

STATE OF OKLAHOMA

2nd Session of the 45th Legislature (1996)

CONFERENCE COMMITTEE SUBSTITUTE

FOR ENGROSSED

SENATE BILL NO. 818

By: Haney and Hobson of the
Senate

and

Hamilton and Steidley of
the House

CONFERENCE COMMITTEE SUBSTITUTE

An Act funding law enforcement entities; making an appropriation to the Alcoholic Beverage Laws Enforcement Commission; stating purpose; specifying that funds be included in certain budget categories; providing for the duties and compensation of employees; limiting salary of the Director; providing that certain positions shall be unclassified positions; providing budgetary limitations; making an appropriation to the Council on Law Enforcement Education and Training; stating purpose; amending section 105 of Enrolled Senate Bill No. 837 of the 2nd Session of the 45th Oklahoma Legislature, which relates to appropriations to the Council on Law Enforcement Education and Training; modifying amount of appropriation; specifying that funds be included in certain budget categories; providing for the duties and compensation of employees; limiting salary of the Director; providing budgetary limitations; limiting expenditures for certain purpose; making an appropriation to the Oklahoma State Bureau of Investigation; stating purpose; specifying that funds be included in certain budget categories; providing for the duties and compensation of employees; limiting salary of the Director; providing that certain positions shall be unclassified; providing budgetary limitations; authorizing transfer of funds to an agency special account for certain purposes; limiting amount authorized to be transferred; requiring certain reports; authorizing the Oklahoma State Bureau of Investigation to purchase a facility; stating location; making an appropriation to the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control; stating purpose; specifying that funds be included in certain budget categories; providing for the duties and compensation of employees; limiting salary of the Director; providing budgetary limitations; limiting amount of appropriation which may be used for certain purpose; authorizing transfer of funds to an agency special account for certain purposes; limiting amount authorized to be transferred; requiring promulgation of certain rules; making an appropriation to the Department of Public Safety; stating purpose; specifying that funds be included in certain budget categories; providing for the duties and compensation of employees; providing

budgetary limitations; providing exceptions to the budgetary limitations; limiting expenditures for certain purpose; authorizing a Patrol Academy; making an appropriation to the Board of Medicolegal Investigations; stating purpose; specifying that funds be included in certain budget categories; limiting the salary of the Chief Medical Examiner; providing for the duties and compensation of employees; providing budgetary limitations; providing lapse dates; and providing an effective 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, 1997, the sum of Two Hundred Twenty-nine Thousand Six Hundred Ten Dollars (\$229,610.00) or so much thereof as may be necessary to perform the duties imposed upon the Alcoholic Beverage Laws Enforcement Commission by law.

SECTION 2. For the fiscal year ending June 30, 1997, the Alcoholic Beverage Laws Enforcement Commission shall budget all funds in the following categories and amounts:

<u>Category</u>	<u>Appropriation</u>	<u>Total</u>
Administrative Services	\$ 646,311.00	\$ 676,311.00
Business Office	1,222,615.00	1,222,615.00
Enforcement	1,552,560.00	1,552,560.00
Motor Vehicle Operations	69,000.00	99,000.00
Alcohol Education	<u>0.00</u>	<u>105,500.00</u>
Total	\$3,490,486.00	\$3,655,986.00

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-six Thousand Six Hundred Five Dollars (\$56,605.00) per annum, payable monthly for the fiscal year ending June 30, 1997. Three (3) Administrative Service Assistants shall be unclassified positions. The Alcoholic Beverage Laws Enforcement Commission for the fiscal year ending June 30, 1997,

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	74.0

COUNCIL ON LAW ENFORCEMENT EDUCATION AND TRAINING

SECTION 4. 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, 1997, the sum of One Hundred Four Thousand Two Hundred Sixty-eight Dollars (\$104,268.00) 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 5. AMENDATORY Section 105 of Enrolled Senate Bill No. 837 of the 2nd Session of the 45th Oklahoma Legislature, is amended to read as follows:

Section 105. 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, 1995, the sum of ~~Two Hundred Sixteen Thousand Eight Hundred Nineteen Dollars (\$216,819.00)~~ One Hundred Eighty-three Thousand Three Hundred Nineteen Dollars (\$183,319.00) 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 6. For the fiscal year ending June 30, 1997, the Council on Law Enforcement Education and Training shall budget all funds in the following categories and amounts:

<u>Category</u>	<u>Appropriation</u>	<u>Total</u>
Administrative Services	\$ 409,037.00	\$ 410,237.00
Training Services	1,294,135.00	1,295,935.00
Private Security Services	<u>360,658.00</u>	<u>363,958.00</u>
Total	\$2,063,830.00	\$2,070,130.00

SECTION 7. 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-five Thousand Four Hundred Seventy-five Dollars (\$45,475.00) per annum, payable monthly for the fiscal year ending June 30, 1997. The Council on Law Enforcement Education and Training for the fiscal year ending June 30, 1997, 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
Lease-Purchase Agreements	\$35,000.00

SECTION 8. 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, 1997.

OKLAHOMA STATE BUREAU OF INVESTIGATION

SECTION 9. 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, 1997, the sum of Two Hundred Ninety-one Thousand Five Hundred Thirty-eight Dollars (\$291,538.00) or so much thereof as may be necessary to perform the duties imposed upon the Oklahoma State Bureau of Investigation by law.

