

STATE OF OKLAHOMA

1st Session of the 44th Legislature (1993)

HOUSE BILL NO. 1832_

By: Hamilton (James) and
Steidley of the House

and

Taylor and Haney of the
Senate

AS INTRODUCEDAn Act relating to state law enforcement agencies; making an appropriation to the Alcoholic Beverage Laws Enforcement Commission; providing purposes; providing personal services cap; making appropriations to the Department of Corrections; providing purposes; providing personal services cap; providing for certain agreement for public service work positions; authorizing use of certain prison inmates for certain projects; providing restrictions; requiring contract specifications; specifying certain prohibitions; providing purposes; making appropriations to the Council on Law Enforcement Education and Training; providing purpose; providing personal services cap; making an appropriation to the Oklahoma State Bureau of Investigation; authorizing certain transfer for certain purposes; requiring certain reports; providing personal services cap; making an appropriation to the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control; providing purpose; authorizing certain purchases; authorizing certain transfers for certain purposes; requiring certain rules; providing personal services cap; making an appropriation to the Office of the Pardon and Parole Board; providing purposes; providing personal services cap; making appropriations to the Department of Public Safety; providing purposes; providing funding to support the Board of Tests

for Alcohol and Drug Influence; providing personal services cap; providing for a patrol academy; requiring certain number of cadets; making appropriations to the office of the Attorney General; making appropriations to the Attorney General's Evidence Fund; designating certain funds to the Public Employees Relation Board; providing personal services cap; making appropriations to the Office of the Attorney General for the District Attorneys Council; making appropriations to the District Attorneys Evidence Fund; authorizing expenditure reports; providing personal services cap; providing for the transfer of certain monies; exempting certain monies from expenditure limits; making certain appropriations subject to fiscal year limitations; providing lapse date; making certain funds nonfiscal; providing an effective date; and declaring an emergency.

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

ALCOHOLIC BEVERAGE LAWS ENFORCEMENT COMMISSION

SECTION 1. The total amount appropriated to the Alcoholic Beverage Laws Enforcement Commission for the fiscal year ending June 30, 1994, shall be expended as follows to perform the duties imposed upon the Alcoholic Beverage Laws Enforcement Commission by law:

Duties	\$2,692,875.00
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SECTION 2. The Alcoholic Beverage Laws Enforcement Commission shall be subject to the following limitation on the expenditure of funds for personal services (hereafter Personal Services Cap) for the fiscal year ending June 30, 1994 (hereafter FY-94). Personal services expenditures are defined as all expenditures coded with object of expenditure codes 1100 through 1999 as established in the Office of State Finance Procedures Manual. This limitation shall apply to the FY-94 operating budget work program submitted by the agency to the Office of State Finance. Capital Outlay accounts as

defined in the Office of State Finance Procedures Manual shall not be subject to this limitation.

	Amount
FY-94 Personal Services Cap	\$445,118.00

DEPARTMENT OF CORRECTIONS

SECTION 3. There is hereby appropriated to the Department of Corrections for the fiscal year ending June 30, 1994, the following amount or so much thereof as may be necessary to perform the duties imposed upon the Department of Corrections by law:

Duties	\$170,317,950.00
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SECTION 4. The Department of Corrections shall be subject to the following limitation on the expenditure of funds for personal services (hereafter Personal Services Cap) for the fiscal year ending June 30, 1994 (hereafter FY-94). Personal services expenditures are defined as all expenditures coded with object of expenditure codes 1100 through 1999 as established in the Office of State Finance Procedures Manual. This limitation shall apply to the FY-94 operating budget work program submitted by the agency to the Office of State Finance. Capital Outlay accounts as defined in the Office of State Finance Procedures Manual shall not be subject to this limitation.

