2	\$30,000.00	\$52,847.00
TOTAL	537.0		

SECTION 12. Effective October 1, 1994, the annual compensation of officials and employees of the district courts payable monthly from appropriated funds shall not exceed the following schedule, exclusive of overtime and longevity payments, except as may be authorized pursuant to the provisions of Section 3603 of Title 74 of the Oklahoma Statutes:

ANNUAL SALARY RANGE			
		MINIMUM	MAXIMUM
Court Reporter	173	\$18,036.00	\$26,974.00
Trial Court Administrator	2	\$30,064.00	\$53,771.00
Secretary to Administrative Presiding Judge of the Judicial District	9	\$10,649.00	\$17,827.00
Secretary Bailiff	140	\$9,851.00	\$16,151.00
Budget Analyst	2	\$30,800.00	\$53,647.00
TOTAL	537.0		

SECTION 13. Beginning January 1, 1995, the annual compensation of officials and employees of the district courts payable monthly from appropriated funds shall not exceed the following schedule, exclusive of overtime and longevity payments, except as may be authorized pursuant to the provisions of Section 3603 of Title 74 of the Oklahoma Statutes:

TITLE	NUMBER AUTHORIZED	ANNUAL SALARY
District Judge	71	\$75,000.00
Associate District Judge County Population over 30,000	32	\$70,000.00
County Population 10,000 to 30,000	30	\$62,500.00
County Population under 10,000	15	\$58,000.00
Special Judge	63	\$58,000.00

SECTION 14. A. Payments made by local court funds to the State Judicial Fund pursuant to Section 1308 of Title 20 of the Oklahoma Statutes during fiscal year 1995 may be totally or partially refunded upon approval by the Chief Justice to meet unpaid expenses authorized by Section 1304 of Title 20 of the Oklahoma Statutes. All such refunds shall be paid from the Supreme Court Revolving Fund created in Section 9 of Enrolled House Bill No. 1711 of the 2nd Session of the 44th Oklahoma Legislature.

B. When local court funds are insufficient to meet unpaid expenses authorized by Section 1304 of Title 20 of the Oklahoma Statutes or outstanding liabilities for constitutionally mandated services and items of expense, a claim may be filed with the Administrative Office of the Courts by a Court Fund Governing Board, or by the person or corporation to whom money is due as verified by the Court Fund Governing Board or by the Administrative Office of the Courts. All such claims shall be filed with the Administrative Office of the Courts by July 31, 1995. All such claims may be paid from the State Judicial Fund upon approval of the Chief Justice.

SECTION 15. Funds appropriated to the State Supreme Court for the duties imposed upon the District Courts of law in Section 25, Chapter 117, O.S.L. 1993, as amended by Section 5, Chapter 245, O.S.L. 1993 and Section 26, Chapter 117, O.S.L. 1993, and Section 27, Chapter 117, O.S.L. 1993 and Section 7, Chapter 245, O.S.L. 1993, 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 State Supreme Court for the duties imposed upon the District Courts of law regardless of the purpose for which the funds were budgeted by the agency for the fiscal year ending June 30, 1994.

#### SUPREME COURT

SECTION 16. AMENDATORY Section 58 of Enrolled Senate Bill No. 896 of the 2nd Session of the 44th Oklahoma Legislature, is amended to read as follows:

Section 58. There is hereby appropriated to the State Supreme Court from any monies not otherwise appropriated from the Workers' Compensation Administration Fund of the State Treasury for the fiscal year ending June 30, 1995, the sum of ~~Three Million Eight~~

~~Hundred Eighty-six Thousand Thirty-two Dollars (\$3,886,032.00)~~ Three Million Six Hundred Eighty-five Thousand Four Hundred Ninety-nine Dollars (\$3,685,499.00) or so much thereof as may be necessary to perform the duties imposed upon the State Supreme Court or Court of Appeals by law.

SECTION 17. There is hereby appropriated to the State Supreme Court from the State Judicial Fund of the State Treasury for the fiscal year ending June 30, 1994, the sum of Eight Hundred Ninety-six Thousand Five Hundred Sixty-seven Dollars (\$896,567.00) to the "Supreme Court Revolving Fund" created in Section 9 of Enrolled House Bill No. 1711 of the 2nd Session of the 44th Oklahoma Legislature for expenditures authorized in Section 9 of Enrolled House Bill No. 1711 of the 2nd Session of the 44th Oklahoma Legislature, to perform the duties imposed upon the State Supreme Court or Court of Appeals by law.

SECTION 18. There is hereby appropriated to the State Supreme Court from any monies not otherwise appropriated from the General Revenue Fund of the State Treasury for the fiscal year ending June 30, 1995, the amount of Two Hundred Sixty-three Thousand Eight Hundred Twenty-four Dollars (\$263,824.00) or so much thereof as may be necessary to perform the duties imposed upon the State Supreme Court and the Court of Appeals by law.

