

ENROLLED HOUSE  
BILL NO. 1729

By: Hamilton and Steidley of  
the House

and

Haney and Hobson of the  
Senate

An Act funding law enforcement entities; making an appropriation to the Alcoholic Beverage Laws Enforcement Commission; stating purpose; providing for the duties and compensation of employees; limiting salary of the Director; providing that certain positions shall be unclassified positions; providing budgetary limitations; providing for the budgeting and expenditure of certain funds; providing for the duties and compensation of employees of the Council on Law Enforcement Education and Training; limiting salary of the Director; providing budgetary limitations for the Council; limiting expenditures for certain purpose; providing for the budgeting and expenditure of certain funds; making an appropriation to the Oklahoma State Bureau of Investigation; stating purpose; providing for the duties and compensation of employees; limiting salary of the Director; providing budgetary limitations; authorizing transfer of funds to an agency special account for certain purposes; limiting amount authorized to be transferred; requiring certain reporting; requiring the Office of Personnel Management to conduct certain study and submit report; providing for the budgeting and expenditure of certain funds; making an appropriation to the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control; stating purpose; providing for the duties and compensation of employees; limiting salary of the Director; providing budgetary limitations; authorizing transfer of funds to an agency special account for certain purposes; limiting amount authorized to be transferred; requiring promulgation of certain rules; providing for the budgeting and expenditure of certain funds; making an appropriation to the Department of Public Safety; stating purpose; 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; requiring expenditure of certain amount, upon availability of funds, for certain purposes; providing for the budgeting and expenditure of certain funds; making an appropriation to the Board of Medicolegal Investigations; stating purpose; providing for the duties and compensation of employees; limiting

salary of the Chief Medical Examiner; providing budgetary limitations; providing for the budgeting and expenditure of certain funds; providing lapse date; 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. 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, 1996, the sum of One Hundred One Thousand One Hundred Eighty-seven Dollars (\$101,187.00) 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 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-five Thousand Four Hundred Five Dollars (\$55,405.00) per annum, payable monthly for the fiscal year ending June 30, 1996. Three (3) Administrative Service Assistants shall be unclassified positions. The Alcoholic Beverage Laws Enforcement Commission for the fiscal year ending June 30, 1996, 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          |

SECTION 3. Funds appropriated to the Alcoholic Beverage Laws Enforcement Commission in Section 102, Chapter 187, O.S.L. 1994, and in Section 1, Chapter 275, O.S.L. 1994, may be budgeted and expended for the fiscal year ending June 30, 1996, 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, 1995.

COUNCIL ON LAW ENFORCEMENT EDUCATION AND TRAINING

SECTION 4. 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-four Thousand Two Hundred Seventy-five Dollars (\$44,275.00) per annum, payable monthly for the fiscal year ending June 30, 1996. The Council on Law Enforcement Education and Training for the fiscal year ending June 30, 1996, 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 5. 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, 1996.

SECTION 6. Funds appropriated to the Council on Law Enforcement and Training in Sections 108, 109 and 110, Chapter 187, O.S.L. 1994,

and in Section 6, Chapter 275, O.S.L. 1994, may be budgeted and expended for the fiscal year ending June 30, 1996, and may be budgeted and expended for the general operating expenses of the Council on Law Enforcement and Training regardless of the purpose for which the funds were budgeted by the agency for the fiscal year ending June 30, 1995.

OKLAHOMA STATE BUREAU OF INVESTIGATION

SECTION 7. 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, 1996, the sum of Six Hundred Seven Thousand Two Hundred Ninety-nine Dollars (\$607,299.00) or so much thereof as may be necessary to perform the duties imposed upon the Oklahoma State Bureau of Investigation by law.

SECTION 8. 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-one Thousand Four Hundred Seventy-four Dollars (\$61,474.00) per annum, payable monthly for the fiscal year ending June 30, 1996. 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, 1996, 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         |

SECTION 9. 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 41.7 and 41.29 of Title 62 of the Oklahoma Statutes.

SECTION 10. The Office of Personnel Management shall conduct a study of the salary structure of the Oklahoma State Bureau of Investigation, including prevailing rates of pay for all classes in the classified and unclassified service of the agency and a comparison of hiring practices to those used by other Oklahoma state agencies for the purpose of screening applicants for agency security. The Office of Personnel Management shall submit a report of its findings and recommendations, including the feasibility of establishing a special pay line for each job class of the Oklahoma State Bureau of Investigation, to the Governor, the President Pro Tempore of the Senate, and the Speaker of the House of Representatives by February 1, 1996.

