

SHORT TITLE: Appropriations for state legal services; making appropriations to the Office of the Attorney General, District Attorneys and District Attorneys' Council, and Oklahoma Indigent Defense System; operative date; emergency.

STATE OF OKLAHOMA

2nd Session of the 44th Legislature (1994)

SENATE BILL NO. 902

By: Taylor and Haney of the
Senate

and

Hamilton (James) and
Steidley of the House

AS INTRODUCED

An Act relating to state legal functions; making appropriations to the Office of Attorney General; stating purposes; providing for duties and compensation of employees; providing budgetary limitations; making appropriations to the Office of Attorney General for district attorneys and the District Attorneys Council; transferring monies to the District Attorneys Evidence Fund; requiring certain report by certain date of certain expenditures; authorizing the District Attorneys Council to transfer monies from the Crime Victims Compensation Revolving Fund to the Sexual Assault Examination Fund; limiting amount authorized to be transferred; providing lapse date; making certain appropriation nonfiscal; providing an operative date; and declaring an emergency.

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

OFFICE OF THE ATTORNEY GENERAL

SECTION 1. There is hereby appropriated to the Attorney General's Evidence Fund provided for in Section 19 of Title 74 of

the Oklahoma Statutes from any monies not otherwise appropriated from the Special Cash Fund of the State Treasury, the sum of _____ Dollars (\$0.00) or so much thereof as may be necessary for expenses relative to any pending case or other matter within the office responsibility of the Attorney General.

SECTION 2. 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, 1995, the sum of _____ Dollars (\$0.00) or so much thereof as may be necessary to perform the duties imposed upon the Office of the Attorney General by law.

SECTION 3. 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, 1995, the sum of _____ Dollars (\$0.00) or so much thereof as may be necessary 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 4. The duties and compensation of employees, not otherwise prescribed by law, necessary to perform the duties imposed upon the Office of the Attorney General by law shall be set by the Attorney General. The Office of the Attorney General 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	109.0

Payroll, Salaries or Wages, Including Tax-sheltered Deferment
Contracts and Longevity Payments Authorized by State Statutes
\$0.00

Professional and Personal Services Contracts	\$0.00
Lease-Purchase Agreements	\$0.00
Purchase of Equipment	\$0.00
Expenditure of Revolving Funds	\$0.00
Expenditure of Federal Funds	\$0.00
Total Expenditures for Operations	\$0.00

DISTRICT ATTORNEYS COUNCIL

SECTION 5. 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, 1995, the sum of ____ Dollars (\$0.00) 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 6. There is hereby appropriated to the Office of the Attorney General from any monies not otherwise appropriated from the Special Cash Fund of the State Treasury, the sum of _____ Dollars (\$0.00) or so much thereof as may be required by the district attorneys and District Attorneys Council to pay witness fees as required by Section 82 of Title 28 of the Oklahoma Statutes.

SECTION 7. There is hereby appropriated to the Office of the Attorney General from any monies not otherwise appropriated from the Special Cash Fund of the State Treasury, the sum of _____ Dollars (\$0.00) to be transferred to the District Attorneys Evidence Fund.

SECTION 8. The Executive Director of the District Attorneys Council shall submit to the Director of State Finance by October 1, 1994, a report on forms approved by the Director of State Finance, detailing expenditures from all nonappropriated funds for the fiscal year ending June 30, 1994.

SECTION 9. The district attorneys and the District Attorneys Council 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	912.0
Payroll, Salaries or Wages, Including Tax-sheltered Deferment Contracts and Longevity Payments Authorized by State Statutes	\$0.00
Professional and Personal Services Contracts	\$0.00
Lease-Purchase Agreements	\$0.00
Purchase of Equipment	\$0.00
Expenditure of Revolving Funds	\$0.00
Expenditure of Federal Funds	\$0.00
Total Expenditures for Operations	\$0.00

SECTION 10. For the fiscal year ending June 30, 1995, the District Attorneys Council is authorized to transfer an amount not to exceed _____ Dollars (\$0.00) 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 11. 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 9 of this act.

OKLAHOMA INDIGENT DEFENSE SYSTEM

SECTION 12. There is hereby appropriated to the Oklahoma Indigent Defense System 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 _____ Dollars (\$0.00) or so much thereof as may be necessary to perform the duties imposed upon the Oklahoma Indigent Defense System by law.

SECTION 13. The duties and compensation of employees, not otherwise prescribed by law, necessary to perform the duties imposed upon the Indigent Defense System by law shall be set by the Executive Director. The Indigent Defense System for the fiscal year ending June 30, 1995, shall be subject to the following budgetary limitations on full-time-equivalent employees except those used for statewide Trial Indigent Defense System 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	62.0
Payroll, Salaries or Wages, Including Tax-sheltered Deferment Contracts and Longevity Payments Authorized by State Statutes	\$0.00
Professional and Personal Services Contracts	\$0.00
Lease-Purchase Agreements	\$0.00
Purchase of Equipment	\$0.00
Expenditure of Revolving Funds	\$0.00
Total Expenditures for Operations	\$0.00

SECTION 14. The appropriations made by Sections 1 through 3, 5, 7, 12 and 13 of 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 15. The appropriation made by Section 6 of this act shall not be subject to fiscal year limitations and shall be available for encumbrance and expenditure purposes for a period of thirty (30) months from the date this act is approved.

SECTION 16. This act shall become operative July 1, 1994.

SECTION 17. 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.

44-2-1767

CSP