SECTION 19. There is hereby appropriated to the State Supreme Court from any monies not otherwise appropriated from the Special Cash Fund of the State Treasury, for the fiscal year ending June 30, 1995, the sum of Three Hundred Four Thousand Dollars (\$304,000.00) or so much thereof as may be necessary to perform the duties imposed upon the State Supreme Court or Court of Appeals by law.

SECTION 20. The duties and compensation of employees, not otherwise prescribed by law, necessary to perform the duties imposed upon the State Supreme Court by law shall be set by the Supreme Court Justices by majority vote. The salary of the Chief Justice shall be Eighty-six Thousand Seven Hundred Ninety-one Dollars (\$86,791.00) and the salary of each of the eight Supreme Court Justices shall be Eighty-three Thousand Eight Hundred Seventy-one Dollars (\$83,871.00) each per annum, payable monthly, for the period July 1, 1994 to December 31, 1994. Beginning January 1, 1995, the salary of the Chief Justice shall be Ninety Thousand Five Hundred Dollars (\$90,500.00) and the salary of each of the eight Associate Justices shall be Eighty-seven Thousand Seven Hundred Dollars (\$87,700.00) each per annum, payable monthly.

SECTION 21. The duties and compensation of employees, not otherwise prescribed by law, necessary to perform the duties imposed upon the Court of Appeals by law shall be set by the Court of Appeals, subject to the approval of the Supreme Court. The salary of the twelve Court of Appeals Judges shall not exceed Seventy-eight Thousand Six Hundred Sixty Dollars (\$78,660.00) each per annum, payable monthly.

SECTION 22. The State Supreme Court and the Court of Appeals 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 and excluding lawful expenditures from the State Judicial Fund, 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	141.0
Payroll, Salaries or Wages, Including	

Tax-sheltered Deferment Contracts and Longevity Payments Authorized by State Statutes	\$6,856,240.00
Professional and Personal Services Contracts	\$150,000.00
Lease-Purchase Agreements	\$34,000.00
Purchase of Equipment	\$312,077.00
Expenditure of Revolving Funds	\$950,000.00
Expenditure of Federal Funds	\$0.00
Total Expenditures for Operations	\$8,642,188.00

SECTION 23. Funds appropriated to the State Supreme Court and Court of Appeals in Section 42, Chapter 117, O.S.L. 1993, as amended by Section 14, Chapter 245, O.S.L. 1993 and Sections 15 and 16, Chapter 245, O.S.L. 1993, and Sections 7 and 8, Chapter 327, 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 State Supreme Court and Court of Appeals regardless of the purpose for which the funds were budgeted by the agency for the fiscal year ending June 30, 1994.

WORKERS' COMPENSATION COURT

SECTION 24. There is hereby appropriated to the Workers' Compensation Court from any monies not otherwise appropriated from the Workers' Compensation Administrative Fund of the State Treasury for the fiscal year ending June 30, 1995, the amount of Two Hundred Thousand Five Hundred Thirty-three Dollars (\$200,533.00) or so much thereof as may be necessary to perform the duties imposed upon the Workers' Compensation Court by law.

SECTION 25. The duties and compensation of employees, not otherwise prescribed by law, necessary to perform the duties imposed upon the Workers' Compensation Court by law shall be set by the Administrator. The salary of the nine Judges of the Workers' Compensation Court shall not exceed Seventy-one Thousand Three Hundred Thirty Dollars (\$71,330.00) each per annum, payable monthly for the period July 1, 1994 to December 31, 1994. Beginning January 1, 1995, the salary of the nine Judges of the Workers' Compensation Court shall not exceed Seventy-five Thousand Dollars (\$75,000.00) each per annum, payable monthly. The Workers' Compensation Court 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	91.0
Payroll, Salaries or Wages, Including Tax-sheltered Deferment Contracts and Longevity Payments Authorized by State Statutes	\$3,332,457.00
Professional and Personal Services Contracts	\$65,000.00

Lease-Purchase Agreements	\$0.00
Purchase of Equipment	\$90,000.00
Expenditure of Revolving Funds	\$1,200,000.00
Expenditure of Federal Funds	\$0.00
Total Expenditures for Operations	\$4,687,457.00

SECTION 26. Funds appropriated to the Workers' Compensation Court in Section 47, Chapter 117, O.S.L. 1993, and Section 21, Chapter 245, O.S.L. 1993, and Sections 37 and 38, Chapter 349, 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 Workers' Compensation Court regardless of the purpose for which the funds were budgeted by the agency for the fiscal year ending June 30, 1994.

SECTION 27. 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.

Passed the Senate the 19th day of May, 1994.

President of the Senate

Passed the House of Representatives the 20th day of May, 1994.

Speaker of the House of Representatives