SECTION 11. Funds appropriated to the Oklahoma State Bureau of Investigation in Section 107, Chapter 187, O.S.L. 1994, and in Section 12, Chapter 275, O.S.L. 1994, may be budgeted and expended for the fiscal year ending June 30, 1996, 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, 1995.

OKLAHOMA STATE BUREAU OF NARCOTICS AND DANGEROUS DRUGS CONTROL

SECTION 12. 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, 1996, the sum of Two Hundred Ninety-eight Thousand Four Hundred Thirty Dollars (\$298,430.00) 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 13. 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-seven Thousand Six Hundred Forty-seven Dollars (\$57,647.00) per annum, payable monthly for the fiscal year ending June 30, 1996. The Oklahoma State Bureau of Narcotics and Dangerous Drugs Control for the fiscal year ending June 30, 1996, 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          |
| Lease-Purchase Agreements      | \$2,500.00    |

SECTION 14. 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 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 for the expenditure of the funds transferred by this section.

SECTION 16. Funds appropriated to the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control in Section 112, Chapter 187, O.S.L. 1994, and in Section 20, Chapter 275, O.S.L. 1994, may be budgeted and expended for the fiscal year ending June 30, 1996, 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, 1995.

DEPARTMENT OF PUBLIC SAFETY

SECTION 17. 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, 1996, the sum of Seven Hundred Ninety-seven Thousand Eight Hundred Eighty-five Dollars (\$797,885.00) or so much thereof as may be necessary to perform the duties imposed upon the Department of Public Safety by law.

SECTION 18. 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, 1996, 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 | 1,376.0       |
| Lease-Purchase Agreements      | \$879,320.00  |

SECTION 19. 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, 1996.

SECTION 20. The Department of Public Safety, for the fiscal year ending June 30, 1996, may have a Patrol Academy consisting of no fewer than thirty (30) cadets.

SECTION 21. The Department of Public Safety shall expend Sixty-five Thousand Dollars (\$65,000.00), upon the availability of funds, 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.

SECTION 22. Funds appropriated to the Department of Public Safety in Sections 114, 115 and 116, Chapter 187, O.S.L. 1994, and in Section 26, Chapter 275, O.S.L. 1994, may be budgeted and expended for the fiscal year ending June 30, 1996, 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, 1995.

#### MEDICOLEGAL INVESTIGATIONS

SECTION 23. 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, 1994, the sum of Thirty-One Thousand Six Hundred Sixty-Five Dollars (\$31,665.00) or so much thereof as may be necessary to perform the duties imposed upon the Board of Medicolegal Investigations by law.

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, 1996, the sum of One Hundred Thousand Dollars (\$100,000.00) or so much thereof as may be necessary to perform the duties imposed upon the Board of Medicolegal Investigations by law.

SECTION 25. 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 Nine Hundred Nine Dollars (\$92,909.00) per annum, payable monthly for the fiscal year ending June 30, 1996. The Board of Medicolegal Investigations for the fiscal year ending June 30, 1996, 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 may be authorized pursuant to the provision of Section 3603 of Title 74 of the Oklahoma Statutes:

| <u>Budgetary Limitations</u>   | <u>Amount</u> |
|--------------------------------|---------------|
| Full-time-equivalent employees | 54.0          |

SECTION 26. Funds appropriated to the Board of Medicolegal Investigations in Section 80, Chapter 187, O.S.L. 1994, as amended by Section 33, Chapter 275, O.S.L. 1994, may be budgeted and expended for the general operating expenses of the Board of Medicolegal Investigations, regardless of the purpose for which the funds were budgeted by the agency for the fiscal year ending June 30, 1995.

SECTION 27. Appropriations made by Sections 1, 7, 12, 17 and 24 of this act, not including appropriations made for capital outlay purposes, may be budgeted for the fiscal year ending June 30, 1996 (hereafter FY-96) or may be budgeted for the fiscal year ending June 30, 1997 (hereafter FY-97). Funds budgeted for FY-96 may be encumbered only through June 30, 1996, and must be expended by November 15, 1996. Any funds remaining after November 15, 1996, and not budgeted for FY-97, shall lapse to the credit of the proper fund for the then current fiscal year. Funds budgeted for FY-97 may be encumbered only through June 30, 1997. Any funds remaining after November 15, 1997, 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-96, and not required to pay obligations for that fiscal year, may be budgeted for FY-97, 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-96 budget work program and after such revision has been approved by the Office of State Finance.

SECTION 28. Sections 1 through 22 and 24 of this act shall become effective July 1, 1995.

SECTION 29. 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.

Passed the House of Representatives the 18th day of May, 1995.

Speaker of the House of  
Representatives

Passed the Senate the 18th day of May, 1995.

President of the Senate