SECTION 10. For the fiscal year ending June 30, 1997, the Oklahoma State Bureau of Investigation shall budget all funds in the following categories and amounts:

<u>Category</u>	<u>Appropriation</u>	<u>Total</u>
Administration	\$1,267,039.00	\$ 1,986,755.00
Investigations	3,290,228.00	4,163,014.00
Laboratory Systems	2,445,813.00	4,766,196.00
Information Services	<u>1,965,605.00</u>	<u>6,762,903.00</u>
Total	\$8,968,685.00	\$17,678,868.00

SECTION 11. 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 Sixty-two Thousand Six Hundred Seventy-four Dollars (\$62,674.00) per annum, payable monthly for the fiscal year ending June 30, 1997. 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, 1997, shall be subject to the following budgetary limitations on full-time-equivalent employees, excluding 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	236.0

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, paying expenses incurred in the prosecution and defense of civil actions, and paying 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 41.7c and 41.29 of Title 62 of the Oklahoma Statutes.

SECTION 13. The Oklahoma State Bureau of Investigation is hereby authorized to negotiate to purchase, lease-purchase, and/or contract for construction of a facility in Cherokee County, Oklahoma, to house a regional laboratory and regional investigative office should it become economically feasible to do so. Any agreement to purchase or lease-purchase a facility in Cherokee County, Oklahoma, shall be subject to approval by the Department of Central Services.

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, 1997, the sum of One Hundred Sixteen Thousand Six Hundred Four Dollars (\$116,604.00) 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 15. For the fiscal year ending June 30, 1997, the Bureau of Narcotics and Dangerous Drugs Control shall budget all funds in the following categories and amounts:

<u>Category</u>	<u>Appropriation</u>	<u>Total</u>
Administrative Services	\$1,789,410.00	\$2,650,373.00
Enforcement	1,574,154.00	3,258,241.00
OSTAR	<u>700,751.00</u>	<u>715,751.00</u>
Total	\$4,064,315.00	\$6,624,365.00

SECTION 16. 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-eight Thousand Eight Hundred Forty-seven Dollars (\$58,847.00) per annum, payable monthly for the fiscal year ending June 30, 1997. The Oklahoma State Bureau of Narcotics and Dangerous Drugs Control for the fiscal year ending June 30, 1997, 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

SECTION 17. 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 18. 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 for the expenditure of the funds transferred by this section.

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, 1997, the sum of One Million Six Hundred Sixty-five Thousand One Hundred Twenty-nine Dollars (\$1,665,129.00) or so much thereof as may be necessary to perform the duties imposed upon the Department of Public Safety by law.

SECTION 20. For the fiscal year ending June 30, 1997, the Department of Public Safety shall budget all funds in the following categories and amounts:

<u>Category</u>	<u>Appropriation</u>	<u>Total</u>
Administrative Services	\$ 6,251,538.00	\$6,537,148.00
Law Enforcement Services	26,718,806.00	36,459,656.00
Motor Vehicle Operations	4,167,302.00	4,902,302.00
Lake Patrol	1,498,021.00	2,159,166.00
Capitol Patrol	1,410,476.00	1,586,826.00
Driver's Licensing	8,146,142.00	8,221,080.00
Size and Weight Permits	708,428.00	728,428.00
Management Information Services	5,373,001.00	7,208,389.00

Highway Safety Office	130,121.00	2,944,609.00
Board of Chemical Tests	<u>170,000.00</u>	<u>170,000.00</u>
Total	\$54,573,835.00	\$70,917,604.00

SECTION 21. 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, 1997, 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 840-5.5 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	1,377.0
Lease-Purchase Agreements	\$630,500.00

SECTION 22. 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, 1997.

SECTION 23. The Department of Public Safety, for the fiscal year ending June 30, 1997, may have a Patrol Academy consisting of no fewer than thirty (30) cadets.

BOARD OF MEDICOLEGAL INVESTIGATIONS

SECTION 24. 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, 1997, the sum of Eighty-five Thousand Six Hundred Eighty-one Dollars (\$85,681.00) or so much thereof as may be necessary to perform the duties imposed upon the Board of Medicolegal Investigations by law.

SECTION 25. For the fiscal year ending June 30, 1997, the Board of Medicolegal Investigations shall budget all funds in the following categories and amounts:

<u>Category</u>	<u>Appropriation</u>	<u>Total</u>
Administrative	\$ 331,017.00	\$ 331,017.00
Investigations	<u>2,146,055.00</u>	<u>2,633,055.00</u>
Total	\$2,477,072.00	\$2,964,072.00

SECTION 26. 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-five Thousand Six Hundred Ninety-six Dollars (\$95,696.00) per annum, payable monthly for the fiscal year ending June 30, 1997. The Board of Medicolegal Investigations for the fiscal year ending June 30, 1997, shall be subject to the following budgetary limitations on full-time-equivalent employees and expenditures excluding expenditures for capital, intra-agency payments and special projects, except as 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	54.0

SECTION 27. Appropriations made by this act, not including appropriations made for capital outlay purposes, may be budgeted for the fiscal year ending June 30, 1997 (hereafter FY-97) or may be budgeted for the fiscal year ending June 30, 1998 (hereafter FY-98). Funds budgeted for FY-97 may be encumbered only through June 30, 1997, and must be expended by November 5, 1997. Any funds remaining after November 15, 1997, and not budgeted for FY-98, shall lapse to the credit of the proper fund for the then current fiscal year. Funds budgeted for FY-98 may be encumbered only through June 30, 1998. Any funds remaining after November 15, 1998, shall 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-97, and not required to pay obligations for that fiscal year,

may be budgeted for FY-98, after the agency to which the funds have been appropriated has prepared and submitted a budgeted work program revision removing these funds from the FY-97 budget work program and after such revision has been approved by the Office of State Finance.

SECTION 28. This act shall become effective September 1, 1996.

45-2-2962

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