	Amount
FY-94 Personal Services Cap	\$139,120,075.00

SECTION 5. Of the full-time-equivalent employees authorized to the Department of Corrections, the Director may appoint a maximum of two hundred twenty (220.0) employees to the unclassified positions authorized in paragraph 29 of Section 840.8 of Title 74 of the Oklahoma Statutes. Of the full-time-equivalent employees authorized to the Department of Corrections, the Director may appoint a maximum of eleven (11.0) employees to the Oklahoma State Industries unclassified positions authorized in paragraph 30 of Section 840.8 of Title 74 of the Oklahoma Statutes.

SECTION 6. The Department of Mental Health and Substance Abuse Services shall maintain an agreement with the Department of Corrections to provide public service work positions for a minimum of fifty (50) trustees pursuant to Section 215 et seq. of Title 57 of the Oklahoma Statutes.

SECTION 7. The Department of Corrections is authorized to enter into an agreement with the Department of Human Services to utilize prison inmates for construction projects subject to written restrictions and conditions regarding security classification and other matters related to the control of inmates and public safety. Before utilizing inmates the Department of Corrections shall enter into a written agreement concerning, but not limited to, liability, funding, pay, public security and transportation. Provided, further, that prison inmates shall not be used to replace any current Department of Human Services employee.

COUNCIL ON LAW ENFORCEMENT EDUCATION AND TRAINING

SECTION 8. There is hereby appropriated to the Council on Law Enforcement Education and Training from any monies not otherwise appropriated from the C.L.E.E.T. Fund for the fiscal year ending June 30, 1992, the following amount or so much thereof as may be necessary to perform the duties imposed upon the Council on Law Enforcement Education and Training by law:

Duties	\$1,733,509.00
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SECTION 9. There is hereby appropriated to the Council on Law Enforcement Education and Training from the General Revenue Fund of the State Treasury for the fiscal year ending June 30, 1994, the sum of One Hundred Ninety-eight Thousand One Hundred Thirty-one Dollars (\$198,131.00) 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 10. The Council on Law Enforcement Education and Training shall be subject to the following limitation on the

expenditure of funds for personal services (hereafter Personal Services Cap) for the fiscal year ending June 30, 1994 (hereafter FY-94). Personal services expenditures are defined as all expenditures coded with object of expenditure codes 1100 through 1999 as established in the Office of State Finance Procedures Manual. This limitation shall apply to the FY-94 operating budget work program submitted by the agency to the Office of State Finance. Capital Outlay accounts as defined in the Office of State Finance Procedures Manual shall not be subject to this limitation.

	Amount
FY-94 Personal Services Cap	\$1,353,251.00

OKLAHOMA STATE BUREAU OF INVESTIGATION

SECTION 11. 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, 1994, the following amount or so much thereof as may be necessary to perform the duties imposed upon the Oklahoma State Bureau of Investigation by law:

Duties	\$7,503,161.00
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SECTION 12. 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, and other expenses as 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 13. The Oklahoma State Bureau of Investigation shall be subject to the following limitation on the expenditure of funds for personal services (hereafter Personal Services Cap) for the fiscal

year ending June 30, 1994 (hereafter FY-94). Personal services expenditures are defined as all expenditures coded with object of expenditure codes 1100 through 1999 as established in the Office of State Finance Procedures Manual. This limitation shall apply to the FY-94 operating budget work program submitted by the agency to the Office of State Finance. Capital Outlay accounts as defined in the Office of State Finance Procedures Manual shall not be subject to this limitation.

	Amount
FY-94 Personal Services Cap	\$7,112,231.00

OKLAHOMA STATE BUREAU OF NARCOTICS AND DANGEROUS DRUGS CONTROL

SECTION 14. 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, 1994, the following amount 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:

Duties	\$3,459,340.00
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SECTION 15. 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 are 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 and regulations for the expenditure of the funds transferred by this section.

SECTION 16. The Oklahoma State Bureau of Narcotics and Dangerous Drugs Control shall be subject to the following limitation on the expenditure of funds for personal services (hereafter Personal Services Cap) for the fiscal year ending June 30, 1994 (hereafter FY-94). Personal services expenditures are defined as all expenditures coded with object of expenditure codes 1100 through 1999 as established in the Office of State Finance Procedures Manual. This limitation shall apply to the FY-94 operating budget work program submitted by the agency to the Office of State Finance. Capital Outlay accounts as defined in the Office of State Finance Procedures Manual shall not be subject to this limitation.

	Amount
FY-94 Personal Services Cap	\$3,722,654.00

OFFICE OF THE PARDON AND PAROLE BOARD

SECTION 17. There is hereby appropriated to the Office of the Pardon and Parole Board from any monies not otherwise appropriated from the General Revenue Fund of the State Treasury for the fiscal year ending June 30, 1994, the following amount or so much thereof as may be necessary to perform the duties imposed upon the Office of the Pardon and Parole Board by law:

Duties	\$1,392,679.00
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SECTION 18. The Pardon and Parole Board shall be subject to the following limitation on the expenditure of funds for personal services (hereafter Personal Services Cap) for the fiscal year ending June 30, 1994 (hereafter FY-94). Personal services expenditures are defined as all expenditures coded with object of expenditure codes 1100 through 1999 as established in the Office of State Finance Procedures Manual. This limitation shall apply to the FY-94 operating budget work program submitted by the agency to the Office of State Finance. Capital Outlay accounts as defined in the Office of State Finance Procedures Manual shall not be subject to this limitation.

	Amount
FY-94 Personal Services Cap	\$1,395,908.00

DEPARTMENT OF PUBLIC SAFETY

SECTION 19. 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, 1994, the following amount or so much thereof as may be necessary to perform the duties imposed upon the Department of Public Safety by law:

Duties	\$46,746,729.00
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SECTION 20. 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, 1994.

SECTION 21. The Department of Public Safety shall be subject to the following limitation on the expenditure of funds for personal services (hereafter Personal Services Cap) for the fiscal year ending June 30, 1994 (hereafter FY-94). Personal services expenditures are defined as all expenditures coded with object of expenditure codes 1100 through 1999 as established in the Office of State Finance Procedures Manual. This limitation shall apply to the FY-94 operating budget work program submitted by the agency to the Office of State Finance. Capital Outlay accounts as defined in the Office of State Finance Procedures Manual shall not be subject to this limitation.

	Amount
FY-94 Personal Services Cap	\$46,393,457.00

SECTION 22. The Department of Public Safety, for the fiscal year ending June 30, 1994, may have a Patrol Academy consisting of no fewer than thirty (30) cadets.

OFFICE OF THE ATTORNEY GENERAL

SECTION 23. There is hereby appropriated to the Office of the Attorney General from any monies not otherwise appropriated from the General Revenue Fund of the State Treasury for the fiscal year ending June 30, 1994, the sum of Four Million Forty-nine Thousand Five Hundred One Dollars (\$4,049,501.00) or so much thereof as may be required for the duties imposed upon the Office of the Attorney General by law.

SECTION 24. There is hereby appropriated to the Office of the Attorney General from any monies not otherwise appropriated from the Workers' Compensation Administration Fund for the fiscal year ending June 30, 1992, the sum of Two Hundred Fifty Thousand Dollars (\$250,000.00) or so much thereof as may be required for the Workers' Compensation Fraud Unit by law. The appropriation made in this section shall be expended exclusively for the purpose so stated and shall not be transferable.

SECTION 25. The Attorney General may transfer the sum of One Hundred Fifty Thousand Dollars (\$150,000.00) from the funds appropriated to the Attorney General in Section 23 of this act to the Attorney General's Evidence Fund provided for in Section 19 of Title 74 of the Oklahoma Statutes for expenses relative to any pending case or other matter within the office responsibility of the Attorney General.

SECTION 26. From the appropriations made to the Office of the Attorney General the sum of Forty Thousand Dollars (\$40,000.00) or so much thereof as may be necessary shall be used for the required expenses of the Public Employees Relation Board. The monies designated in this section shall be used exclusively for the purpose so stated and shall not be transferable.

SECTION 27. The Office of the Attorney General shall be subject to the following limitation on the expenditure of funds for personal services (hereafter Personal Services Cap) for the fiscal year ending June 30, 1994 (hereafter FY-94). Personal services

expenditures are defined as all expenditures coded with object of expenditure codes 1100 through 1999 as established in the Office of State Finance Procedures Manual. This limitation shall apply to the FY-94 operating budget work program submitted by the agency to the Office of State Finance. Capital Outlay accounts as defined in the Office of State Finance Procedures Manual shall not be subject to this limitation.

	Amount
FY-94 Personal Services Cap	\$4,918,371.00

DISTRICT ATTORNEYS COUNCIL

SECTION 28. There is hereby appropriated to the Office of the Attorney General from any monies not otherwise appropriated from the General Revenue Fund of the State Treasury for the fiscal year ending June 30, 1994, the sum of Twenty-two Million Six Hundred Sixty-five Thousand Three Hundred Fifty-eight Dollars (\$22,665,358.00) or so much thereof as may be required to perform the duties imposed upon the offices of the district attorneys and the District Attorneys Council by law.

SECTION 29. The Office of the Attorney General may transfer the sum of Twenty-five Thousand Dollars (\$25,000.00) to the District Attorneys Evidence Fund from the funds appropriated to the Attorney General for duties imposed on the District Attorneys Council.

SECTION 30. The Executive Director of the District Attorneys Council shall submit to the Director of State Finance by October 1, 1993, a report on forms approved by the Director of State Finance, detailing expenditures from all nonappropriated funds for the fiscal year ending June 30, 1993.

SECTION 31. The district attorneys and the District Attorneys Council shall be subject to the following limitation on the expenditure of funds for personal services (hereafter Personal Services Cap) for the fiscal year ending June 30, 1994 (hereafter FY-94). Personal services expenditures are defined as all

expenditures coded with object of expenditure codes 1100 through 1999 as established in the Office of State Finance Procedures Manual. This limitation shall apply to the FY-94 operating budget work program submitted by the agency to the Office of State Finance. Capital Outlay accounts as defined in the Office of State Finance Procedures Manual shall not be subject to this limitation.

	Amount
FY-94 Personal Services Cap	\$36,399,380.00

SECTION 32. For the fiscal year ending June 30, 1994, the District Attorneys Council is authorized to transfer an amount not to exceed Ninety Thousand Dollars (\$90,000.00) from the Crime Victims Compensation Revolving Fund created by Section 142.17 of Title 21 of the Oklahoma Statutes to the Sexual Assault Examination Fund created by Section 142.20 of Title 21 of the Oklahoma Statutes.

SECTION 33. Federal grant monies processed through the District Attorneys Council, expenditures from the Crime Victims Compensation Revolving Fund, and expenditures from the Sexual Assault Examination Fund shall not be subject to the limitation on total expenditures for operations established in Section 31 of this act.

SECTION 34. The appropriations made by Sections 1, 3, 8, 9, 11, 14, 17, 19, 23 and 27 of this act may be budgeted for the fiscal year ending June 30, 1994 (hereafter FY-94) or may be budgeted for the fiscal year ending June 30, 1995 (hereafter FY-95). Funds budgeted for FY-94 may be encumbered only through June 30, 1994 and must be expended by November 15, 1994. Any funds remaining after November 15, 1994, and not budgeted for FY-95, will lapse to the credit of the proper fund for the then current fiscal year. Funds budgeted for FY-95, may be encumbered only through June 30, 1995, and must be expended by November 15, 1995. Any funds remaining after November 15, 1995 will lapse to the credit of the proper fund for the then current fiscal year. These appropriations may not be budgeted in both fiscal years simultaneously. Funds budgeted in FY-

94 and not required to pay obligations for that fiscal year, may be budgeted for FY-95 after the agency to which the funds have been appropriated has prepared and submitted a budget work program revision removing these funds from the FY-94 budget and after such revision has been approved by the Office of State Finance.

SECTION 35. This act shall become effective July 1, 1993.

SECTION 36. 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.

44-1-9521

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